

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

Service Appeal No. 1889/2019

Date of Institution ... 06.12.2019

Date of Decision ... 02.02.2022

Jawad Ex-Constable, No. 542 Mardan.

... (Appellant)

VERSUS

The Inspector General of Police, Khyber Pakhtunkhwa Peshawar and others

... (Respondents)

Uzma Syed,
Advocate

... For Appellant

Muhammad Adeel Butt,
Additional Advocate General

... For respondents

AHMAD SULTAN TAREEN ...
ATIQU-UR-REHMAN WAZIR ...

CHAIRMAN
MEMBER (EXECUTIVE)

JUDGMENT

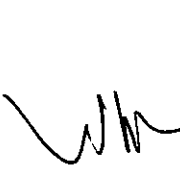
ATIQU-UR-REHMAN WAZIR MEMBER (E):-

Brief facts of the

case are that the appellant while serving as Constable in Police Department was proceeded against on the charges of absence from duty and was ultimately dismissed from service vide order dated 14-03-2017. Feeling aggrieved, the appellant filed departmental appeal, which was rejected vide order dated 10-08-2017. The appellant filed revision petition, which was also rejected vide order dated 07-11-2019, hence the instant service appeal with prayers that the impugned orders dated 14-03-2017, 10-08-2017 and 07-11-2019 may be set aside and the appellant may be re-instated in service with all back benefits.

02. Learned counsel for the appellant has contended that the impugned orders are against law, facts and norms of natural justice, therefore not tenable

and liable to be set aside; that absence period of the appellant was treated as leave without pay, hence there remained no reason to penalize the appellant for such absence; that absence of the appellant was not willful but was due to his illness, which was not taken into consideration by the respondents; that no regular inquiry was conducted and the appellant was condemned unheard; that medical prescription of the appellant were neither verified nor were accepted, therefore without adopting legal procedure, the impugned order was passed, which is not sustainable in the eye of law; that the appellant has not been treated in accordance with law, hence his rights secured under the Constitution has badly been violated.

03. Learned Additional Advocate General for the respondents has contended that in case of illness, the appellant was required to submit proper application supported with medical prescriptions for grant of leave on medical grounds, but  the appellant disappeared without permission of the competent authority, which is highly unbecoming of a disciplined police official; that the appellant was properly proceeded against and charge sheet/statement of allegation was served upon him; that proper inquiry was conducted and the appellant was afforded appropriate opportunity of defense but the appellant failed to prove his innocence; that the appellant did not join departmental proceeding inspite of repeated calls and reminder, hence he was proceeded ex-parte and was awarded with major punishment of dismissal from service; that the appellant filed revision petition with inordinate delay, therefore his revision petition was rejected being barred by time.

04. We have heard learned counsel for the parties and have perused the record.

05. Record reveals that the appellant was proceeded against on absence of 25 days. Placed on record is his medical prescriptions, which would suggest that the appellant is a drug addict and had been treated in a treatment center, but the

respondents has not taken into consideration his illness. We have also observed that the appellant was not afforded appropriate opportunity to defend his cause and was proceeded against ex-parte.

06. In view of the situation, we are constrained to partially accept the instant appeal. The appellant is re-instated in service for the purpose of de-novo inquiry with direction to the respondents to conduct de-novo inquiry by affording the appellant appropriate opportunity of defense. Case of the appellant shall also be referred to medical board for opinion regarding his retention in police force, thereafter, appropriate order shall be passed. Parties are left to bear their own costs. File be consigned to record room.

ANNOUNCED
02.02.2022



(AHMAD SULTAN TAREEN)
CHAIRMAN



(ATIQ-UR-REHMAN WAZIR)
MEMBER (E)

ORDER

02.02.2022

Learned counsel for the appellant present. Mr. Muhammad Adeel Butt, Additional Advocate General for respondent present. Arguments heard and record perused.

Vide our detailed judgment of today, separately placed on file, we are constrained to partially accept the instant appeal. The appellant is reinstated in service for the purpose of de-novo inquiry with direction to the respondents to conduct de-novo inquiry by affording the appellant appropriate opportunity of defense. Case of the appellant shall also be referred to medical board for opinion regarding his retention in police force, thereafter, appropriate order shall be passed. Parties are left to bear their own costs. File be consigned to record room.

ANNOUNCED

02.02.2022



(AHMAD SULTAN TAREEN)
CHAIRMAN



(ATIQ-UR-REHMAN WAZIR)
MEMBER (E)

S.A No. 1889/2019

08.12.2021

Learned counsel for the appellant present. Mr. Khayal Roaz, Inspector (Legal) alongwith Mr. Kabirullah Khattak, Additional Advocate General for the respondents present.

The Worthy Chairman is on leave, therefore, the bench is incomplete. Adjourned. To come up for arguments on 02.02.2022 before the D.B.


