

20.07.2022

Nemo for appellant.

Kabir Ullah Khattak, learned Additional Advocate General for respondents present.

Notice be issued to appellant and his counsel for 26.09.2022 for hearing before D.B.



(Fareeha Paul)
Member(E)



(Rozina Rehman)
Member (J)

26.09.2022

Appellant present through counsel.

Kabir Ullah Khattak learned Additional Advocate General for respondents present.

Former submitted rejoinder which is placed on file and made a request for adjournment; granted. To come up for arguments on 02.12.2022 before D.B.



(Fareeha Paul)
Member (E)



(Rozina Rehman)
Member (J)

2nd Dec. 2022

Junior to counsel for the appellant present. Mr. Muhammad Adeel Butt, Addl: AG for respondents present.

Junior to counsel for the appellant seeks adjournment on the ground that learned senior counsel is not available today. Last chance is given to the appellant to argue the case on the next date and ensure presence of his counsel. To come up for arguments on 17.02.2023 before the D.B.



(Fareeha Paul)
Member(Executive)

(Kalim Arshad Khan)
Chairman

SCANNED
KUT
Peshawar

14.12.2021

Learned for the appellant present. Mr. Noor Zaman Khattak,
District Attorney for respondents present.

Notices to the respondents have not been issued by the
office, therefore, notices be issued to the respondents alongwith
copies of the instant service appeal for submission of written
reply/comments. Adjourned. To come up for written
reply/comments on 23.02.2022 before S.B.


(MIAN MUHAMMAD)
MEMBER (E)

23 .02.2022

Due to retirement of the Hon'able Chairman, the case is
adjourned to 9.05.2022 for the same before D.B.


Reader

09.05.2022

Appellant present through counsel.

Kabir Ullah Khattak learned Additional Advocate
General alongwith Ihsan Ullah SI (Legal) for respondents
present.

Representative of respondents submitted written
reply/comments. Copy of the same was handed over to the
learned counsel for appellant. To come up for rejoinder, if
any, and arguments on 20.07.2022 before D.B.

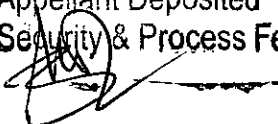

(Rozina Rehman)
Member (J)

04.08.2021

Counsel for the appellant present. Preliminary arguments heard.

Points raised need consideration. The appeal is admitted for hearing subject to all legal objections including that of limitation to be determined during full 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, or extension of time is not sought through written application with sufficient cause, the office shall submit the file with a report of non-compliance. File to come up for arguments on 14.12.2021 before the D.B.

Appellant Deposited
Security & Process Fee


Chairman

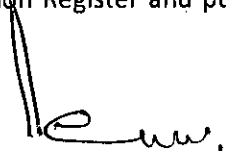



P

Form- A

FORM OF ORDER SHEET

Court of _____

Case No.- 15300 /2020


S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	01/12/2020	<p>The appeal of Mr. Sajidullah resubmitted today by Mr. Zahoor Islam Khattak Advocate may be entered in the Institution Register and put up to the Worthy Chairman for proper order please.</p> <p style="text-align: right;"> REGISTRAR</p>
2-		<p>This case is entrusted to S. Bench for preliminary hearing to be put up there on <u>15/01/2021</u>.</p> <p style="text-align: right;"> CHAIRMAN</p>
15.01.2021		<p>Junior to the senior counsel for appellant is present. He is seeking adjournment on the ground that his senior counsel is not available today. Adjourned to 15.04.2021 on which date file to come up for preliminary hearing before S.B.</p> <p style="text-align: right;"> (MUHAMMAD JAMAL KHAN) MEMBER (JUDICIAL)</p>
15.04.2021		<p>Due to demise of the Worthy Chairman, the Tribunal is non-functional, therefore, case is adjourned to 04.08.2021 for the same as before.</p> <p style="text-align: right;"> Reader</p>

The appeal of Mr. Sajid Ullah Ex-Constable no. 5577/FRP Kohat Range Kohat received today i.e. on 14.10.2020 is incomplete on the following score which is returned to the counsel for the appellants for completion and resubmission within 15 days.

- 1- Copies of medical prescriptions mentioned in para-3 of the memo of appeal are not attached with the appeal which may be placed on it.
- ② 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.
- 3- Copy of impugned order dated 19.2.2018 is illegible which may be replaced by legible/better one.
- 4- Annexures of the appeal may be attested.
- 5- Annexures of the appeal may be flagged.
- 6- Five more copies/sets of the appeal along with annexures i.e. complete in all respect may also be submitted with the appeal.

No. 2946 /S.T.


Dt. 14/10 /2020.


REGISTRAR
SERVICE TRIBUNAL
KHYBER PAKHTUNKHWA
PESHAWAR.

Mr. Zahoor ul Islam Adv Pesh


Please Extend time for more days

⑩ days time further extended.


5/11/2020

Please Extend time for further 15 days.

⑮ days time further extended.


16/11/2020

Respected Sir:

objections 1, 3, 4, 5 and 6

as removed, and objection no. 2 is not possible, as
Appellant having no copy of it.



BEFORE THE KPK SERVICE TRIBUNAL PESHAWAR

Appeal No. 15300 of 2020

Sajid Ullah, Ex-Constable Appellant

VERSUS

*Inspector General of Police, KPK, Peshawar and others
... .. Respondents*

Index

S.No.	Description of documents	Annexure	Pages
1.	Memo of appeal with affidavit		1-6
2.	Copy of medical prescription	"A"	7-9
3.	Copy of impugned order dated 19/02/2018	"B"	10
4.	Copy of departmental appeal dated 30/10/2019	"C"	11
5.	Copy of rejection of departmental appeal dated 15/09/2020	"D"	12-13
6.	Vakalat Nama	In original	14

Dated 13/10/2020

Appellant *Am*

Through

Zahoor Islam Khattak
Advocate,
High Court, Peshawar
Cell # 0346-9083579

15

BEFORE THE KPK SERVICE TRIBUNAL PESHAWAR

Khyber Pakhtunkhwa
Service Tribunal

Appeal No. _____ of 2020

Diary No. 11418

Dated 14/10/2020

Sajid Ullah, Ex-Constable No.5577/FRP Kohat Range
Kohat
R/o Village Totakai District Karak.

... .. Appellant

VERSUS

- 1- Inspector General of Police, KPK, Peshawar
- 2- Deputy Commandant for Commandant FRP
Peshawar
- 3- Superintendent of Police FRP Kohat Range Kohat.

