

**BEFORE THE KHYBER PAKHTUNKHWA SERVICES TRIBUNAL PESHAWAR.**

Service Appeal No. 1638/2019

Date of Institution ... 28.11.2019

Date of Decision ... 21.06.2022

Daud Khan, Ex-Driver No. 663/SB. Special Branch, Police Department, Khyber Pakhtunkhwa, Peshawar.

... (Appellant)

**VERSUS**

The Inspector General of Police, Khyber Pakhtunkhwa, Peshawar and two others.

... (Respondents)

-----  
MR. KAMRAN KHAN,  
Advocate

--- For appellant.

MR. KABIRULLAH KHATTAK,  
Additional Advocate General

--- For respondents.

MR. SALAH-UD-DIN  
MR. MIAN MUHAMMAD

--- MEMBER (JUDICIAL)  
--- MEMBER (EXECUTIVE)

**JUDGMENT:**

**SALAH-UD-DIN, MEMBER:-** Through the instant service appeal, the appellant has invoked jurisdiction of this Tribunal with the prayer copied as below:-

*"on acceptance of this appeal the impugned order dated 25.11.2010 may very kindly be set-aside and the appellant may please be reinstated into service with all back benefits. Any other remedy which this august Tribunal deems fit that may also be awarded in favour of the appellant.*

2. Shortly stated the facts necessary for disposal of the instant service appeal are that the appellant was serving as Constable/Driver in Special Branch Khyber Pakhtunkhwa Peshawar. The appellant proceeded on leave (Shabashi) on

15.08.2010 and on the following day he was charged in case FIR No. 1083 dated 16.08.2010 under sections 302/324/34 PPC Police Station Charsadda. Disciplinary action was thus initiated against the appellant under Khyber Pakhtunkhwa Removal from Service (Special Powers) Ordinance 2000, on the allegations of misconduct on account of involvement in criminal case. On conclusion of the inquiry, appellant was terminated from service vide order dated 25.11.2010 passed by SSP/Admin Special Branch Khyber Pakhtunkhwa Peshawar. The appellant was acquitted on 18.01.2022 on the basis of compromise, where-after the appellant submitted revision petition under Rule 11-A to the Inspector General of Police Khyber Pakhtunkhwa Peshawar, which was disposed of vide order dated 14.06.2016 with the direction to the appellant to first submit departmental appeal before the appellate Authority i.e Additional Inspector General of Police Special Branch Khyber Pakhtunkhwa Peshawar. The appellant then submitted departmental appeal to the appellate Authority, which was not responded within the statutory period, hence the instant service appeal.



3. Respondents contested the appeal by way of submitting comments, wherein they controverted the stance taken by the appellant in his appeal.

4. Learned counsel for the appellant has contended that the impugned order is against law, facts, norms of natural justice and material on the record, hence not sustainable in the eye of law; that the appellant has not been treated in accordance with relevant law/rules and the respondents have thus violated Articles 24 & 25 of Constitution of Islamic Republic of Pakistan; that no charge sheet or summary of allegations was served upon the appellant, which has rendered the entire inquiry proceedings as illegal; that no opportunity of personal and hearing and defense was provided to the appellant and he has been condemned unheard; that the disciplinary action was taken against the appellant on the ground of involvement in the criminal case, however the

appellant has already been acquitted in the same; that the appellant has been terminated from service, which penalty is not prescribed in the relevant law, therefore, the impugned order is void ab-initio; that there is some delay in lodging of service appeal, however the same is condonable for the reason that law favours adjudication on merit by avoiding technicalities. Reliance was placed on 2011 PLC (C.S) 1079, 1988 PLC (C.S) 451, 2007 SCMR 1860, PLJ 2006 Tr.C (Services) 298, 2009 SCMR 329 and 2019 SCMR 648.

5. On the other hand, learned Additional Advocate General for the respondents has contended that after involvement of the appellant in criminal case, he remained absconder for considerable long period, therefore, his reinstatement in service would be granting him premium of his abscondence; that the impugned order was passed on 25.11.2010, while the appellant availed departmental remedy in the year 2016 and his departmental appeal was thus badly time barred; that the appellant had filed departmental appeal on 30.06.2016 and if the same was not responded within the period of 60 days, the appellant was required to have filed service appeal within 30 days of expiry of the aforementioned period but the appellant filed the instant service appeal after considerable delay on 28.11.2019, which is badly time barred; that proper charge sheet as well as summery of allegations were issued to the appellant on his home address but he was abscondence, therefore, the same was served upon his father, whose signature was obtained as a token of acknowledgement; that the appellant intentionally avoided joining of the inquiry proceedings, therefore, the department cannot be blamed for own misdeed of the appellant; that departmental as well as criminal proceedings are distinct in nature and mere acquittal of the appellant in the criminal case would not *ipso facto* entitled him to exoneration in the departmental proceedings. Reliance was placed on 2006 SCMR 1005, 2005 SCMR 1206, 2009 SCMR 1435, 2013 SCMR 911, 2011 SCMR 676 and unreported judgment dated 24.12.2020 passed by worthy apex court in Civil Petition No. 2478 of 2019 titled



"Muhammad Mushtaq Versus Government of KPK through Chief Secretary, Peshawar etc".

6. Arguments have already been heard and record perused.

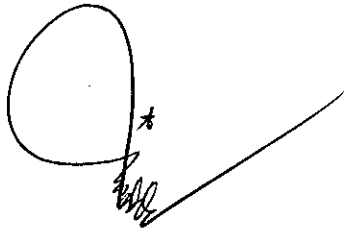
7. A perusal of the record would show that after involvement of the appellant in case FIR No. 1083 dated 16.08.2010 under sections 302/324/34 PPC Police Station Charsadda, disciplinary action was taken against him under Khyber Pakhtunkhwa Removal from Service (Special Powers) Ordinance, 2000 and he was terminated from service vide order dated 25.11.2010. The appellant was acquitted in the criminal case on the basis of compromise vide order dated 18.01.2012 but he availed departmental remedy after considerable delay in the year 2016. The appellant had filed departmental appeal on 30.06.2016, which was not responded, therefore, after the expiry of period of 60 days of filing of departmental appeal, the appellant was required to have filed service appeal within 30 days. We have, however observed that the appellant has filed service appeal on 28.11.2019 i.e after expiry of more than 03 years. The service appeal filed by the appellant is thus badly time barred. The appellant was required to justify the delay of each day, however while going through the application filed by the appellant for condonation of delay, we have observed that the only justification raised by the appellant for condonation of delay is that question of limitation was nothing more but a technicality, which is an incorrect approach. August Supreme Court of Pakistan in its judgment reported as 2011 SCMR 08 has held that question of limitation cannot be considered a technicality simpliciter as it has got its own significance and would have substantial bearing on merit of case.