(Salah-ud-Din)
Member (J)

01.09.2021

Appellant alongwith her counsel Ms. Uzma Syed, Advocate, present. Mr. Kheyal Roz, Inspector (Legal) alongwith Mr. Muhammad Rasheed, Deputy District Attorney for the respondents present.

Learned counsel for the appellant requested for adjournment on the ground that she has not met preparation for arguments. Adjourned. To come up for arguments before the D.B on 13.10.2021.

(ATIQU-UR-REHMAN WAZIR)
MEMBER (EXECUTIVE)

(SALAH-UD-DIN)
MEMBER (JUDICIAL)

13.10.2021

Appellant with counsel present.

Kabir Ullah Khattak learned Additional Advocate General alongwith Khyal Roz Inspector for respondents present.

Former made a request for adjournment. Request is acceded to by way of last chance. To come up for arguments on 08.12.2021 before D.B.

(Atiq-Ur-Rehman Wazir)
Member (E)

(Rozina Rehman)
Member (J)

~~_____~~

~~_____~~

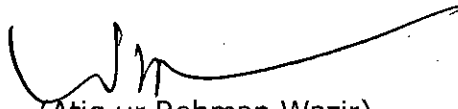
~~_____~~


16.12.2020

Shazaullah Yousafzai, Advocate present on behalf of appellant and submitted Vakalat Nama.

Zara Tajwar, learned Deputy District Attorney alongwith Khial Roz Inspector (Legal) for respondents present.

Former requests for adjournment to furnish rejoinder; granted. To come up for rejoinder, if any, and arguments on 08.02.2021 before D.B.

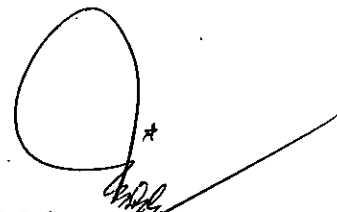

(Atiq ur Rehman Wazir)
Member (E)

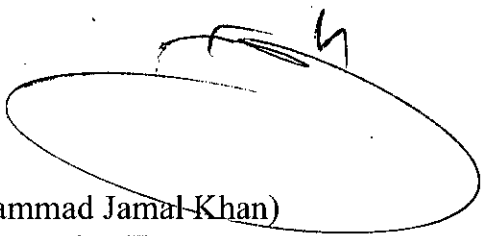

(Rozina Rehman)
Member (J)

08.02.2021

Appellant in person present. Mr. Kabirullah Khattak, Addl: AG alongwith Mr. Khayal Roz, Inspector for respondents present.

According to the appellant his counsel is busy before the Hon'ble Peshawar High Court, Peshawar and requested for adjournment. The request is accepted and the appeal is adjourned to 03.05.2021 for arguments before D.B.


(Mian Muhammad)
Member (E)


(Muhammad Jamal Khan)
Member(J)

3.5.21

Due to COVID-19, The case is adjourned to 1-9-2021 for the same.


Reader

03.08.2020

Appellant Jawad is present in person. Mr. Kabirullah Khattak, Additional AG for the respondents is also present.

Learned Additional AG seeks time to contact the respondents and submit reply/comments. Adjourned to 24.09.2020 on which date the requisite reply/comments shall positively be furnished.


(MUHAMMAD JAMAL KHAN)
MEMBER

24.09.2020

Appellant with counsel and Addl. AG alongwith Attaur Rahman, Inspector for the respondents present.

Representative of the respondents has furnished parawise comments on behalf of the respondents, which are made part of the record. The appeal is assigned to D.B for arguments on 16.12.2020. The appellant may submit rejoinder, if any, within one month.


Chairman

24.03.2020

Due to public holidays on account of Covid-19, the case is adjourned. To come up for the same on 15.06.2020 before S.B.

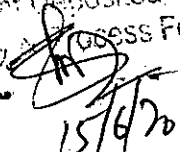

Reader

15.06.2020

Counsel for the appellant present.

Contends that the impugned order of dismissal from service dated 14.03.2017 passed against the appellant was not sustainable under the law. The competent authority, while awarding major penalty on the ground of absence from duty, had treated the said period as leave without pay. He further referred to the memo. dated 07.11.2019, whereby the revision petition of the appellant was rejected on the ground of being barred by time and not on merit. Speaking about the apparent delay in submission of departmental appeal by the appellant it is explained that the impugned order dated 14.03.2017 was not conveyed to the appellant for a long time and upon having the knowledge the requisite departmental appeal was immediately submitted.

Subject to all just exceptions, instant 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 on 03.08.2020 before S.B.