... .. Respondents

**APPEAL AGAINST THE IMPUGNED ORDER
DATED 19/02/2018 WHEREBY THE
APPELLANT HAS BEEN DISMISSED FROM
SERVICE AND DEPARTMENTAL APPEAL OF
THE APPELLANT WAS REJECTED ON
DATED 15/09/2020 WHICH IS ILLEGAL AND
VOID AB-INITIO AND LIABLE TO BE SET
ASIDE.**

Filed to-day

Registrar

14/10/2020

Prayer;

On acceptance of appeal, the two impugned orders dated 19/02/2018 and 15/09/2020 may kindly be set aside and the appellant may be reinstated in service with all back benefit.

Respectfully Sheweth;

The appellant respectfully submits as under;

- 1- That the appellant having been inducted in service on 08/04/2007 in FRP Kohat.
- 2- That the appellant throughout his whole service has satisfactorily performed his duties to the entire satisfaction of his superior and appellant has unblemished service record throughout his career.
- 3- That the mother of the appellant was seriously ill and the appellant with proper permission went to his home for his treatments of his mother and appellant filed application for leave. (Copy of medical prescription is annexed as Annexure "A").
- 4- That the appellant again filed an application for leave for treatment of his mother and the departmental action was taken against the appellant without prior notice.
- 5- That it is pertinent to mention here that appellant mother died and return the appellant his report to his duty but the respondents appellant dismissed him on dated 19/02/2018 from his service without providing him opportunity of hearing.

6- That the appellant has filed his departmental appeal on 30/10/2019 and the same was rejected on 15/09/2020 and communicated to the appellant. (Copy of Departmental appeal is annexed as Annexure "D").

7- That the appellant has no other adequate remedy except to approach this Hon'ble Tribunal on an appeal for redressal of his grievances on the following grounds:

GROUND:

A- That the impugned order dated 19/02/2018 has been given retrospective effect which is patently an illegal order which cannot be given any effect to under the law.

B- That no charge sheet, summary of allegation and show cause notice has been served on the appellant, to this effect both the impugned orders dated 19/02.2018 and 15/09/2020 are illegal and may be set aside. It is further submitted that no

4) ✓
regular inquiry in the matter has been conducted which led to the conclusion that the charges levelled the appellant have not been proved. To this regard both the impugned orders are liable to be set aside.

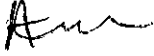
C- That the charges of absence from duty is a petty misconduct and the dismissed from service on such charges is an extremely harsh punishment which is not permissible under the law.


D- That the appellant during his whole period of service has unblemished service record and the punishment imposed on the appellant are very harsh and liable to be set aside.

E- That the two impugned orders dated 19/02/2018 and 15/09/2020 are illegal, malafide, without jurisdiction and without lawful authority and are liable to be set aside.

5)
F- That the appellant seeks leave of this Hon'ble Tribunal to rely on additional grounds at the time of arguments.

It is, therefore, prayed that on acceptance of appeal, the two impugned orders dated 19/02/2018 and 15/09/2020 may kindly be set aside and the appellant may be reinstated in service with all back benefit.


Dated 13/10/2020 Appellant
Through


Zahoor Islam Khattak
Advocate, High Court,
Peshawar

6)

BEFORE THE KPK SERVICE TRIBUNAL PESHAWAR

Appeal No. _____ of 2020

Sajid Ullah, Ex-Constable Appellant

VERSUS

*Inspector General of Police, KPK, Peshawar and others
... .. Respondents*

AFFIDAVIT

I, Sajid Ullah, Ex-Constable No.5577/FRP Kohat Range Kohat R/o Village Totakai District Karak do hereby solemnly affirm and state on oath that the contents of the accompanied appeal is true and correct to the best of my knowledge and belief and nothing wrong has been stated by me in the matter.

DEPONENT

Asu



12/10/2022

TREATMENT AT HOME

گھر کے لئے علاج

Syr. Siliver
2PL — 2

Syr. Tre-oni
2PL — 2

Advised Complete bed rest for
02 months.

Followup you nearest hospital
for checkup every other week.


Dr. Salim Anwar

- ۱۔ نرم غذا کا استعمال کریں۔
- ۲۔ روزانہ پٹی تبدیل کریں۔
- ۳۔ زخم کو صاف اور خشک رکھیں۔

او۔ پی۔ ڈی کے دن سوموار۔ جمعرات

Amir Khan
(A)

DISTRICT HEAD QUARTER HOSPITAL TANZIL

DISCHARGE SLIP

Department MEDICAL

Dr. SALIM ANWAR Dr.

Pt. Name Naseem Jam Bed No 63

Address Kasak

Age / Sex 87 Years, MALE Adm. No 1731/53

Date of Adm. 01-01-2018 Date of Discharge 15-1-2018

Diagnosis ACUTE HEPATITIS

Operation NIL

Attached to
be a true
copy



OPERATION NOTES / DELIVERY NOTES

Date _____

S.No: _____

OPERATION:

INDICATION:

SURGEON:

ANESTHETIST:

PROCEDURE:

INVESTIGATIONS

HB - 13.5 g/dL

TC - 11200 cells/mm³

PLT - 15700 /mm³

1gm HAV - +ve.

LFTs Bil - 11.7

ALP - 10500

ALP - 576

RFTs S.Cv - 1.2

Ures - 52

ESR - 92 /hr

TREATMENT IN HOSPITAL

1. Inf: RIL-D 1L 10 BD - 15 d

2. Inf: Riscle 40 - 1L 10 - 15 d

3. syp Gelliver 2 TSP x 7 D

4. Inf: Ceftriaxone 1gm BD 10 - 05 days

TREATMENT AT HOME

گھر کے لئے علاج

- Symp. Siliver
2PL ——— ②

- Symp. Tres-on
2PL ——— ②


Advised Complete bed rest for
02 months.

Follow up you nearest hospital
for checkup every other week.



- ۱۔ نرم غذا کا استعمال کریں۔
- ۲۔ روزانہ پٹی تبدیل کریں۔
- ۳۔ زخم کو صاف اور خشک رکھیں۔

او۔ پی۔ ڈی کے دن سوموار۔ جمعرات

Attested
to be a
true copy


DISTRICT HEAD QUARTER HOSPITAL TANZ

DISCHARGE SLIP

Department MEDICAL

Dr. SALIM ANWAR Dr.