8. It is well settled that law favours the diligent and not the indolent. As mentioned above, that the appellant throughout remained indolent and did not agitate the matter before the competent Authority or before the Service Tribunal within the period prescribed under the relevant law. This Tribunal can enter into merits of the case only, when the appeal is within

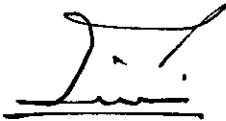
time. Worthy Supreme Court of Pakistan in its judgment reported as 1987 SCMR 92 has held that when an appeal is required to be dismissed on the ground of limitation, its merits need not to be discussed.

9. In view of the above discussion, the appeal in hand stands dismissed with the only modification that the penalty of termination from service awarded to the appellant shall be considered as removal from service. Parties are left to bear their own costs. File be consigned to the record room.

ANNOUNCED  
21.06.2022



(MIAN MUHAMMAD)  
MEMBER (EXECUTIVE)



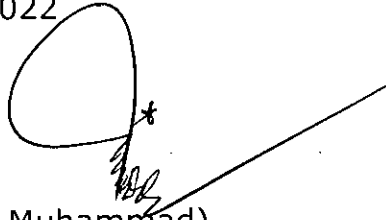
(SALAH-UD-DIN)  
MEMBER (JUDICIAL)

ORDER  
21.06.2022

Learned counsel for the appellant present. Mr. Muhammad Ayaz, S.I alongwith Mr. Kabirullah Khattak, Additional Advocatae General for the respondents present. Arguments have already been heard and record perused.

Vide our detailed judgment of today, separately placed on file, the appeal in hand stands dismissed with the only modification that the penalty of termination from service awarded to the appellant shall be considered as removal from service. Parties are left to bear their own costs. File be consigned to the record room.

ANNOUNCED  
21.06.2022



(Mian Muhammad)  
Member (Executive)

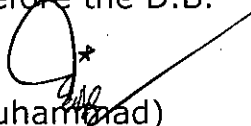


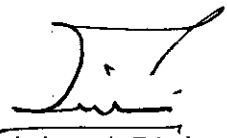
(Salah-Ud-Din)  
Member (Judicial)

09.05.2022

Learned counsel for the appellant present. Mr. Muhammad Adeel Butt, Additional Advocate General for the respondents present.

Learned counsel for the appellant requested for adjournment on the ground that he has not made preparation for arguments. Adjourned. To come up for arguments on 16.06.2022 before the D.B.

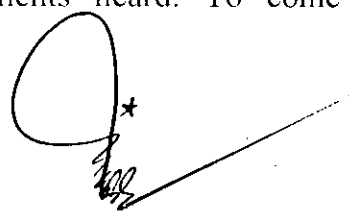
  
(Mian Muhammad)  
Member (E)

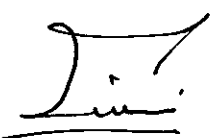
  
(Salah-ud-Din)  
Member (J)

16.06.2022

Mr. Kamran Khan, Advocate for the appellant present. Mr. Muhammad Ayaz SI (Legal) alongwith Mr. Kabirullah Khattak. Additional Advocate General for the respondents present.

Arguments heard. To come up for order before the D.B on 21.06.2022.

  
(MIAN MUHAMMAD)  
MEMBER (EXECUTIVE)

  
(SALAH-UD-DIN)  
MEMBER (JUDICIAL)

12.07.2021

Learned Addl, A.G be reminded about the omission and for submission of reply/comments within extended time of 10 days.

  
Chairman

Stipulated period passed reply not submitted.

01.11.2021

Counsel for appellant present.

Kabir Ullah Khattak learned Additional Advocate General alongwith Sohail Aziz H.C for respondents present.

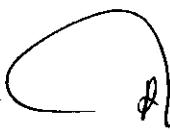
Reply on behalf of respondents was submitted office. The learned Member (Judicial) is on leave, therefore, case is adjourned. To come up for arguments on 02.02.2022 before D.B.

  
Chairman

02.02.2022

Mr. Umar Farooq Advocate present as proxy on behalf of Mr. Kamran Khan Advocate. Mr. Naseer ud Din Shah Assistant Advocate General for the respondents present.

Former requested for adjournment as learned counsel for the appellant is out of station. Adjourned. To come up for arguments on 09.05.2022 before the D.B.

  
(Rozina Rehman)  
Member (J)

  
(Salah-Ud-Din)  
Member (J)



23.02.2021

The learned Member Judicial Mr. Muhammad Jamal Khan is under transfer, therefore, the case is adjourned. To come up for the same before S.B on 09.06.2021.

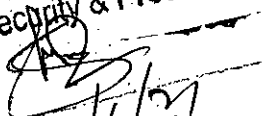
  
Reader

09.06.2021

Counsel for the appellant present. Preliminary arguments heard.

Points raised need consideration. Keeping the question of limitation intact for disposal during regular hearing, this appeal is admitted to regular hearing. The appellant is directed to deposit security and process fee within 10 days. Thereafter, notices be issued to the respondents for submission of written reply/comments in office within 10 days after receipt of notices, positively. If the written reply/comments are not submitted within the stipulated time, the office shall submit the file with a report of non-compliance. File to come up for arguments on 01.11.2021 before the D.B .

Appellant Deposited  
Security & Process Fee

  
17/6/21

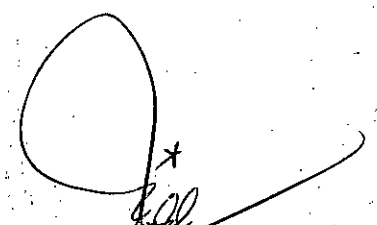
  
Chairman

17.08.2020

Counsel for the appellant present. Mr. Ziaullah, DDA  
for respondents present.

Learned counsel for the appellant requested to further  
prepare the case and submit case laws with regard to void  
order and wrong law.

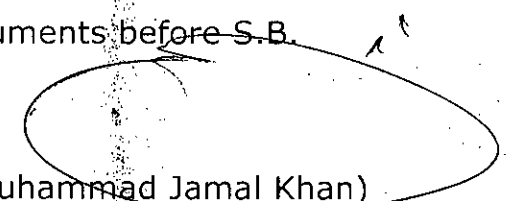
Adjourned to 25.09.2020 before S.B.



(Mian Muhammad)  
Member(E)

25.09.2020

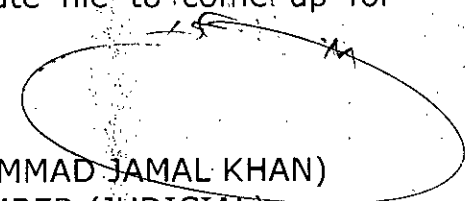
Mr. Kamran Khan, Advocate, for appellant is present.  
Requested for adjournment. Adjourned to 25.11.2020 on  
which to come up for preliminary arguments before S.B.



(Muhammad Jamal Khan)  
Member (Judicial)

25.11.2020

Neither appellant nor anyone else representing him has  
appeared despite having been called time and again,  
therefore, appellant as well as his respective counsel be  
noticed for 23.02.2021 on which date file to come up for  
preliminary hearing before S.B.