Appellant Deposited
Security & Process Fee

15/6/20




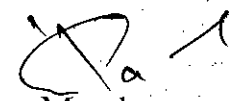

Chairman

Form- A

FORM OF ORDER SHEET

Court of _____

Case No.- 1889/2019

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	17/12/2019	<p>The appeal of Mr. Jawad resubmitted today by Uzma Syed Advocate may be entered in the Institution Register and put up to the Worthy Chairman for proper order please.</p> <p> REGISTRAR 17/12/19</p>
2-	20/12/19	<p>This case is entrusted to S. Bench for preliminary hearing to be put up there on <u>23/01/20</u></p> <p> CHAIRMAN</p>
	23.01.2020	<p>Appellant present in person.</p> <p>Requests for adjournment due to general strike of the bar. Adjourned to 09.03.2020 for preliminary hearing before S.B.</p> <p> Chairman</p>
	09.03.2020	<p>Learned counsel for the appellant present and seeks adjournment. Adjourn. To come up for preliminary hearing on 24.03.2020 before S.B. _____</p> <p>_____</p> <p> Member</p>

P-10
delay

7/1/2020

23/06/2020

26/06/2020

~~27.03.2020~~

~~Due to public holidays on account of Covid-19, the case is adjourned. To come up for the same on 15.06.2020 before~~

SB

Reader

1/7/2020

26/06/2020

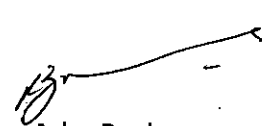



The appeal of Mr. Jawad Ex-Constable No. 542 Mardan received today i.e. on 06.12.2019 is incomplete on the following score which is returned to the counsel for the appelland for completion and resubmission within 15 days.

- 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- Copy of revision petition mentioned in the memo of appeal is not attached with the appeal which may be placed on it.

No. 2138 /S.T,

Dt. 10-12- /2019.


Syed Uzma Adv. Pesh.

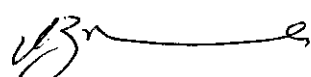

REGISTRAR -
SERVICE TRIBUNAL
KHYBER PAKHTUNKHWA
PESHAWAR.

Sir

(i) objection no 1 removed because no charge sheet, statement of allegation, and show cause ~~not~~ with inquiry report were issued to the appelland

(ii) copy of revision petition was not available which may be request: from the deptt.

both objections were removed and resubmitted


17-12-2019

BEFORE THE KPK SERVICE TRIBUNAL PESHAWAR

APPEAL NO. 1889/2019

Jawad

V/S

Police Deptt:

INDEX

S.No.	Documents	Annexure	Page No.
1.	Memo of Appeal	-----	1-4
2.	Copy of medical prescription	-A-	05-06
3.	copy of impugned order	-B-	07
4.	Copy of Departmental appeal	-C-	08
5.	Copy of rejection order	-D-	09
6.	Copy of 11-A rejection	-E-	10
7.	Vakalat Nama	-----	11

^{د. س. س.}
APPELLANT

THROUGH:


(UZMA SYED)

&

SYED NOMAN ALI BUKHARI
(ADVOCATES, PESHAWAR)

CellNo:0311-9440376

Date: ____ / ____ /2019

BEFORE THE KPK SERVICE TRIBUNAL PESHAWAR

APPEAL NO. 1889 /2019

Khyber Pakhtunkhwa
Service Tribunal

Diary No. 1786

Dated 06/12/2019

Jawad EX- Constable, No.542
Mardan.

.....(Appellant)

VERSUS

1. The Inspector General of Police, KPK, Peshawar.
2. The District Police Officer, Mardan
3. The Regional Police Officer, Mardan.

.....(Respondents)

APPEAL UNDER SECTION 4 OF THE KPK SERVICE TRIBUNALS ACT, 1974 AGAINST THE ORDER DATED 14.03.2017 WHEREBY, THE APPELLANT HAS BEEN DISMISSED FROM SERVICE AND AGAINST THE REJECTION ORDER DATED 10.08.2017 WHEREBY THE DEPTT APPEAL OF THE APPELLANT HAS BEEN REJECTED AND AGAINST THE REJECTION ORDER DATED 07.11.2019 WHEREBY THE REVIEW PETITION UNDER 11-A HAS BEEN REJECTED FOR NO GOOD GROUNDS.

PRAYER:

THAT ON ACCEPTANCE OF THIS APPEAL, THE ORDERS DATED 14.03.2017, 10.08.2017 and 07.11.2019 MAY BE SET ASIDE AND THE APPELLANT MAY BE REINSTATED INTO SERVICE WITH ALL BACK AND CONSEQUENTIAL BENEFITS. ANY OTHER REMEDY WHICH THIS AUGUST TRIBUNAL DEEMS FIT AND APPROPRIATE THAT MAY ALSO BE AWARDED IN FAVOUR OF APPELLANT.

Filed to-day
Registrar
6/12/19

Re-submitted to-day
and filed.