Pt. Name Museem Jam Bed No 63

Address Karak

Age / Sex 37 years, MALE Adm. No 1721/53

Date of Adm. 01-01-2018 Date of Discharge 15-1-2019

Diagnosis ACUTE HEPATITIS

Operation NIL

OPERATION NOTES / DELIVERY NOTES

Date _____

S.No: _____

OPERATION:

INDICATION:

SURGEON:

ANESTHETIST:

PROCEDURE:

INVESTIGATIONS

HB - 13.5 g/dL

TC - 11200 cells/mm³

PLT - 15700 /cm³

IgM HAV - +ve.

LFTs: Bilir - 11.7

ALP - 10500

ALP - 576

RFTs: S.Cr - 1.2

Ures - 52

ESR - 92 /wt hr

TREATMENT IN HOSPITAL

1. sup: RIL-D 1L 100 BD - 15 d

2. sup: Rilek 40 - 100 - 15 d

3. sup: Silliver 2 TSE x 7 d

4. sup: Ceftriaxone 1gm BD qd - 05 days

TREATMENT AT HOME

گھر کے لئے علاج

- Symp. Siliver
292 ————— ۶

- Symp. Tres-oni
292 ————— ۶

Advised Complete bed rest for
02 months.

Follow up you nearest hospital
for checkups every other week.


Dr. Salim Anwar

- ۱۔ نرم غذا کا استعمال کریں۔
- ۲۔ روزانہ پٹی تبدیل کریں۔
- ۳۔ زخم کو صاف اور خشک رکھیں۔

او۔ پی۔ ڈی کے دن سوموار۔ جمعرات

DISTRICT HEAD QUARTER HOSPITAL TANT

DISCHARGE SLIP

Department MEDICAL

Dr. SALIM ANWAR Dr.

Pt. Name Masoom Jan Bed No 63


Address Karak

Age / Sex 87 years, MALE Adm. No 1731/53

Date of Adm. 01-01-2018 Date of Discharge 15-1-2018

Diagnosis ACUTE HEPATITIS

Operation NIL

Attached
to be →
true copy


OPERATION NOTES / DELIVERY NOTES

Date _____

S.No _____

OPERATION:

INDICATION:

SURGEON:

ANESTHETIST:

PROCEDURE:

INVESTIGATIONS

HB - 13.5 g/dL

TC - 11200 cells/mm³

PLT - 15700 /cm³

IgM HAV - +ve.

LFTs: Bilir - 11.7

ALT - 10500

ALP - 576

RFTs: S.Cr - 1.2

Urea - 52

ESR - 92 / 1st hr

TREATMENT IN HOSPITAL

1. inj: RIL-D 1L 100 BD - 15 d.

2. inj: Rised 40 - 1000 OD - 15 d.

3. syp: Gillerin 2 TSP x 105

4. inj: Ceftriaxone 1gm 1200 1/2 - 05 days.

ORDER

By this order will dispose off departmental enquiry conducted against Constable Sajjad Ullah No. 5577/1665/FRP under Khyber Pakhtunkhwa Police Disciplinary Rules 1975 (Amended in 2014).

The allegations against defaulter official are that he, while relieved on 02 days casual leave was due to report back for duty on 03.09.2017 but he failed to do so and absented himself vide DD No. 05 dated 03.09.2017 to 17.09.2017. In this regard he was issued charge sheet with summary of allegations vide this office No. 433/PA dated 14.09.2017 and SI Noor Ali the then LO FRP Kohat was appointed as enquiry officer to unearth the actual facts. Copy of charge sheet with summary of allegation was served upon his father. He submitted reply to it wherein he stated that due to illness of his mother, he had become absent but he failed to produce any documents showing illness of his mother. The E.O in his finding, found him guilty of charges leveled against him and recommended his absence period of 15 days to be treated as leave without pay. During pendency of said enquiry he, while detailed for refresher course at FRP HQs Peshawar, again absented himself vide FRP HQs Peshawar DD No. 34 dated 07.10.2017 and has not reported back till date. In this regard a separate departmental enquiry was initiated against him through same enquiry officer. The charge sheet with summary of allegations was served upon him through LHC Barkatullah (Naib E.O) on 29.11.2017 at his home address but he neither submitted reply to charge sheet nor joined enquiry proceedings. On transfer of E.O, the enquiry was entrusted to SI/LO Iqbal Khan. He submitted his finding report wherein he recommended him for major punishment. In the light of finding of E.O, he was issued final show cause notice vide this office No. 543/PA dated 13.12.2017, copy of which was also served upon him through the same official but he also failed to submit reply to final show cause notice within stipulated period. A final notice was published against him in Daily newspapers namely "Ausaf" on 30.01.2018 and "Mashriq" dated 31.01.2018 vide which he was directed to appear before the undersigned within 15 days of publication of the notice to explain his position but he failed to do so and is absent till date. His total absence period in both enquiries is 144 days till 15.02.2018.

His Service record perused which revealed that he was appointed as Constable on 28.03.2008. There are 23 bad entries against him with no good entry in his credit. From perusal of record it further revealed that previously he had remained absent from duty on different dates for 355 days in total and he was awarded punishment for the same but he did not mend his trend. It is evident from his service record that he is a habitual absentee and he is not interested to serve any more in Police Department.

Therefore, I, Mian Indiaz Gul SP FRP Kohat Range, Kohat in exercise of powers vest in me under Rule 5(5) of Khyber Pakhtunkhwa Police Rules-1975 (Amended in 2014), award him a major punishment of "Dismissal" from service. His absence period is treated as absence from duty i.e without pay.

Attested
Date →
Issued copy

OB No. _____
Dated 19-02-2018

(Mian Indiaz Gul)
Superintendent of Police, FRP
Kohat Range, Kohat.

Copy of above is forwarded to the:-

- 1. Worthy Commandant FRP Khyber Pakhtunkhwa, Peshawar for favour of information please.
 - 2. Pay Officer
 - 3. Reader
 - 4. SRC
 - 5. QHC
- } For necessary action and also serve copy of upon him.

(Mian Indiaz Gul)
Superintendent of Police, FRP
Kohat Range, Kohat.