(MUHAMMAD JAMAL KHAN)  
MEMBER (JUDICIAL)

*noted  
Kamran*

19.02.2020

Learned counsel for the appellant present.

Learned counsel for the appellant was confronted with the issue that the present service appeal is hopelessly time barred/not maintainable, whereupon learned counsel for the appellant seeks adjournment to prepare the brief. Adjourn. To come up for preliminary hearing on 02.04.2020 before S.B.



Member

01.04.2020

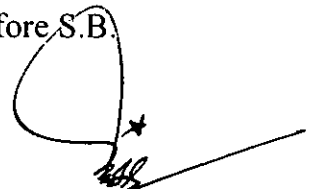
Due to public holiday on account of COVID-19, the case is adjourned for the same on ~~25~~ 25.06.2020 before S.B.



Reader

25.06.2020

Counsel for the appellant present. Preliminary arguments to some extent heard. Let pre-admission notice be given to the learned AAG to assist the Tribunal regarding the limitation as well as maintainability of the instant appeal. To come up for further proceedings on 17.08.2020 before S.B.






MEMBER

Form- A

FORM OF ORDER SHEET

Court of \_\_\_\_\_

Case No.- 1638/2019

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	04/12/2019	<p>The appeal of Mr. Daud Khan resubmitted today by Kamran Khan Advocate may be entered in the Institution Register and put up to the Worthy Chairman for proper order please.</p> <p> REGISTRAR 4/12/19</p>
2-	05/12/19  f  09.01.2020	<p>This case is entrusted to S. Bench for preliminary hearing to be put up there on <u>09/01/20</u></p> <p> CHAIRMAN</p> <p>Appellant present in person. Requests for adjournment due to general strike of the Bar. Adjourned to 19.02.2020 before S.B.</p> <p> Chairman</p>


*Handwritten notes:*  
P-9  
relm

The appeal of Mr. Daud Khan Ex-Driver no. 663/S.B Special Branch Police Department Peshawar received today i.e. on 28.11.2019 is incomplete on the following score which is returned to the counsel for the appellatant for completion and resubmission within 15 days.

- 1- Copies of charge sheet, statement of allegations, show cause notice, enquiry report and replies thereto are not attached with the appeal which may be placed on it.
- 2- Annexure-B of the appeal is illegible which may be replaced by legible/better one.

No. 2093 /S.T,

Dt. 28-11- /2019.

  
REGISTRAR  
SERVICE TRIBUNAL  
KHYBER PAKHTUNKHWA  
PESHAWAR.

Mr. Kamran Khan Adv. Pesh.

*Note:*

*Sir,*

*copies of the charge sheet, statement of allegations  
show cause notices are not available, white objection  
No. 2 has been removed, hence re-submitted today  
dated 4.12.2019.*

*Kamran*  
*4/12/2019.*

**BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL**  
**PESHAWAR**

APPEAL NO. 1638 /2019

**DAUD KHAN**

**VS**

**POLICE DEPARTMENT**

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**APPELLANT**

THROUGH:   
**KAMRAN KHAN**  
**ADVOCATE**

0344-9118844

**BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,  
PESHAWAR**

APPEAL NO. 1638 /2019

Khyber Pakhtunkhwa  
Service Tribunal

Diary No. 1689

Date 28/11/2019

Mr. Daud Khan, Ex-Driver No.663/SB,  
Special Branch, Police Department, Khyber Pakhtunkhwa, Peshawar.

.....**APPELLANT**

**VERSUS**

- 1- The Inspector General of Police, Khyber Pakhtunkhwa, Peshawar.
- 2- The Additional Inspector General of Police (Establishment), Khyber Pakhtunkhwa, Peshawar.
- 3- The Senior Superintendent of Police Administration/ Special Branch, Peshawar.

.....**RESPONDENTS**

**APPEAL UNDER SECTION-4 OF THE KHYBER PAKHTUNKHWA  
SERVICE TRIBUNAL ACT, 1974 AGAINST THE IMPUGNED  
ORDER DATED 25.11.2010 WHEREBY THE APPELLANT HAS  
BEEN TERMINATED FROM SERVICE AND AGAINST THE  
DEPARTMENTAL APPEAL WHICH HAS NOT BEEN DECIDED  
WITHIN THE STIPULATED PERIOD OF NINETY DAYS**

**PRAYER:**

That on acceptance of this appeal the impugned order dated 25.11.2010 may very kindly be set aside and the appellant may please be re-instated in to service with all back benefits. Any other remedy which this august Tribunal deems fit that may also be awarded in favor of the appellant.

**R/SHEWETH:**

**ON FACTS:**

*Brief facts giving rise to the present appeal are as under:-*

- 1- That appellant while serving the respondents department was falsely charged in FIR No. 1083 dated 16.08.2010 U/S 302/324/34 P.P.C, P.S Charsadda. ~~Copy of FIR attached as annexure~~
- 2- That due to the involvement in the aforesaid FIR the appellant was terminated from services vide order dated 25-11-2010. Copies of the order dated 25-11-2010 is attached as annexure.....**A**
- 3- That the appellant was acquitted from all the charges leveled against him; by the Additional Session Judge-II Charsadda vide order dated 18-01-2012. Copy of the acquittal order dated 18-01-2012 is attached as annexure.....**B**

Filed to-day

Registrar

Re-submitted to-day  
and filed.

Registrar  
28/11/19

- 4- That feeling aggrieved from the order dated 25-11-2010 after the acquittal, the appellant preferred the Revision Petition before the Worthy Inspector General of Police, Khyber Pakhtunkhwa. Copy of the Revision Petition is attached as annexure.....C.
- 5- That the Revision Petition of the appellant was disposed of vide order dated 14-06-2016 with the observation that:  
**"The appellant has not submitted his first appeal to the first appellate authority i.e. Addl IGP/SB, Khyber Pakhtunkhwa, Peshawar. Therefore, he was directed to submit his first appeal to the first appellate authority and his present petition is disposed of accordingly".** Copies of the Revision Order dated 14-06-2016 is attached as annexure.....D.
- 6- That in light of the above mentioned observation the appellant then preferred departmental appeal before the appellate authority against the impugned order dated 25-11-2010 but the same was not responded within the stipulated period of ninety days. Copy of the departmental appeal is attached as annexure.....E.
- 7- That having no other remedy the appellant preferred the instant appeal on the following grounds amongst others.

**GROUND:**

- A- That the impugned order dated 25-11-2010 is against the law, facts, norms of natural justice and materials on the record hence not tenable and liable to be set aside.
- B- That appellant has not been treated in accordance with law and rules by the respondent Department on the subject noted above and as such the respondents violated Article-4 and 25 of the Constitution of Islamic Republic of Pakistan 1973.
- C- That the respondent Department acted in arbitrary and mala fide manner while issuing the impugned order dated 25-11-2010.
- D- That appellant was terminated from service on the basis of a criminal case/FIR and in the same case the appellant was acquitted by the competent court of law, therefore, as per the rules and the apex court judgments that acquittal makes entitle the appellant for reinstatement.
- E- That spirit of the Fundamental Rule 54 is clear in this respect which states that after acquittal from criminal charges the appellant be reinstated in to service with all back benefits.
- F- That no show cause has been served upon to the appellant before the issuance of impugned order dated 25-11-2010.