Registrar
17/12/19

RESPECTFULLY SHEWETH:

FACTS:

Facts giving rise to the present service appeal are as under:

1. That the appellant was appointed as Constable in Police and the appelland was performed his duties with entire satisfaction of his superiors and also has good service record throughout.
2. That the appellant had been seriously ill due to which appellant didn't performed his duties so the abscentia of the appellant was not willing full but due to serious illness. **The copy of medical prescription is attached as Annexur-A**
3. That, thereafter, the appellant was departmentally proceeded, without charge sheet, statement bf allegation, regular inquiry and even without showcause notice, the impugned order dated 14.03.2017 was passed against the appellant whereby the appellant was dismissed from service while treating the absence period as without pay. The appellant been agrrieved from the impugned dismissal order preffered departmental appeal an the same was rejected vide order dated 10.08.2017. **Copy of impugned order, departmental appeal and rejection order is attached as Annexure-B,C & D.**
4. That thereafter, appellant filed review petition , the copy of same was not availaibale with the appellant and may be requisition from the deptt: which was rejected vide order dated .7.11.2019.. **(Copy of rejection order dated is attached as Annexure-E.**
5. That now the appellant come to this august Tribunal on the following grounds amongst others.

GROUND:

- A) That the impugned orders dated 14.03.2017 , 10.08.2017 and 7.11.2019 are against the law, facts, norms of justice and void-ab-initio as the period of absentia already condoned as without pay there is no more ground remained to punished appellant. So material on record, therefore not tenable and liable to be set aside.
- B) That the absence has already been condoned by treating the period as without pay and as such after that there remained no action to penalize the appellant.

C) That according to superior Court Judgment, where any law provided and not followed by the authority and penalty order was passed such order is void order.

D) That no regular enquiry has been conducted nor the enquiry office is rebutted the plea of illness of the appellant because as medical prescription have not been cross examined from the concerned Doctor, and in case of any doubt the authority was required to refer the matter to Medical Board for their opinion, therefore, without adopting that procedure the impugned penalty order has been passed which is not sustainable in the eyes of law.

E) That there is no order in black and white form to dispense with the regular inquiry which is violation of law and rules and without charge sheet, statement of allegation and proper inquiry the appellant was dismissed from the service vide order dated 14.03.2017 without given personal hearing which is necessary and mandatory in law and rules before imposing major penalty. So the whole procedure conducted has nullity in the eye of law. So the impugned order is liable to be set aside.

F) That the appellant has been condemned unheard and has not been treated according to law and rules.

G) That nichter charge sheet, statement of allegation, show cause notice was served upon the appellant nor inquiry was conducted against the appellant, which was necessary and mandatory in law before imposing major punishment which is violation of law, rules and norms of justice.

H) That the appellant has not been treated under proper law despite he was a civil servant of the province, therefore, the impugned order is liable to be set aside on this score alone.

I) That the absent of the appellant was not intentionally but due to some domestic problem. So the penalty imposed upon the appellant was so harshed.

J) That the appellant's guilt has not been proved beyond the shadow of doubt and the appellant has been punished on the basis of conjecture and surmises.

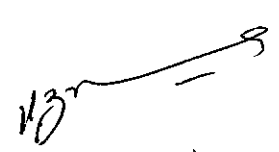
K) That no chance of personal hearing was provided to the appellant and as such the appellant has been condemned unheard throughout.

L) That the appellant seeks permission to advance others 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.


APPELLANT
Jawad

THROUGH:


(UZMA SYED)
&

(SYED NOMAN ALI BUKHARI)
ADVOCATES, PESHAWAR

Date: 06/12/2019

Dr. Muhammad Shafiq

M.B.B.S, D.P.M

M.S; L.J.M.U (England)

Tel: 0938 - 223672



ڈاکٹر محمد شفیق

ایم بی بی ایس، ڈی پی ایم

ایم ایس، ایل جے ایم یو (انگینڈ)

Annex - A

نیوروسائیکاٹرسٹ

ماہر امراض: دماغ، اعصاب، سر درد، مرگی، نفسیات، نفسیات و جنسیات

گروہ

Pt's Name

Age

Date

08 SEP 2015

Clinical Record

Not Valid For Court

Handwritten notes: 10-14/9, i want, men

Rec

Handwritten notes: Vaprodan 1/2, 0.5

Handwritten note: The addict

Handwritten notes: Setul, 0.5

Advised light duty without pain

ATTESTED

Medical Superintendent
DHQ Teaching Hospital
Swabi

چھٹی بروز اتوار



(6)

1243

SUBHAN

MEDICAL CENTRE TRUST


Psychological & Addiction Treatment Centre

Ref No. SMCT-CE21

Date: 29/02/2016

Medical Certificate

It is certified that Mr. Muhammad Jawad s/o Muhammad Shoaib, who was drug addict and he was admitted for (indoor) treatment and management on 07/10/2015 in this centre. He was behaving well and medically fit. He was discharged on 06/02/2016 because he has completed his treatment and he will remain under observation or will complete his follow-up sessions which would be after one month. This is the major part of the treatment and remains under observation for next 3 months.