22

BETTER COPY

My this order will dispose off departmental enquiry conducted against Constable Muhammad Ullah No.5577/1665/FRP under, Khyber Pakhtunkhwa Police Disciplinary Rules 1975(Annexure)

The allegations against defaulter official are that he, while relived on 02 days leave was due to report back for duty on 03/09/2017 but he failed to do so and absented himself DD No.05 dated 03/09/2017. In this regard he was issued charge sheet with summery allegations vide this office No.433/PA dated 14/09/2017 and SI Noor Ali the then LO FRP Kohat was appointed as inquiry officer to breath the actual facts. Copy of Charge Sheet with summary of irrigation was served upon his father he submitted reply to it wherein he stated due to illness of his mother the IO in his finding found him guilty of charges leveled against him and recommended his absence period of 15 days to treated is leave without pay during pendency of said inquiry he, while detailed for refresher course at FRP HQrs Peshawar again absent himself vide FRP HQrs Peshawar DD No.34 dated 07/10/2017 and has not reported back till date in this regard a separate departmental allegations was served upon him through LHC Barkat Ullah (Niab EO) on 29/11/2017 at his home address but he neither submitted reply to the charge sheet not joint inquiry proceedings. On transfer of EO the inquiry entrusted to SI / LO Iqbal Khan. He submitted his finding report wherein he recommended him for major punishment. In the light of finding of EO he was issued final show cause notice vide this office No.543/PA dated 13/12/2017 copy of which was also served upon him through the same official but he also failed to submit reply to final show cause notice within stipulated period. A final notice was published against him in daily newspaper namely " Ausaf " on 30/01/2018 and "Mashriq" dated 30/01/2018 vide which he was directed to appear before the undersigned within 15 days a publication of the notice to explain his position but he failed to do so and is absent till date. His total absence period in both inquiries is 144 days till 15/02/2018.

His service record perused which revealed that he was appointed as constable on 28/03/2008. There are 23 bed entries against him with no good entry in his credit form perusal of record it further revealed that he had remained absent from duty on different dates for 356 Days in total and he was awarded punishment for the same but he didn't mend his trend it is evident from the service record that he is habitual absentee and he is not interested to serve anymore in police department.

Therefore, I Mian Imtiaz Gul SP FRP Kohat range Kohat in exercise of power vest in me on the rule 5 (5) Khyber Pakhtunkhwa Police Rules 1975 (Amended in 2014) award him a major punishment of dismissal from service his absence period is treated as absence i.e. without pay.

OB No.275

Sd/-
(Mian Imtiaz Gul)
Superintendent of Police FRP
Kohat Range Kohat

Dated 19/02/2018

Copy of above is forward to the

- 1- Worthy Commandant FRP Khyber Pakhtunkhwa Peshawar
- 2- Pay Officer
- 3- Reader
- 4- RC
- 5- OHC

Necessary Action and also served copy upon him

*Attached to
be a true
copy*

(Signature)

ORDER

12) 13)

This order will dispose of the departmental appeal preferred by ex-constable Sajjad Ullah No. 5577 of FRP Kohat Range, against the order of SP FRP Kohat Range, Kohat issued vide OB No. 275, dated 19.02.2018, wherein he was awarded major punishment of dismissal from service. The applicant was proceeded against on the allegations that he absented himself from lawful duty with effect from 03.09.2017 to 17.09.2017, for total period of 15 days, without any leave or prior permission of the competent authority.

In this regard, he was issued Charge Sheet alongwith Summary of Allegations vide office No. 433/PA, dated 14.09.2017 and SI Noor Ali the then Line Officer FRP Kohat was appointed as Enquiry Officer to unearth the actual facts. The Charge Sheet alongwith Statement of Allegations was served upon his father, the accused constable submitted his reply wherein he stated that due to illness of his mother, he had become absent, but he failed to produce any medical documents regarding to the illness of his mother. The Enquiry Officer in his finding found him guilty of the charges leveled against him and recommended his absence period of 15 days to be treated as leave without pay. During the course of enquiry said enquiry, he while detailed for refresher course at FRP HQs; Peshawar, again remained absented himself vide FRP HQs; daily dairy report No. 34, dated 07.10.2017, and has not reported back till date.

In this regard, a separate departmental enquiry was initiated against him. The Charge Sheet with Summary of Allegations was served upon him through LHC Barkat Ullah on 29.11.2017 at his home address, but he neither submitted reply to charge sheet nor joined enquiry proceedings. On transfer of Enquiry Officer, the enquiry was entrusted to Line Officer Iqbal Khan. He submitted his finding report, wherein he recommended him for major punishment.

In the light of recommendation of Enquiry Officer he was issued Final Show Cause Notice, vide office No. 543/PA, dated 13.12.2017. Copy of which was also served upon him through special messenger, but he failed to submit reply of Final Show Cause Notice within stipulated period. A notice was published against him in daily newspaper "Ausar" on 30.01.2018 and "Mashriq" dated 31.01.2018 which he was directed to appear before the competent authority within 15 days of publication of the notice to explain his position, but he failed to do so.

From perusal of his service record, it has been found that he was previously discharged from service vide office OB No. 517, dated 14.10.2013 on account of his absence, which later on reinstated in service vide this office order Endst; No. 10560/EC, dated 26.12.2016. He remained total absence in both enquiries for total period of 148 days till to date of dismissal from service.

Keeping in view the above narrated facts and other material available on record, he was awarded major punishment of dismissal from service vide OB No. 275, dated 19.02.2018.

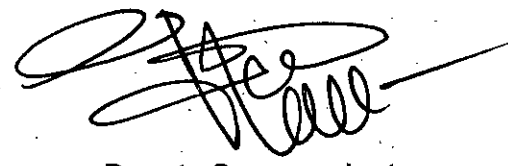
Feeling aggrieved against the impugned order of SP FRP Kohat Range, Kohat, the applicant preferred the instant appeal. The applicant was summoned and heard in person in Orderly Room held on 20.08.2020.

During the course of personal hearing, the applicant failed to present any justification regarding his innocence. From perusal of enquiry file it has been found that the allegations were fully established against him during the course of enquiry. Thus the applicant has been found to be an irresponsible person in utter disregard the discipline of the force. From perusal of record it has been found that the applicant was dismissed from service on 19.02.2018 and after lapse of more than three years, now he desired to reinstate in service, in this stage the instant appeal is badly time barred. It is settled proposition of law that law helps the diligent and not indolent. Thus there doesn't seem any infirmity in the order passed by the competent authority, therefore no grounds exist to interfere, in same.

Attended to be
a true copy

(13) (14)

Based on the findings narrated above, I, Deputy Commandant FRP Khyber Pakhtunkhwa, Peshawar, being the competent authority, has found no substance in the appeal, therefore, the same is rejected/dismissed being meritless & badly time barred.
Order Announced.