G- That no opportunity of personal hearing and personal defense has been provided to the appellant hence the respondents department has violated the basic principle of natural justice.

H- That no charge sheet and statement of allegation has been served upon the appellant, therefore, the entire proceedings is illegal and is liable to be vitiated.

I- That appellant is removed from service through "TERMINATION" simpliciter, whereas, the same punishment is alien to law. So the impugned order dated 25-11-2010 is void ab initio.

J- That appellant seeks permission to advance other grounds and proofs at the time of hearing.

It is therefore, most humbly prayed that the appeal of the appellant may be accepted as prayed for.

Dated: 28-11-2019

**APPELLANT**

  
**DAUD KHAN**

**THROUGH:**

  
**KAMRAN KHAN**

**&**

  
**SHAHZULLAH YOUSAFZAI**  
**ADVOCATES**

**BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL**  
**PESHAWAR**

**APPEAL NO. \_\_\_\_\_ 2019**

**DAUD KHAN**

**VS**

**POLICE DEPTT:**

**APPLICATION FOR CONDONATION OF**  
**DELAY IN FILING THE ABOVE NOTED**  
**APPEAL**

**R.SHEWETH:**

- 1- That the appellant has filed an appeal along with this application in which no date has been fixed so far.
- 2- That the appellant prays for the condonation of delay in filing the above noted appeal inter alia on the following grounds:

**GROUND OF APPLICATION:**

- A- That valuable rights of the appellant are involved in the case hence the appeal deserve to decide on merit.
- B- That it has been the consistent view of the Superior Courts that cases should be decided on merit rather on technicalities including the limitation. The same is reported in 2004 PLC (CS) 1014 and 2003 PLC (CS) 76.

It is therefore prayed that on acceptance of this application the delay in filing the above noted appeal may please be condoned.

**APPELLANT / Applicant**

  
**DAUD KHAN**

**THROUGH:**   
**KAMRAN KHAN**  
**ADVOCATE**

Annex (A) (5)

ORDER


This an order on the Departmental Enquiry of constable driver Daud Khan No.663/SB Khyber Pakhtunkhwa Peshawar who committed the following acts of omission/commission:-

That he while proceeded on leave (Shabbashi) on 15.08.2010 whereas he found involved in a criminal case register against him and other vide FIR No.1083 dated 16.08.2010 U/S 302/324/34.1PC PS Charsada.

The Charge Sheet and Summary of Allegations was issued under the Removal from Service Special Power Ordinance 2000 Mr: Farman Ali and Mr: Abdul Aziz DSsP were nominated to conduct enquiry in the matter. Hence Charge sheet and Summary of Allegations could not served upon him due to his absconderness. Moreover his father Jehangir Khan was received his Summary of Allegations and Charge Sheet.

On going through the findings and recommendation of the Enquiry Officers, the material on record and other connected papers. I Abdul Ghafoor Afridi SSP/Admin: Special Branch (Competent Authority) is hereby "TERMINATED" constable driver Daud Khan No.663/SB from service with immediate effect.

Order announced



SSP/Admin:

Special Branch Khyber Pukhtoorkhwa  
Peshawar

OB No. 183 / 5B

Dated 25 / 11 / 2010

No. 6684-88 /EB, dated Peshawar the 25 / 11 / 2010

Copy to all concerned.

**ACCEPTED**

**Order**

18-01-2012

Accused facing trial namely Daud and Almagir present on bail along-with council, Dy P.P for the state present, Shahid Ullah Jan (complaint/Father of deceased) and Muhammad Siyar also present in person.

At the very outset court was informed about compromise. Today, Shahid Ullah Jan complaint/father of deceased) and Muhammad Siyar, appeared before the court, their joint statement was recorded and their signatures were obtained thereon. They have patched up the matter with the accused facing trial and have pardoned them by waiving their right of Qisas and Diyat. Mother of the deceased has also effected compromise with the accused facing trial and in this regard her statement was recorded by local commission at the time of bail of accused. Attested copies of commission report and compromise decided are placed on file, which is EX.P.A. The deceased was unmarried. His parents are his sole legal heirs who have got no objection if the accused facing trial is acquitted of the charges leveled against them.

Accused along-with absconding co-accused Inam were charged for the murder of one Tufail vide case FIR No. 1083 dated 16-08-2010 registered u/s 302/324/34 P.P.C at P.S Charsadda.

Keeping in view the compromise coupled with the joint statement of complainant/Father of deceased and P.W Siyar and the section of law being compoundable, the accused stands acquitted of the charges leveled against them on the basis compromise.

They are on bail, their bail bonds cancelled and surties are absolved of the liabilities of bail bonds. Case property, if any, be dealt with in accordance with law till the arrest of the absconding accused Inam and conclusion of trial against him.

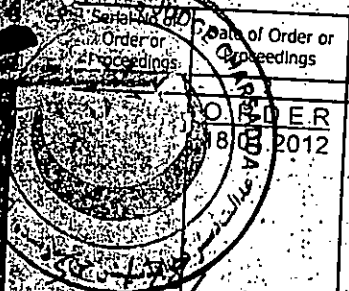
File be consigned to record room after completion.

Announced  
18-01-2012

ROZINA REHMAN  
Addl: Session Judge-II  
Charsadda.

مقدم تقدمات حکم اخیر میان متذکرہ عدلیان از عدالت محترمہ روز شنبه 18/01/2012

6  
B



Order or other Proceedings with Signature of Judge or Magistrate and that of parties or counsel where necessary

ORDER  
18/01/2012

Accused facing trial, namely Daud and Alamgir present on bail along-with counsel. Dy.P.P. for the state, Shahid Ullah Jan (Complainant / Father of deceased) and Muhammad Siyar also present in person.

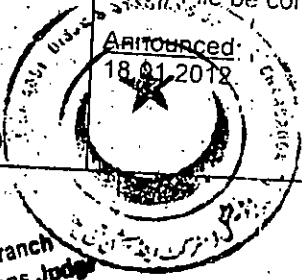
At the very outset court was informed about compromise. Today, Shahid Ullah Jan (Complainant / Father of deceased) and Muhammad Siyar, appeared before the court, their joint statement was recorded and their signatures were obtained thereon. They have patched up the matter with the accused facing trial and have pardoned them by waiving their right of Qisas and Diyat. Mother of the deceased has also effected compromise with the accused facing trial and in this regard her statement was recorded by local commission at the time of bail of accused. Attested copies of commission report and compromise deed are placed on file, which is Ex.P.A. The deceased was unmarried. His parents are his sole legal heirs who have got no objection if the accused facing trial are acquitted of the charges leveled against them.