Muhammad Shafique
Project Director
SUBHAN MEDICAL CENTRE TRUST

Subhan Medical Centre Trust

TESTED

Near Lehtrar CNG
Thanda Pani Stop,
Islamabad. 0302-4251472

This document will not be produced before any court of justice

I-8, Markaz Islamabad
Tel : 051-5892327
Cell: 0300-5187503

ORDER

This order will dispose-off departmental inquiry, which has been conducted against Constable Jawad No. 542, on the allegation that he while posted at Police Lines Mardan. According to the report of Line officer, he (Constable jawad) is totally an indisciplin person and every time he did acts like a mental person and being a discipline force his this attitude can create some serious accident he also deliberately absented himself from lawful duty vide DD No. 12 dated 13.07.2016 to DD No. 14 dated 24.07.2016 and DD No. 05 dated 25.07.2016 to DD No. 10 dated 08.08.2016. This attitude adversely reflected on his performance which is an indisciplin act and gross misconduct on his part as defined in rule 2(iii) of Police Rules 1975. Therefore he was recommended for departmental action.

In this connection, Constable Jawad No. 542, was charge sheeted vide this office No. 246/R, dated 04.08.2016 and also proceeded him against departmentally through Mr. Ikhtiraz Khan, DSP/HQrs: Mardan, who after fulfilling necessary process, submitted his findings to the undersigned vide his office endorsement No. 311, dated 18.08.2016. The allegations have been established against him by the enquiry officer and recommended for Major Punishment.

The undersigned agreed with the findings of the enquiry officer and the alleged Constable Jawad No. 542, is hereby awarded Major Punishment of "Dismissal from Service" while his 25-days absence period is counted as leave without pay, with immediate effect in exercise of the power vested in me under the above quoted rules

Order announced

O.B No. 700

Dated 14 / 3 / 2017.

No. 2961-66/ dated Mardan the 14-3- /2017.

Dr. Mian Saeed Ahmed (PSP)
District Police Officer,
Mardan.

Copy for information and necessary action to:-

1. The Deputy Inspector General of Police, Mardan Region-I, Mardan.
2. The S.P Operations, Mardan.
3. The DSP/ HQrs: Mardan.
4. The Pay Officer (DPO) Mardan.
5. The E.C (DPO) Mardan.
6. The OSI (DPO) Mardan.

ATTESTED

13/03/17

25

Annex-8

دردان (8)

کثرت جناب ڈی ایچ انسپٹر جنرل پولیس اردان زین

No. SS28/ES dt: 7/17

DPO / Warden

(درخواست میراد بحالی ملازمت)

Test Commt

جناب عالی!

گزارش حسب ذیل ہے۔ سائل کو DPO اردان ت

Office Supdt:
For Regional Police Officer
Warden

Review

حوالہ O.B نمبر 700 مورخہ 03/17 ملازمت سے

برخواست کیا ہے۔ حکمنامہ ہمراہ لف ہے۔

① سائل کو برخواستگی بوم غیر حاضری ہے جو کہ صرف

17/18 دن بنتھا ہے۔ مگر سائل کو غیر حاضری کی یادداشت

میں بھی ملازمت سے برخواست کیا گیا ہے۔

③ سائل بوم بیماری اپنی فرانس سے غیر حاضر ہوا ہے۔ اور

ایسا علاج حاصل کیا ہے کہ وہ اسپتال سے کرچکا ہے۔

قولہ کا بیان میراد ملازمت ہمراہ لف ہے۔

Not found
collected

بزرگیہ درخواست استدعا ہے کہ سائل کو بیماری کو پیش نظر رکھ کر

ملازمت پر بحال کرنے کے احکامات جاری کیے جائیں۔

مورخہ 06/07/2017

الحارثی

جواد نمبر 542 ولد مگر شعیب ریٹائرڈ سب انسپٹر نارنجی

تھکانہ ضلع صوابی

651/LB
11-07-12

651
11-7-12

EC/MS/ Legal
For Comments

0301-8301050

702 M.1

ATTACHED

Annex - 10

9

ORDER.

This order will dispose-off the appeal preferred by Ex-Constable Jawad No. 542 of Mardan District Police against the order of District Police Officer, Mardan, whereby he was awarded Major punishment of dismissal from service vide District Police Officer, Mardan OB No. 700 dated 14.03.2017.