Deputy Commandant
For Commandant FRP
Khyber Pakhtunkhwa, Peshawar.




No 8131-32 /EC, dated Peshawar the 15/09 /2020.

Copy of above is forwarded for information and necessary action to the:-

1. SP FRP Kohat Range, Kohat. His service record and D file sent herewith.
2. ✓ Ex-constable Sajjad Ullah No. 5577 S/o Muhammad Ayaz R/o Village Totaki Police Station Khuram, District Karak.

*Attested to be
a true copy
[Signature]*

14

50 روپے	63120			
ایڈوکیٹ Zahoor Aslam Khattak		پشاور بار ایسوسی ایشن، خیبر پختونخواہ		
بار کونسل ایسوسی ایشن نمبر: DC-10-9170		رابطہ نمبر: 03469083579		

بعدالت جناب: صدر من سروس ٹریبونل لیسٹا در

مخاطب: <u>سجاد اللہ (اسرائیل)</u>	دعویٰ:
بنام انسیدر جنرل آف پولیس مہرہ	علت نمبر:
	مورخہ:
	جرم:
	تھانہ:

باعث تحریر آگہ

مقدمہ مندرجہ عنوان بالا میں اپنی طرف سے واسطے پیروی و جواب دہی کارروائی متعلقہ انسیدر جنرل آف پولیس مہرہ کے آگے اقرار کیا جاتا ہے کہ صاحب موصوف کو مقدمہ کی کل کارروائی کا کمال اختیار ہوگا، نیز وکیل صاحب کو راضی نامہ کرنے و تقرر ثالث و فیصلہ بر حلف دینے جو اب دعویٰ اقبال دعویٰ اور درخواست از ہر قسم کی تصدیق زریں پر دستخط کرنے کا اختیار ہوگا، نیز بصورت عدم پیروی یا ڈگری یکطرفہ یا اپیل کی برآمدگی اور منسوخی، نیز دائر کرنے اپیل نگرانی و نظر ثانی و پیروی کرنے کا مختار ہوگا اور بصورت ضرورت مقدمہ مذکورہ کے کل یا جزوی کارروائی کے واسطے اور وکیل یا مختار قانونی کو اپنے ہمراہ یا اپنے بجائے تقرر کا اختیار ہوگا اور صاحب مقرر شدہ کو وہی جملہ مذکورہ با اختیارات حاصل ہوں گے اور اس کا ساختہ پر داختم منظور و قبول ہوگا دوران مقدمہ میں جو خرچہ ہر جانہ التوائے 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 سند رہے

المرقوم: 13 اکتوبر 2020

العہد سجاد اللہ العہد

مقام پشاور کے لیے منظور ہے۔

Accepted

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

and Attested

20/10

سجاد اللہ انسیدر جنرل آف پولیس مہرہ FRP 55771 کویت ریٹنگ کویت

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

Service Appeal No. 15300/2020.

**Sajid Ullah, Ex-constable No. 5577/FRP Kohat Range, Kohat R/o Village Totakai,
District Karak.....Appellant.**

VERSUS

**Inspector General of Police, Khyber Pakhtunkhwa, Peshawar &
others.....Respondents.**

S. NO	DESCRIPTION OF DOCUMENTS	ANNEXURE	PAGES
1.	Para-wise Comments		03
2.	Charge Sheet	"A "	01
3.	Final Show Cause Notice	"B"	01
4.	Enquiry Report	"C"	02
5.	Discharge Order	"D"	01
6.	Affidavit		01
7.	Index		01
Total			10


RESPONDENTS

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

Service Appeal No. 15300/2020.

**Sajid Ullah, Ex-constable No. 5577/FRP Kohat Range, Kohat R/o Village Totakai,
District Karak.....Appellant.**

VERSUS

**Inspector General of Police, Khyber Pakhtunkhwa, Peshawar &
others.....Respondents.**

PARAWISE REPLY BY RESPONDENTS 1 to 3.

RESPECTFULLY SHEWETH.

PRELIMINARY OBJECTIONS:-

1. That the appeal is badly barred by law & limitation.
2. That the appeal is bad for mis-joinder and non-joinder of necessary and proper parties.
3. That the appellant has no cause of action and locus stands to file the instant appeal.
4. That the appellant has not come to this Honorable Tribunal with clean hands.
5. That the appellant is estopped due to his own conduct to file the instant Service Appeal.
6. That the appellant is trying to conceal the material facts from this Honorable Tribunal.

FACTS:-

1. Petain to record needs no comments.
2. Incorrect. The appellant was found a habitual absentee, as before it he was already discharged from service vide OB No. 517, dated 14.10.2013 on account of his willful absence, to which he later on reinstated in service on departmental appeal, vide office order Endst; No. 10560/EC, dated 26.12.2016.
3. Incorrect. The appellant was proceeded on two days casual leave, but he failed to report arrival on due date and remained absent from lawful duty with effect from 03.09.2017, without any leave or prior permission of the competent authority.
4. Incorrect. The appellant was failed to submit any leave application before the competent authority. However, on the allegation of willful absence the appellant was issued Charge Sheet alongwith Summary of allegations and Enquiry Officer was nominated to conduct enquiry against him.
5. Incorrect. The appellant was remained absent from lawful duty with effect from 03.09.2017 to 17.0.2017 for a period of 15 days and again remained absent from duty with effect from 07.10.2017 and has not reported back till the dated of his dismissal from service. However, a separate enquiry was also initiated against him, as he was issued Charge Sheet alongwith Summary of allegations and Enquiry Officer was nominated. The Charge Sheet was served upon him

through special messenger on his home address, but he failed to submit his reply or to join the enquiry proceedings. The Enquiry Officer found him guilty of the charges leveled against him and recommended for major punishment. Upon the findings report of Enquiry Officer, the appellant was served upon with Final Show Cause Notice, but he failed to submit his reply. Besides, a notice was also published in the daily Newspaper "Ausaf" dated 30.01.2018 and daily Newspaper "Mashriq" dated 31.01.2018, against him, with the direction to appear before the competent authority within 15 days, but he did not turn up. After fulfillment of all codal formalities required as per law/rules he was awarded major punishment of dismissal from service.

6. Departmental appeal submitted by the appellant was thoroughly examined and rejected on sound grounds.
7. Incorrect. The appellant has no cause of action to file the instant appeal and he wrongly arrayed the respondents in unsound appeal.