Accused along-with absconding co-accused Inam were charged for the murder of one Tufail vide case F.I.R No: 1083 dated 16.08.2010 registered u/s 302/324/34 PPC at P S Charsadda.

Keeping in view the compromise coupled with the joint statement of complainant/ father of the deceased and PW Siyar and the section of law being compoundable, the accused stands acquitted of the charges leveled against them on the basis of compromise.

They are on bail, their bail bonds cancelled and sureties are absolved of the liabilities of bail bonds. Case property, if any, be dealt with in accordance with law till the arrest of absconding accused Inam and conclusion of trial against him.

File be consigned to record room after completion.



(ROZINA KHAN)  
Addl. Sessions Judge  
Charsadda

ATTESTED

EXAMINER  
Copying Agency Branch  
of Dist. & Sessions Judge  
Charsadda

ATTESTED  
[Signature]

is Ju  
idda

Mad. Aizaz  
S/O

6 a

Date of Order or Proceedings  
Order or other Proceedings with Signature of Judge or of parties or counsel where necessary

O.R.D.E.R  
18.01.2012

Accused facing trial, namely Daud and Alamgiri present along-with counsel. Dy.P.P for the state Shahid Ullah Jan (Complainant / Father of deceased) and Muhammad Siyar also present in person.

At the very outset court was informed about compromise. Today, Shahid Ullah Jan (Complainant / Father of deceased) and Muhammad Siyar, appeared before the court their joint statement was recorded and their signatures were obtained thereon. They have patched up the matter with the accused facing trial and have pardoned them by waiving their right of Qisas and Diyat. Mother of the deceased has also effected compromise with the accused facing trial and in this regard her statement was recorded. Her commission at the time of bail of accused. Attested copies of commission report and compromise deed are placed on file. Ex P.A. The deceased was unmarried. His parents are his sole heirs who have got no objection if the accused facing trial are acquitted of the charges leveled against them.

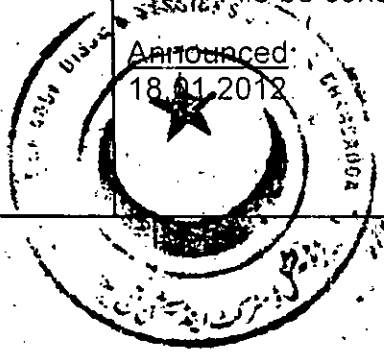
Accused along-with absconding co-accused Inam charged for the murder of one Tufail vide case F.I.R No. 105/16.08.2010 registered U/s 302/324/34 PPC at P.S. the said.

Keeping in view the compromise entered with the statement of complainant/ father of the deceased and PW 35, the section of law being compoundable, the accused stands absolved of the charges leveled against them on the basis of compromise.

They are on bail, their bail bonds cancelled and they are absolved of the liabilities of bail bonds. Case property, if any, be taken with in accordance with law till the arrest of absconding co-accused Inam and conclusion of trial against him.

File be consigned to record room after completion.

Announced:  
18.01.2012



(ROZINA...)  
Addl. Sessions Judge  
Charsadda

ATTESTED  
UIN NO. 2711  
Copy of this order to be sent to the Court of District Judge, Charsadda.

Annex C



The Inspector General, of Police  
Khyber Pakhtunkhwa, Peshawar.

Subject: **REVISION PETITION UNDER RULE 11-A OF POLICE  
RULES 1975 WITH AMENDMENT 2014.**

Respected Sir,

With due respect and humble submission the appellant approach your good office for revival of the lost service with following lines.

1. That applicant was enlisted as constable in Special Branch with effect from 24.11.2007 and was later on assigned duties of driver.
2. That in the year 2010, applicant was falsely implicated in a criminal case under section 302, 324, 34 PPC vide FIR No. 1083 Police Station Headquarters Charsadda.
3. That later on complainant party realized about the false charges leveled against me vide above mentioned FIR, therefore, affect compromise with appellant accordingly appellant was acquitted of the murder charges vide order of trial court dated 18.01.2012. Copy enclosed.
4. That appellant was engaged in domestic problem and later on came to know that the appellant has been dismissed from service in absentia vide order of Senior Superintendent of Police/Administrator Special Branch Khyber Pakhtunkhwa, Peshawar bearing OB No. 183/SB dated 25.11.2010. Copy enclosed.
5. That neither charge sheet was issued to appellant nor appellant was heard in person and the entire departmental proceedings were conducted at back of appellant. The appellant was completely condemned unheard. Similarly no proclamation was published in print media as envisaged in the rules.
6. That appellant has been acquitted of the criminal charges and alleged disappearance of appellant from duty was not deliberated rather inevitable as the domestic affairs did not allow appellant to perform duties regularly.
7. That appellant belongs to poor family and dismissed from service order is not only affecting the personal life of appellant but is also a blow on the entire members of family of appellant.

**ATTESTED**  
AlC

8

8.

That appellant has got no other source of income and there is every danger that the children of appellant might turn cancer for society as appellant is unable to manage the education of children.

It is therefore humbly requested that appellant may be re-instead in service with back benefit.

Your Obedient Servant



(DAUD KHAN)

Ex-Constable No. 663/SB,  
R/o Distt: & Tehsil Charssada,  
Muhala Mohammad Zai Rajjar.  
Cell # 0345-9211057

10  
ATTESTED





Annex "D"

9

OFFICE OF THE  
INSPECTOR GENERAL OF POLICE  
KHYBER PAKHTUNKHWA  
Central Police Office, Peshawar

No. SI/ 4584-86 /16, Dated Peshawar the 14/06 /2016.

To : The Addl: IGP/SB,  
Khyber Pakhtunkhwa, Peshawar.

Subject: APPEAL OF EX-DRIVER CONSTABLE DAUD KHAN NO. 663/SB).

Memo:

Meeting of Appeal Board was held on 12.05.2016 in CPO wherein the appeal of Ex-Driver Constable Daud Khan No. 663/SB of Special Branch, Peshawar was examined in detail as the appellant was terminated from service by SSP/Admn Special Branch Peshawar vide OB No. 183 / SB, dated 25.11.2010 on the charges that he was found involved in a criminal case register against him and other vide FIR No. 1083, dated 16.08.2010 u/s 302 / 324 / 34 PC PS Charsadda.

He contended that he was confined in jail in case FIR No. 1083, dated 16.08.2010 u/s 302 / 324 / 34 PC PS Charsadda.

He has not submitted his first appeal to the first appellate authority i-e Addl: IGP / SB: Khyber Pakhtunkhwa, Peshawar. Therefore he was directed to submit his first appeal to the first appellate authority and his present petition is dispose of accordingly.

*Najib*  
(NAJEEB-UR-RAHMAN BUGVI)  
AIG / Establishment  
For Inspector General of Police,  
Khyber Pakhtunkhwa,  
Peshawar.