Brief facts of the case are that, the appellant while posted at Police Lines, Mardan, according to the report of Line Officer, that he was totally an indisciplined person and every time he did acts like a mental person and being a discipline force his attitude can create some serious accident. He also deliberately absented himself from lawful duty with effect from 13.07.2016 to 24.07.2016 and 25.07.2016 to 08.08.2016. Consequently he was issued charge sheet and proceeded against departmentally through DSP Headquarter, Mardan, who after fulfilling necessary process, submitted his findings to the District Police Officer, Mardan wherein the allegations were established against him and recommended him for Major Punishment of dismissal from service. Therefore he was dismissed from service by the District Police Officer, Mardan.

He was called in orderly room held in this office on 08.08.2017 and heard him in person. The appellant did not produce any cogent reason for his absence. Besides the appellant was also dismissed from service due to absence from duty but he did not give off his conduct of absence. Therefore, I find no grounds to intervene the order passed by District Police Officer, Mardan. Appeal is rejected.

ORDER ANNOUNCED.


(Muhammad Alam Shinwari)PSP
Regional Police Officer,
Mardan

No. 6214 /ES, Dated Mardan the 10/08 2017.

Copy to District Police Officer, Mardan for information and necessary action w/r to his office

Memo: No. 450/LB dated 19.07.2017. The Service Record is returned herewith.

(*****)

ATTESTED



103
Annex - 5
OFFICE OF THE
INSPECTOR GENERAL OF POLICE
KHYBER PAKHTUNKHWA
Central Police Office, Peshawar.

No. S/ 3878 /19, dated Peshawar the 07/11 /2019.

To : The Regional Police Officer,
Mardan.

Subject: REVISION PETITION.

Memo:

The Competent Authority has examined and filed the revision petition submitted by Ex-FC Jawad No. 542 of Mardan District Police against the punishment of dismissal from service awarded by District Police Officer, Mardan vide OB No. 700, dated 14.03.2017, being badly time barred.

The applicant may please be informed accordingly.

(Signature)
(SYED ANIS-UL-HASSAN)

Registrar,
For Inspector General of Police,
Khyber Pakhtunkhwa,
Peshawar.

ATTACHED

VAKALAT NAMA

NO. _____/2019

IN THE COURT OF KP Service Tribunal Peshawar

Jawad (Appellant)
(Petitioner)
(Plaintiff)

VERSUS

Police Deptt (Respondent)
(Defendant)

I/We, Jawad

Do hereby appoint and constitute **SYED NOMAN ALI BUKHARI Advocate High Court Peshawar**, to appear, plead, act, compromise, withdraw or refer to arbitration for me/us as my/our Counsel/Advocate in the above noted matter, without any liability for his default and with the authority to engage/appoint any other Advocate/Counsel on my/our costs.

I/We authorize the said Advocate to deposit, withdraw and receive on my/our behalf all sums and amounts payable or deposited on my/our account in the above noted matter. The Advocate/Counsel is also at liberty to leave my/our case at any stage of the proceedings, if his any fee left unpaid or is outstanding against me/us.

Dated 06-12/2019

جوید
(CLIENT)

ACCEPTED
uzma syed
uz

SYED NOMAN ALI BUKHARI
Advocate High Court Peshawar.

C

BEFORE THE HONOURABLE SERVICE TRIBUNAL KHYBER PAKHTUNKHWA,
PESHAWAR.

Service Appeal No. 1889/2019

Jawad Ex-Constable No.542 Mardan.....Appellant

VERSUS

1. The Inspector General of Police Khyber Pakhtunkhwa, Peshawar.
2. The District Police Officer, Mardan.
3. The Regional Police Officer, Mardan.Respondents

Para-wise comments on behalf of respondents:-

Respectfully Sheweth,

PRELIMINARY OBJECTIONS

1. That the appellant has not approached this Hon'ble Tribunal with clean hands.
2. That the appellant has concealed actual facts from this Hon'ble Tribunal.
3. That the appellant has got no cause of action or locus standi to file the instant appeal.
4. That the appellant is estopped by his own conduct to file the instant Service Appeal.
5. That the appeal is unjustifiable, baseless, false, flawless and vexatious and the same is liable to be dismissed with special compensatory cost in favour of respondents.
6. That the Hon'ble Tribunal has no jurisdiction to adjudicate the matter.

REPLY ON FACTS

1. Para to the extent of appointment of the appellant as constable pertains to record needs no comments, while rest of the Para is not plausible. Because every Police Officer is under obligation to perform his duties upto the entire satisfaction of his senior officers.
2. Plea taken by the appellant is devoid of any legal footing because he was supposed to submit proper application regarding his illness for taking permission for leave but he did not bother to do so which is highly unbecoming of a disciplined Police Officer. Moreover, the attitude of the appellant speaks his casual attitude towards his official duties.
3. Correct to the extent that appellant was proceeded against departmentally while rest of the Para regarding non issuance of charge sheet and statement of allegations is totally false and baseless because the appellant while posted at Police Lines Mardan willfully and deliberately absented himself from his lawful duty vide DD No.12 dated 13.07.2016 to DD No.14 dated 24.07.2016 and DD No.05 dated 25.07.2016 to DD No.10 dated 08.08.2016. On account of which proper departmental proceedings were initiated against him and he was issued charge sheet alongwith statement of allegations and enquiry was entrusted to DSP HQrs Mardan. The enquiry officer called the delinquent officer time and again to join enquiry proceedings but he did not bother either to join enquiry proceedings or