GROUND:-


- A. Incorrect. The impugned order dated 19.02.2018, passed by the competent authority is legally justified and in accordance to law as the same was issued, after fulfillment of all codal formalities required as per law/rules.
- B. Incorrect. On the allegations of willful absence the appellant was proceeded against proper departmentally, as he was issued Charge Sheet alongwith Summary of allegations and Enquiry Officer was nominated. The allegations of willful absence were fully established against the appellant, by the Enquiry Officer. After completion of enquiry, the Enquiry Officer submitted his findings report, wherein the appellant was recommended for major punishment. Upon the findings report of Enquiry Officer the appellant was served with Final Show Cause Notice, but he failed to submit his reply within stipulated period. After fulfillment of all codal formalities, the appellant was awarded major punishment of dismissal from service. (Copies Charge Sheet and final Show Cause Notice and enquiry report are attached herewith as annexure "A", "B" & "D").
- C. Incorrect. The willful absence from duty is a gross misconduct, which is fully established against him during the course of enquiry. Moreover, the punishment awarded to the appellant is commensurate with the gravity of his misconduct.
- D. Incorrect. The appellant was found a habitual absentee, as per his service record. Moreover, before it he was already discharged from service due to absence from duty vide OB No. 517, dated 14.10.2013 to which he later on reinstated in service on departmental appeal. vide office order Endst; No. 10560/EC, dated 26.12.2016. (Copy of his discharge order is attached herewith as annexure "E").


- E) Incorrect. The orders passed by the respondents in the case of appellant are legally justified and accordance to law as the same were issued by the lawful authority after fulfillment of all codal formalities required as per law/rules.
- F. The respondents may also be permitted to raise additional grounds at the time of arguments.

PRAYERS:-

Keeping in view the above facts and circumstances, it is most humbly prayed that the instant service appeal being not maintainable may kindly be dismissed with costs please.


Superintendent of Police FRP,
Kohat Range, Kohat
(Respondent No. 03)


Deputy Commandant FRP,
Khyber Pakhtunkhwa, Peshawar
(Respondent No. 02)


Inspector General of Police,
Khyber Pakhtunkhwa, Peshawar
(Respondent No. 01)

CHARGE SHEET

- I) I, Mian Imtiaz Gul, SP FRP Kohat as competent authority, am of the opinion that you Constable Sajjad Ullah No. 1665/FRP while posted in Platoon No. 122 District Hangu have committed the following acts/omission as defined in Rule 2 (iii) of Police Rules 1975.
- a) That you, while relieved on 02 days casual leave, were due to report back on 03.09.2017 but you failed to do so and absented yourself vide DD No. 05 dated 03.09.2017 and have not reported back till date. Your previous record is not good as previously you had remained absent for 281 days and were awarded punishment of Dismissal from Service vide OB No. 517 dated 14.10.2013 and later on re-instated in Service through court for the same but you did not mend your trend. Thus you have committed a gross "Misconduct" as defined in Rule 2 (iii) of Police Rules 1975 and have rendered yourself liable to be proceeded against departmentally.
- II). By reason of the above, you seem to be guilty as sufficient materials is placed before the undersigned, therefore it is decided to proceed against you in general police proceeding.
- III). You are, therefore, required to submit your written reply within 07 days of the receipt of this charge sheet to the Enquiry Officer.
- IV). Your written reply, if any, should reach the Enquiry Officer within specific period, failing which it shall be presumed that you have no defense to offer and in that case, ex-parte action shall follow against you.
- V). Intimate as to whether you desire to be heard in person or not?
- VI) A statement of allegation is enclosed.

~~(Mian Imtiaz Gul)~~
Superintendent of Police, FRP
Kohat Range, Kohat

DISCIPLINARY ACTION

I, Mian Imtiaz Gul, SP FRP Kohat as competent authority, am of the opinion that you Constable Sajjad Ullah No. 1665/FRP, have committed the following acts/omission as defined in Rule 2 (iii) of Police Rules 1975.

STATEMENT OF ALLEGATION

1. a) That you, while relieved on 02 days casual leave, were due to report back on 03.09.2017 but you failed to do so and absented yourself vide DD No. 05 dated 03.09.2017 and have not reported back till date. Your previous record is not good as previously you had remained absent for 281 days and were awarded punishment of Dismissal from Service vide OB No. 517 dated 14.10.2013 and later on re-instated in Service through court for the same but you did not mend your trend. Thus you have committed a gross "Misconduct" as defined in Rule 2 (iii) of Police Rules 1975 and have rendered yourself liable to be proceeded against departmentally.
2. For the purpose of scrutinize the conduct of said Constable with reference to the above allegations, SI Noor Ali LO FRP Kohat is appointed as enquiry officer.
3. The enquiry officer shall conduct proceeding in accordance with provision of Police Rules 1975 and shall provide reasonable opportunity of defense and hearing to the accused official, record it is finding and make with twenty five (25) days of the receipt of this order, recommendation as to punishment or other appropriate action against the accused official.
4. The delinquent official shall join the proceeding on the date, time and place fixed by the officer.

(Mian Imtiaz Gul)
Superintendent of Police, FRP
Kohat Range, Kohat

D

ضیاء عالی! بحوالہ اینٹوائٹری ایزان کانٹریبل سجاد اللہ ۱۶۵۵ ملاؤں ۱۲۲ حال تھانہ دوام فرما رہے ہیں
صلحہ ہینڈو مشمول معروض ہوا۔ مذکورہ بالا کے خلاف ریاضہ پندرہون کاٹھرنے بحوالہ درج ذیل

۵۹
۵۱۷ ۰۳ ملاؤں ۱۲۲ زوریت سیر ماضی درج ذیل روزنامہ کے قلمی غیر ماضی لغوی مناسبت کارروائی
آفسران بالا کو لیکچر کر مناسبت معروض مذکورہ کو جاری شدہ ایک لغوی اینٹوائٹری حوالہ

سے لائی اینٹ ۴۴۲ ملاؤں کو چھٹ کی آگ۔ مذکورہ بالا کے ساتھ جاری شدہ وصولی کے سلسلہ میں
حکم پندرہون ۱۲۲ حوالہ دن پندرہون کے ساتھ اور مذکورہ بالا کے ذریعہ حوالہ دن پندرہون کے ساتھ
مگر مذکورہ کسی طرح سے نہیں ہو سکا لہذا یہی حاضر ہوا۔