Endst: No. & date even:-

Copy of above is forwarded for information to the:-

1. SSP/Admn, SB Peshawar.
2. Ex-Driver Constable Daud Khan No. 663/SB.

*Caer*  
**ATTESTED**

خدمت ضابطہ ایئر لائنز انسپیکٹر جنرل آف پولیس ضلع خٹوار کسٹومرز

Armed B

فحش نہ ایبل بہ خلاف صلح حروف 25/11/2010 لبراز صلح حروف 6/14/2016

ضابطہ عالی!

گذرارش ہے کہ سائل صلح پولیس میں بطور سی پی ڈی ڈرائیور خدمات سرانجام

دے رہا تھا کہ صلح 16/8/2010 کو FIR نمبر 1083 پولیس سٹیشن صاحبہ 05 مجرم  
302/324/34 درج ہوئی جسکو بنیاد بنا کر سائل کو بغیر حکمانہ کارروائی صلح 25/11/10  
کو فحش نہ ایبل بہ خلاف کر دیا گیا۔

جب سائل کو جاز نظامت نے حروف 18/1/2012 کو مقدمہ خٹوارہ بالا سے ہی لیا تو  
سائل اپنی ڈیوٹی نبھانے کے لیے حکم کیا جیسا کہ سائل کو صلح صلح 25/11/2010 تھا دیا  
گیا۔ جیسا کہ خلاف سائل ضابطہ انسپیکٹر جنرل آف پولیس کے اولیو نگرانی فریم دفعہ A-1  
پولیس اولیو مجربہ 1975 گذاری۔ جس کو ایئر لائنز انسپیکٹر جنرل آف پولیس نے  
صلح 14/6/2016 کو اس صلح کے ساتھ صلح کیا کہ سائل نے فحش نہ ایبل جاز اتھارٹی  
کو نہیں گذاری لہذا سائل کو فحش نہ ایبل درجہ جاز اتھارٹی گذارنے کا صلح دیا جاتا  
ہے۔

ضابطہ عالی! چونکہ سائل فوجی قوت خٹوارہ بالا سے ہی ہو گیا ہے اور سائل کے  
خلاف فحش نہ کارروائی عمل میں نہیں لائی گئی۔ لہذا بغیر کسی کارروائی کے صلح  
صلح 25/11/2010 خلاف قانون و خلاف ضابطہ کر لیا ہے۔

لہذا استدعا ہے کہ صلح صلح 25/11/2010 کو مسترد فرمائیں  
ڈیوٹی پر بحال کر دیا جائے اور ساتھ ساتھ اس کے اہلکار صادر فرمائیں۔  
سائل معذور و کمزور ہے۔

سائل  
داؤد خان

صلح 30/06/2016

ATTESTED

قیمت  
50 روپے

33100



ایڈوکیٹ:

بار کونسل/ ایسوسی ایشن نمبر: BC-14-4781

رابطہ نمبر: 0344-9118844

پشاور بار ایسوسی ایشن، خیبر پختونخواہ

بعدالت جناب: سر دس ٹر ہونٹل، خیبر پختونخواہ کے سامنے

مخاطب: ایڈووکیٹ	دعویٰ: سر دس ٹر ہونٹل
راؤدرخان	علت نمبر:
بنام	مورخہ:
طیس ٹریڈنگ کمپنی	جرم:
	تھانہ:

**باعث تحریر آگے**

مقدمہ مندرجہ عنوان بالا میں اپنی طرف سے واسطے پیروی و جواب دہی کاروائی متعلقہ  
آن مقام کے لیے **کا مہران خان ٹریڈنگ کمپنی** کو دیکھ کر  
قرارداد کے اقرار کیا جاتا ہے کہ صاحب موصوف کو مقدمہ کی کل کاروائی کا کامل اختیار ہوگا، نیز وکیل صاحب کو  
راہی نامہ کرنے و تقریر ثالث و فیصلہ بر خلاف دینے جواب دعویٰ اقبال دعویٰ اوز در خواست از ہر قسم کی تصدیق  
زریں پر دستخط کرنے کا اختیار ہوگا، نیز بصورت عدم پیروی یا ڈگری کی طرفہ یا اپیل کی برآمدگی اور منسوخی، نیز  
وائر کرنے اپیل نگرانی و نظر ثانی و پیروی کرنے کا مختار ہوگا اور بصورت ضرورت مقدمہ مذکورہ کے کل یا جزوی  
کاروائی کے واسطے اور وکیل یا مختار قانونی کو اپنے ہمراہ یا اپنے بجائے لپچر کا اختیار ہوگا اور صاحب  
مقرر شدہ کو وہی جملہ مذکورہ با اختیارات حاصل ہوں گے اور اس کا ساختہ پر ذاختہ منظور و قبول ہوگا  
دوران مقدمہ میں جو خرچہ ہر جانب اتوائے مقدمہ کے سبب سے ہوگا کوئی تاریخ پیشی مقام دورہ یا حد سے  
باہر ہو تو وکیل صاحب پابند نہ ہوں گے کہ پیروی مذکورہ کریں، لہذا وکالت نامہ لکھ دیا تاکہ بندر ہے  
الرقوم:

مقام کے لیے منظور ہے۔

Attested and Accepted  
Kamran

مقام  
راؤدرخان

نوٹ: اس وکالت نامہ کی نوٹ کاپی ناقابل قبول ہوگی۔

07

**BEFORE THE HON'BLE KHYBER PAKHTUNKHWA SERVICE**  
**TRIBUNAL PESHAWAR**

Service Appeal No. 669 /2020.

Daud Khan Ex- Driver No. 663/SB..... (Appellant)

VERSUS

Inspector General of Police, Khyber Pakhtunkhwa and others.....(Respondents)

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4.	Charge Sheet, statements of allegations/Inquiry	A	6-8
5.	Order dated 25.11.2020	B	9

(P)

**BEFORE THE HON'BLE KHYBER PAKHTUNKHWA SERVICE**

**TRIBUNAL PESHAWAR**

Service Appeal No. 1638 /2019.

Daud Khan Ex- Driver No. 663/SB..... (Appellant)

VERSUS

Inspector General of Police, Khyber Pakhtunkhwa and others.....(Respondents)

**COMMENTS BY RESPONDENT NOS. 1, 2 & 3.**

**RESPECTIVELY SHEWETH:**

Para-wise comments on behalf of Respondent Nos. 1, 2 & 3 are submitted as under:-

**PRELIMINARY OBJECTIONS:-**

- a) That appeal of appellant is not maintainable as he has filed no departmental appeal.
- b) That the appeal of appellant is not based on facts.
- c) That the appellant has not come to this Hon'ble Tribunal with clean hands.
- d) That the appeal of appellant is bad for non-joinder and miss-joinder of necessary parties.
- e) That the appeal of appellant is badly time barred. He challenged the impugned order dated 25.11.2010 in the year 2016 after lapse of about five (05) years and that too before wrong forum in Revision petition instead of filing departmental appeal before proper authority. Again he has advanced no cogent cause for condonation of delay. He has given no justification for such a long delay of more than Nine (09) years. He was under obligation to explain delay and justify each day.
- f) That the appellant has wrongly stated the designation of Respondent No.2 as Additional Inspector General of Police (Establishment) instead of actual designation of Assistant Inspector General (AIG) Establishment.
- g) That the appellant has not included the appellate authority in the panel of Respondents therefore appeal is not maintainable.