report his arrival rather pretended that he is mentally unfit. Hence the enquiry officer after fulfillment of all legal and codal formalities recommended the appellant for awarding punishment. Therefore, the competent authority awarded the appellant Major Punishment of dismissal from service which does commensurate with the gravity of misconduct of appellant. Moreover, the order passed by the appellate authority is also in consonance with the principle of natural justice because despite providing right of self defence, the appellant failed to justify his absence. **(Copy of charge sheet and statement of allegations are annexed as Annexure-A & B).**

4. The appellant filed review petition with an inordinate delay. Therefore, his revision petition was dismissed being badly time barred. Besides, the appellant filed the revision petition just to cover the limitation issue.
5. That appeal of the appellant is liable to be dismissed on the following grounds amongst the others.

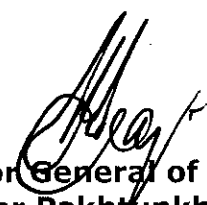
REPLY ON GROUNDS:

- A. Incorrect orders passed by the competent, appellate and revisionary authority are in accordance with law facts, norms of natural justice and lawful hence liable to be maintained.
- B. Incorrect. The conduct of the appellant is highly unbecoming of disciplined police officer therefore, his stance is totally devoid of any merit.
- C. The orders passed by the competent and appellate authority are in accordance with law hence legal and lawful.
- D. The appellant while posted at Police Lines Mardan willfully and deliberately absented himself from his lawful duty vide DD No.12 dated 13.07.2016 to DD No.14 dated 24.07.2016 and DD No.05 dated 25.07.2016 to DD No.10 dated 08.08.2016. On account of which proper departmental proceedings were initiated against him and he was issued charge sheet alongwith statement of allegations and enquiry was entrusted to DSP HQrs Mardan. The enquiry officer called the delinquent officer time and again to join enquiry proceedings but he did not bother either to join enquiry proceedings or report his arrival rather pretended that he is mentally unfit. Hence the enquiry officer after fulfillment of all legal and codal formalities, recommended the appellant for awarding punishment. Therefore, the competent authority awarded the appellant Major Punishment dismissal from service which does commensurate with the gravity of misconduct of appellant. Moreover, the order passed by the appellate authority is also in consonance with the principle of natural justice because despite providing right of self defence, the appellant failed to justify his absence.
- E. Para already explained needs no comments.
- F. Plea of the appellant is devoid of any legal footing because he did not bother either to join enquiry proceedings or appear before the competent authority.

- G. Para already explained needs no comments.
- H. Para already explained needs no comments.
- I. The appellant himself is not clear that whether his absence was due to illness or domestic problems because in Para No.2 of the facts he has taken the plea of illness while in this Para he stated that he absented himself due to domestic problem. Therefore, version of the appellant are self contradictory which lacks any legal footing hence liable to be set at naught.
- J. Para already explained needs no comments.
- K. Para explained earlier needs no comments.
- L. The respondents also seek permission of this honorable tribunal to adduce additional grounds at the time of arguments.

PRAYER:-

It is therefore most humbly prayed that on acceptance of above submissions, appeal of the appellant may very kindly be dismissed with costs.


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


**Regional Police Officer,
Mardan.**
(Respondent No. 03)


**District Police Officer,
Mardan.**
(Respondent No. 02)

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

Service Appeal No. 1889/2019

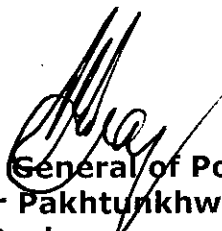
Jawad Ex-Constable No.542 Mardan.....Appellant

VERSUS

1. The Inspector General of Police Khyber Pakhtunkhwa, Peshawar.
2. The District Police Officer, Mardan.
3. The Regional Police Officer, Mardan.Respondents

COUNTER AFFIDAVIT.

We, the respondents do hereby declare and solemnly affirm on oath that the contents of the Para-wise comments in the service appeal cited as subject are true and correct to the best of our knowledge and belief and nothing has been concealed from this Honourable Tribunal.


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


**Regional Police Officer,
Mardan.**
(Respondent No. 03)


**District Police Officer,
Mardan.**
(Respondent No. 02)

OFFICE OF THE DISTRICT POLICE OFFICER, MARDAN

No. 246 /R/D.A-P.R-1975.