مورخ ۱۶ ۰۹ ۱۹۱۶ کانٹریبل سجاد اللہ ۱۸۲۱ میر سجاد ۴۴۲ ملاؤں کو جاری شدہ ایزان کانٹریبل سجاد اللہ

۱۶۵۵ لغوی تحصیل حوالہ ایک مذکورہ بالا کے تحت دیکھ لو کہی مادہ داؤد شاہ ضلع کرک جاکر مذکورہ بالا کے
دارالخلافہ آواز سے صحت ضابطہ تحصیل کرک جاری شدہ حوالہ کی تعلقات روزنامہ اور ایسی اور کانٹریبل سجاد
اللہ ۱۸۲۱ تحصیل شدہ کا نمبر بیان لیا جانے لگا اور کانٹریبل پندرہون اور قابل مدغم ہے

مورخ ۲۱ ۰۹ ۱۹۱۷ مذکورہ بالا کے ایسا ایک نمبر بیان بہ زبان اودو لکڑی میں کرک لیکر مطالعہ شامل
ایٹوائٹری کی جو قابل مدغم ہے۔ مذکورہ بالا کے ایسا دیکھو آخر مری بیان میں والدہ صاحبہ کی بیماری
ظاہر ہے لیکن والدہ کی بیماری کوئی ڈاکٹر سے کاغذات پیش نہیں کیے گئے۔ مذکورہ بالا کے بحوالہ ۴

۵۹
۵۱۷ ۱۷ مورخ ماضی درج ذیل قلمی ماضی کو اینٹوائٹری کے حوالہ اور قابل مدغم ہے

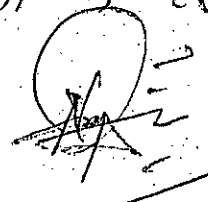
مذکورہ بالا کے ۱۵ نومبر ماضی کے حوالہ جانے لگنے والدہ صاحبہ کی بیماری کا بیان کرنا ہے مذکورہ
جب بھی غیر ماضی ہو جائے تو والدہ صاحبہ کی بیماری کے علاوہ معالجہ اور خدمت کرنے کے بارے میں
اوپر میں بیان مذکورہ بالا کے ایک معمول میں چکا ہے۔ مذکورہ بالا کے سے پہلے مورخ غیر ماضی
مورخ کے میں اور مختلف سزا باہر ہو چکے ہیں۔ اور ایک دفعہ قلمی و سزا کے اجازت سے ہو چکا ہے اور مذکورہ

۱۵ مورخ ۱۵ ۰۹ ۱۹۱۷ کانٹریبل سجاد اللہ ۱۸۲۱ میر سجاد ۴۴۲ ملاؤں کو جاری شدہ ایزان کانٹریبل سجاد اللہ
۱۶۵۵ لغوی تحصیل حوالہ ایک مذکورہ بالا کے تحت دیکھ لو کہی مادہ داؤد شاہ ضلع کرک جاکر مذکورہ بالا کے
دارالخلافہ آواز سے صحت ضابطہ تحصیل کرک جاری شدہ حوالہ کی تعلقات روزنامہ اور ایسی اور کانٹریبل سجاد
اللہ ۱۸۲۱ تحصیل شدہ کا نمبر بیان لیا جانے لگا اور کانٹریبل پندرہون اور قابل مدغم ہے

(2) در هر یک از این موارد که در این سند ذکر شده است و در این مورد نیز باید

کتابچه شماره 1665 در این مورد 122 بر ما در قطع نوار دوام حاصل می شود و در این مورد

تاریخ 03/09/17 لغی 15/10/17 بدست خواهد شد از این جهت استفسار می شود. در این مورد



Si. Co. P.P. Et
26-09-017

BETTER COPY

My this order will dispose off departmental enquiry conducted against Constable Muhammad Ullah No.5577/1665/FRP under, Khyber Pakhtunkhwa Police Disciplinary Rules 1975(Annexure)

The allegations against defaulter official are that he, while relived on 02 days leave was due to report back for duty on 03/09/2017 but he failed to do so and absented himself DD No.05 dated 03/09/2017. In this regard he was issued charge sheet with summery allegations vide this office No.433/PA dated 14/09/2017 and SI Noor Ali the then LO FRP Kohat was appointed as inquiry officer to breath the actual facts. Copy of Charge Sheet with summary of irrigation was served upon his father he submitted reply to it wherein he stated due to illness of his mother the IO in his finding found him guilty of charges leveled against him and recommended his absence period of 15 days to treated is leave without pay during pendency of said inquiry he, while detailed for refresher course at FRP HQrs Peshawar again absent himself vide FRP HQrs Peshawar DD No.34 dated 07/10/2017 and has not reported back till date in this regard a separate departmental allegations was served upon him through LHC Barkat Ullah (Niab EO.) on 29/11/2017 at his home address but he neither submitted reply to the charge sheet not joint inquiry proceedings. On transfer of EO the inquiry entrusted to SI / LO Iqbal Khan. He submitted his finding report wherein he recommended him for major punishment. In the light of finding of EO he was issued final show cause notice vide this office No.543/PA dated 13/12/2017 copy of which was also served upon him through the same official but he also failed to submit reply to final show cause notice within stipulated period. A final notice was published against him in daily newspaper namely " Ausaf " on 30/01/2018 and "Mashriq" dated 30/01/2018 vide which he was directed to appear before the undersigned within 15 days a publication of the notice to explain his position but he failed to do so and is absent till date. His total absence period in both inquiries is 144 days till 15/02/2018.

His service record perused which revealed that he was appointed as constable on 28/03/2008. There are 23 bed entries against him with no good entry in his credit form perusal of record it further revealed that he had remained absent from duty on different dates for 356 Days in total and he was awarded punishment for the same but he didn't mend his trend it is evident from the service record that he is habitual absentee and he is not interested to serve anymore in police department.

Therefore, I Mian Imtiaz Gul SP FRP Kohat range Kohat in exercise of power vest in me on the rule 5 (5) Khyber Pakhtunkhwa Police Rules 1975 (Amended in 2014) award him a major punishment of dismissal from service his absence period is treated as absence i.e. without pay.

Sd/-

(Mian Imtiaz Gul)

Superintendent of Police FRP

Kohat Range Kohat

OB No.275

Dated 19/02/2018

Copy of above is forward to the

- 1- Worthy Commandant FRP Khyber Pakhtunkhwa Peshawar
- 2- Pay Officer
- 3- Reader
- 4- RC
- 5- OHC

Necessary Action and also served copy upon him

*Attached to
be a true
copy*

(Signature)

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

Service Appeal No. 15300/2020.