**REPLY ON FACTS:-**

1. Incorrect, appellant while posted in Special Branch was availing Station Leave and he did not come up for resuming charge at district Charsadda and involved himself in a criminal case. Departmental proceedings were initiated against him but the appellant avoided defending departmental charge and joining investigation of the criminal case. Charge Sheet with statement of allegations were served duly received by his father namely Jahangir but appellant did not associate the enquiry proceedings. Seeing no other alternative, the Respondent No. 3 being competent authority passed the legal order. (Copy of Charge Sheet, statement of allegations/Inquiry and order dated 25.11.2010 are enclosed as Annexure-A & B respectively).

- 2. Incorrect, appellant was avoiding defending charge sheet/allegations and was fugitive from law and duty, therefore the respondents passed legal order in accordance with facts and law/rules.
- 3. Incorrect, it is well settled proposition of law that prosecution on criminal charge and departmental proceedings are different in nature as one relates to enforcement of criminal liability whereas the other is concerned to good service discipline. Therefore acquittal in criminal case is no ground for exoneration from departmental charge. The appellant remained absconder for a long period and managed acquittal on the basis of compromise and not on merit.
- 4. Incorrect, appellant had filed time barred Revision Petition instead of submitting departmental appeal before proper authority. Furthermore, ignorance of law is no excuse for condonation of delay.
- 5. Correct, appellant was informed and guided that his Revision Petition was not maintainable under the law/rules.
- 6. Incorrect, appellant had lodged badly time barred appeal which was prima facie not maintainable.
- 7. Incorrect, the appeal of appellant is barred by law and limitation. He has not justified the delay in lodging time barred appeal. The appeal is also not tenable on the following grounds.


**REPLY ON GROUNDS:-**


- A. Incorrect, the order of respondents are speaking one, based on law/rules. Appellant willfully ignored to join the inquiry proceedings. The disciplinary laws do not allow adjournment of the proceeding till attendance of the accused officer.
- B. Incorrect, appellant was treated in accordance with law and rules. Charge sheet was served duly received by his father but appellant avoided to defend the charge and join enquiry proceeding.
- C. Incorrect, the competent authority has exercised powers vested him under the law/rules. Appellant was absconder, therefore the authority was left with no other option but to pass the order of dismissal from service.
- D. Incorrect, acquittal from criminal charge is no ground or defence for departmental charge. Actually appellant was fugitive from law and duty, therefore the order was passed by respondents in accordance with facts and law/rules. Detail reply already given in above Paras.
- E. Incorrect, the bare reading of FR-54 reveals that it explains the post re-instatement benefits. Appellant has not yet been re-instated, therefore he has wrongly invoked the principle of FR 54.
- F. Incorrect, Charge Sheet with Statement of Allegations were served but he was avoiding service. He did not come forward to defend the charge and enquiry proceeding. Hence, the impugned order is passed in accordance with law/rules.


- G. Incorrect, appellant was absconder and he willfully avoided defense of the charge. He did not come up for duty after availing the station leave. The charge sheet was served to him duly received by his father meaning thereby he was well in picture of the charges and deliberately avoided defence in the enquiry proceedings.
- H. Incorrect, charge sheet with statement of allegations were served and duly received by his father as he was avoiding service. He did not come forward to defend the charges and join enquiry proceeding.
- I. Incorrect, termination from service means ending of the service. It is synonym of dismissal from service.
- J. The respondents may also be allowed to raise other grounds during hearing of appeal.

**Prayer:-**

Keeping in view the above stated facts, it is prayed that the appeal is barred by law/limitation, may kindly be dismissed with costs please.

  
 Inspector General of Police,  
 Khyber/Pakhtunkhwa,  
 Peshawar.  
 (Respondent No. 1)

  
 Assistant Inspector General of Police,  
 Establishment, Khyber Pakhtunkhwa,  
 Peshawar.  
 (Respondent No. 2)

  
 Senior Superintendent of Police Admn,  
 Special Branch, Khyber Pakhtunkhwa,  
 Peshawar.  
 (Respondent No. 3)

**BEFORE THE HON'BLE KHYBER PAKHTUNKHWA SERVICE  
TRIBUNAL PESHAWAR**

Service Appeal No. 669 /2020.


Daud Khan Ex- Driver No. 663/SB..... (Appellant)


VERSUS

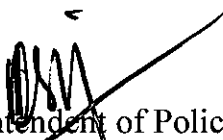
Inspector General of Police, Khyber Pakhtunkhwa and others.....(Respondents)

**AUTHORITY LETTER**

Muhammad Asif DSP Legal, Special Branch, Khyber Pakhtunkhwa Peshawar is hereby authorized to appear on behalf of the Respondents before the Hon'ble Service Tribunal Peshawar. He is authorized to submit all required documents and replies etc pertaining to the appeal through the Government Pleader.

  
Inspector General of Police,  
Khyber Pakhtunkhwa,  
Peshawar.  
(Respondent No. 1)

  
Assistant Inspector General of Police,  
Establishment, Khyber Pakhtunkhwa,  
Peshawar.  
(Respondent No. 2)

  
Senior Superintendent of Police Admn,  
Special Branch, Khyber Pakhtunkhwa,  
Peshawar  
(Respondent No. 3)



5

**BEFORE THE HON'BLE KHYBER PAKHTUNKHWA SERVICE  
TRIBUNAL PESHAWAR**

Service Appeal No. 669 /2020.

Daud Khan Ex- Driver No. 663/SB..... (Appellant)

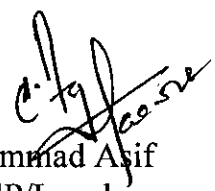
VERSUS

Inspector General of Police, Khyber Pakhtunkhwa and others.....(Respondents)

**AFFIDAVIT**

I, Muhammad Asif DSP Legal Special Branch, Khyber Pakhtunkhwa Peshawar do here by solemnly affirm on oath that the contents of enclosed application on behalf of respondents. Nothing has been concealed from this Hon'ble Tribunal.

Deponent



Muhammad Asif  
DSP/Legal  
17301-3746129-3

"A" 6  
3

CHARGE SHEET

I, Ghulam Muhammad SSP/Admn: Special Branch, KPK, Peshawar as competent authority hereby charge you constable driver Daud Khan. No.663/SB of Admn: Section Special Branch KPK Peshawar. as follows:-

That you while proceeded on leave (Shabbashi) with effect from 15.08.2010 has been found involved in a criminal case register against you and other vide FIR No.1083 dated 16.08.2010 U/S 302/324/34.PPC PS Charsadda

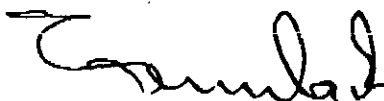
By reasons of the above you appear to be guilty of misconduct under section (3) of the KPK, Removal from Service (Special Power) Ord:2000, and have rendered yourself liable to all or any of the penalties specified in section (3) of Ordinance ibid.

2. You are therefore, required to submit your written defence within 7 days of the receipt of this Charge Sheet to the Committee/Enquiry Officer as the case may be.

3. Your written defence if any should reach the Enquiry Officer/Committee within the specified period failing which it shall be presumed that you have no defence to put in and in that case, exparte action shall follow against you.

4. Intimate whether you desire to be heard in person.

5. Statement of allegation is enclosed.

  
(GHULAM MUHAMMAD)  
SSP/Admn:  
Special Branch KPK Peshawar.

NO. 5407-09 /EB, Dated Peshawar the, 30/9 /2010.

Copy of above is forwarded to the:-

1. Fazwan Khan DSP/SB for initiating departmental proceedings against the accused under the provision of the KPK Removal from Service (Special Power) Ord:2000.
2. constable driver Daud Khan. with the direction to appear before the Enquiry Committee on the date, time and place fixed by the Committee for the purpose of the enquiry proceedings
3. Establishment Clerk with the direction to assist the Enquiry Committee during the enquiry proceedings.

میرزا علی  
 منیٰ شہ ظاہر صاحب  
 اوزن ڈولڈان نمبر 663 بی کا پی  
 ایک دالہ صاحبہ کی طرف سے  
 اور دوسرے کا بی سے منسلک طور پر  
 اس کا جواب ارسال کرنا ہے

7

DISCIPLINARY ACTION

I, Ghulam Muhammad SSP/Admn: Special Branch KPK Peshawar am of the opinion that constable driver Daud Khan No.663/SB while proceeded on leave (Shabbashi) with effect from 15.08.2010 has rendered him self liable to be proceeded against as you committed the following acts/omissions within the meaning of section 3 of the KPK Removal from Service(Special Power) Ordinance 2000.

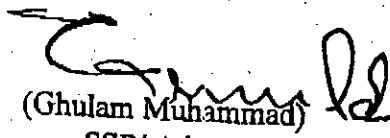
STATEMENT OF ALLEGATIONS

That he while proceeded on leave (Shabbashi) with effect from 15.08.2010 has been found involved in a criminal case register against him and other vide FIR No1083 dated 16.08.2010 U/S 302/324/34.PPC PS Charsadda

2. For the purpose of scrutinizing the conduct of the said accused with reference to the above allegations an Enquiry Officer, named below is appointed under section (3) of the Ordinance:-

- i. ~~Mr. Farman Khan DSP/SB~~
- ii. ~~Mr. AZIB Khan DSP/SB~~

3. The Enquiry Officer shall, in accordance with the provisions of the Ordinance, Provide reasonable opportunity of hearing to the accused, record its findings and make within 25 days of the receipt of this order, recommendations as to punishment or other appropriate action against the accused.

  
 (Ghulam Muhammad)  
 SSP/Admn:  
 Special Branch KPK Peshawar.

Home Address.

Daud Khan s/o Jehangir Khan r/o Rajjar  
Distt: Charsadda.

Through AGO/SB: Charsadda.

8

**DEPARTMENTAL INQUIRY AGAINST**  
**CONSTABLE DRIVER DAUD KHAN NO. 663/SB,**  
**SPECIAL BRANCH, HQR, PESHAWAR.**

Sir,

Kindly refer to SSP/Admn office letter No. 5407-09/EB dated 30.09.2010. the departmental inquiry against the above named official was interested to the Inquiry Committee.

It is alleged that Constable Driver Daud Khan while proceeded on leave (Shabashi) w.e.from 15.08.10 has been found involved in a criminal case registered against him vide FIR No. 1083 dated 16.08.10 u/s 302/324/34 PPC PS Charssadda and since then absent without proper permission or leave. Constable Daud Khan was charge sheeted and statement of allegation was served upon him but due to his absconderness were received by his father Jehangir Khan. During his absentia the concerned court of law declared him proclaimed offender. In the willful absence of defaulter official. Behramand Khan SI AGO Office Charssadda and Ahmad Hussain MTO submitted their written statements.

Behramand Khan SI stated that he went to the residential house of Daud Khan and found the doors locked from outside. He called the father of Daud Khan named Jehangir Khan via phone and afterwards on meeting handed over in person the charge sheet & statement of allegations.

Ahmad Hussain MTO stated that Daud Khan on 15.08.10 got two days leave while on 16.08.10 AGO Charssadda informed Special Branch HQR that Constable Daud Khan has been charged in a criminal case vide FIR No. 1083 dated 16.08.10 u/s 302/324/34 PPC PS Charssadda. On receipt of information. he informed High-ups about the incident.

**Findings:**

After going through the statements of the witnesses and the absence of defaulter official it is was proved beyond any doubt that Constable Daud Khan is deliberately absented himself and involved in a criminal case. Further more the concerned court of law declared the defaulter official a proclaimed offender due to his involvement in a murder case. In view of above facts. he is recommended for major punishment under KPK Removal from Service (Special Power) Ordinance 2000.

  
ABDUL AZIZ  
DSP/SECURITY/SB

19/10/2010

  
FARMAN ALI  
DSP/SURVEY/SB

Terminated from 19.10.10  
Service

ORDER

BO

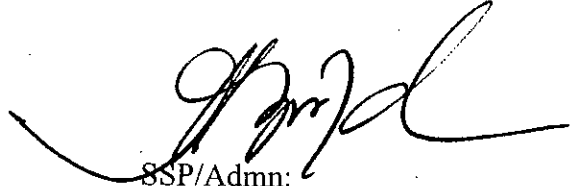
This an order on the Departmental Enquiry of constable driver Daud Khan No.663/SB Khyber Pakhtunkhwa Peshawar who committed the following acts of omission/commission:-

That he while proceeded on leave (Shabbashi) on 15.08.2010 whereas he found involved in a criminal case register against him and other vide FIR No1083 dated 16.08.2010 U/S 302/324/34.PPC PS Charsadda:

The Charge Sheet and Summary of Allegations was issued under the Removal from Service Special Power Ordinance 2000 Mr: Farman Ali and Mr: Abdul Aziz DSsP were nominated to conduct enquiry in the matter. Hence Charge sheet and Summary of Allegations could not served upon him due to his absconderness. Moreover his father Jehangir Khan was received his Summary of Allegations and Charge Sheet.

On going through the findings and recommendation of the Enquiry Officers, the material on record and other connected papers, I Abdul Ghafoor Afridi SSP/Admn: Special Branch (Competent Authority) is hereby **"TERMINATED"** constable driver Daud Khan No.663/SB from service with immediate effect.

Order announced

  
SSP/Admn:  
Special Branch Khyber Pukhtoonkhwa  
Peshawar

OB No. 183/SB

Dated 25/11/2010

No. 663-85 /EB, dated Peshawar the, 25/11 /2010

Copy to all concerned.

RA

anti sub order