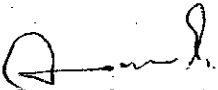
**Sajid Ullah, Ex-constable No. 5577/FRP Kohat Range, Kohat R/o Village Totakai,
District Karak.....Appellant.**


VERSUS


**Inspector General of Police, Khyber Pakhtunkhwa, Peshawar &
others.....Respondents.**

AFFIDAVIT

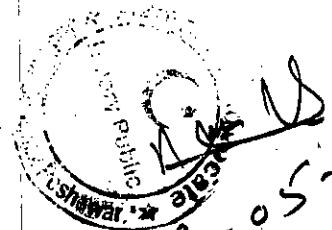
We respondents No. 1 to 3 do hereby solemnly affirm and declare on oath that the contents of the accompanying Para-wise Comments is correct to the best of our knowledge and belief that nothing has been concealed from this Honorable Court.


**Superintendent of Police FRP,
Kohat Range, Kohat
(Respondent No. 03)**


**Commandant FRP,
Khyber Pakhtunkhwa, Peshawar
(Respondent No. 02)**


**Inspector General of Police,
Khyber Pakhtunkhwa, Peshawar
(Respondent No. 01)**

ATTESTED


09-05-2022

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,
PESHAWAR.

Service Appeal No. 15300/2020

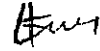
Sajid Ullah, Ex-Constable No. 5577/FRP, Kohat Range, Kohat
R/o Village Totakai, District Karak(Appellant)

V E R S U S

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

I N D E X

S.No.	Description of Documents	Annex	Pages
1.	Rejoinder		1-5.
2.	Affidavit		6



Appellant

Through



Dated: 20/07/2022

Zahoor Islam Khattak
Advocate High Court,
Peshawar.
Cell No. 0346-9083579

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,
PESHAWAR.

Service Appeal No. 15300/2020

Sajid Ullah, Ex-Constable No. 5577/FRP, Kohat Range, Kohat
R/o Village Totakai, District Karak(Appellant)

V E R S U S

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

REJOINDER ON BEHALF OF APPELLANT
TO REPLY OF RESPONDENTS NO. 1 TO 3.

Respectfully Sheweth:

Preliminary objection:

That all the preliminary objections raised by the respondents are incorrect, false and frivolous and the appellant has genuine cause of action to file instant appeal, because there is no limitation against the void and illegal order.

Reply on facts:

1. That Para No. 1 of the appeal is admitted by the respondents, hence needs no comments.
2. That Para No. 2 of the appeal is correct, while that reply of respondents is incorrect. Appellant has

performed his duty with due diligence, and no complaint has ever made against him to the high-up's, appellant was reinstated in service through departmental appeal, which means that absence of appellant was neither intentional nor habitual, so the whole para is denied in toto.

3. That Para No. 3 of the appeal is correct while that the reply of respondents is incorrect, it is pertinent to mention here that mother of appellant was seriously ill and there was no one at home to take care of her mother, that appellant was proceeded without conducting proper inquiry. Moreover the brother of appellant also died due to cancer, hence para is denied.

4. That Para No. 4 of the appeal is correct, while that the reply of respondents is incorrect, that no proper inquiry was conducted, and no opportunity of personal hearing was provided to appellant, the absence of the appellant was not willful, but rather the mother of the appellant was seriously ill.

5. That Para No. 5 of the appeal is correct, while that the reply of respondents is incorrect, the absence of the appellant was not willful, nor deliberate, No

show cause notice was issued, and no proper inquiry was conducted. So the whole para is denied.

That the show cause notice was not served on the appellant the stance of the respondents that all the codal formalities are fulfilled are baseless, so the whole para is denied.

6. That Para No. 6 of the appeal is correct, while that the reply of respondents is incorrect the departmental appeal is rejected but not on sound and valid grounds.

7. That Para No. 7 of the appeal is correct while that reply of respondents is incorrect, appellant has genuine cause of action to file the instant appeal.

REPLY ON GROUNDS:

A. That Para "A" of the ground is correct while that the reply of respondents is incorrect. The impugned order dated 19/02/2018 is against law and facts, because no codal formalities has been fulfilled, hence the whole reply of the respondents is incorrect.

B. That Para "B" of the ground of appeal is correct, while the reply of respondents is incorrect. that

mother of the appellant was seriously ill, and moreover the brother of the appellant was died due to cancer, no proper opportunity of personal hearing was provided to the appellant, and appellant was dismissed from service without fulfilling the codal formalities: So the para is denied.

C. That Para "C" of the ground of appeal is correct, while reply of respondents is incorrect. The absence of appellant is not deliberate but rather due to illness of her mother and no codal formalities were carry out to dismiss the appellant from service. So the para is denied.

D. That Para "D" of the ground of appeal is correct, while reply of respondents is incorrect, the appellant has performed his duty with due diligence, and impugned order is passed with malafide intention, after reinstatement in service no question of misconduct, arise, appellant was given harsh punishment, because he has served the department for more than thirteen years, so the whole para is denied.

E. That Para "E" of the grounds of appeal is correct. while reply of respondents is incorrect. the impugned order is passed without fulfilling the codal formalities, and appellant was given harsh punishment despite his dedication and service in police department.

F. That Para No. "F" of the reply is incorrect. The respondents has no genuine ground except to reinstate the appellant.

It is, therefore, humbly prayed that on acceptance of this rejoinder, the appeal of the appellant may be accepted.

Am

Appellant

Through

Zahoor Islam Khattak

Dated: 20/07/2022

Zahoor Islam Khattak
Advocate High Court,
Peshawar.

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,
PESHAWAR.

Service Appeal No. 15300/2020

Sajid Ullah, Ex-Constable No. 5577/FRP, Kohat Range, Kohat
R/o Village Totakai, District Karak(Appellant)

V E R S U S

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

AFFIDAVIT

I, Sajid Ullah, Ex-Constable No. 5577/FRP, Kohat Range,
Kohat R/o Village Totakai, District Karak, do hereby solemnly
affirm and declare on oath that the contents of the
accompanying **Rejoinder** are true and correct to the best of
my knowledge and belief and nothing has been concealed from
this Hon'ble Tribunal.

Au

DEPONENT