Dated 04-08-2016

DISCIPLINARY ACTION UNDER KPK POLICE RULES - 1975

1. Faisal Shahzad District Police Officer, Mardan as competent authority in the opinion that Constable Jawad No. 542, rendered himself liable to be proceeded against as he committed the following acts/omission within the meaning of section-02 (iii) of KPK Police Rules 1975.


STATEMENT OF ALLEGATIONS

That Constable Jawad No. 542, while posted at Police Lines Mardan, According to the report of Line officer, he (Constable jawad) is totally an indisciplin person and every time he did acts like a mental person and being a discipline force his this attitude can create some serious accident he also deliberately absented himself from lawful duty vide DD No. 12 dated 13.07.2016 to DD No. 14 dated 24.07.2016 and DD No. 05 dated 25.07.2016 to-date.

2. For the purpose of scrutinizing the conduct of the said official with reference to the above allegations Muhammad Ishaq Khattak DSP/HQrs: Mardan is appointed as Enquiry Officer.

3. The enquiry officer shall conduct proceedings in accordance with provisions of Police Rules 1975 and shall provide reasonable opportunity of defense and hearing to the accused official, record its findings and make within twenty five (25) days of the receipt of this order, recommendation as to punishment or other appropriate action against the accused officer.

4. The accused officer shall join the proceedings on the date, time and place fixed by the Enquiry Officer.


(FAISAL SHAHZAD)
District Police Officer,
Mardan

OFFICE OF THE DISTRICT POLICE OFFICER, MARDAN

No. 246 /R, dated Mardan the 04-08-2016.

Copy of above is forwarded to the:

1. DSP/HQrs: Mardan for initiating proceedings against the accused official / Officer namely Constable Jawad No. 542, under Police Rules, 1975.
2. Constable Jawad No. 542, with the directions to appear before the Enquiry Officer on the date, time and place fixed by the enquiry officer for the purpose of enquiry proceedings.

***** !!! *****

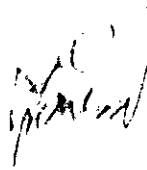
CHARGE SHEET UNDER KPK POLICE RULES 1975

I, **Faisal Shahzad** District Police Officer, **Mardan** as competent authority hereby charge you **Constable Jawad No. 542**, as follows.

That you FC, while posted at **Police Lines Mardan**, According to the report of Line officer, you (Constable jawad) are totally an **indiscipline person** and every time you did acts like a **mental person** and being a discipline force your this attitude can create some sever accident you also deliberately absented yourself from lawful duty vide DD No. 12 dated 13.07.2016 to DD No. 14 dated 24.07.2016 and DD No. 05 dated 25 07 2016 to-date.

This amounts to grave misconduct on your part, warranting departmental action against you, as defined in section - 6 (1) (a) of the **KPK Police Rules 1975**.

1. By reason of the above, you appear to be guilty of misconduct under section - 02 (iii) of the **KPK Police Rules 1975** and has rendered yourself liable to all or any of the penalties as specified in section - 04 (i) a & b of the said Rules.
2. You are therefore, directed to submit your written defense **within seven days** of the receipt of this charge sheet to the enquiry officer.
3. Your written defence if any, should reach to the enquiry officer within the specified period, failing which, it shall be presumed that you have **no defense** to put-in and in that case, an ex-parte action shall follow against you.
4. Intimate whether you desired to be heard in person.



(**FAISAL SHAHZAD**)
District Police Officer,
Mardan

OFFICE OF THE DEPUTY SUPERINTENDENT OF POLICE
HEADQUARTER & TRAFFIC MARDAN.

Inquiry Report conducted video Order No.246/R/D.A-P.R-1975 dated 04 August 2016.

BRIEF HISTORY:

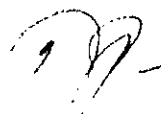
Constable Jawad No.542, while posted at Police Lines Mardan. According to the report of Lines Officer, Constable Jawad is totally an indiscipline person and every time he did acts like a mental patient and being part of a discipline force, his this attitude can create some serious problems and he is use to absent himself deliberately.

FINDINGS & RECOMMENDATIONS.

In this connection enquiry proceedings were initiated and the said constable was called to appear before the undersigned in Orderly Room held on 16.08.2016, but he did not appear before the undersigned. The said constable is pretending to be mentally unfit. It is feared, that he may harm both the police and public. Moreover he was transferred from Swabi District on compliant and by order was posted to PS Saddar, but due to lack of interest in duty, regular absence and unbearable attitude/deeds he was closed to Police Lines and in Police Lines day to day past, he is becoming more problematic.


It is therefore requested that the said constable may kindly be dismissed from the service as he is not fit for police service.

Good = WILL
Bad = 03


(IKHITIRAZ KHAN)
Deputy Superintendent of Police,
HQs/Traffic Mardan

No 311 dt 18/8/16 HQR

dismissal from service


13/8/17

پولیس لائن نقل بد 12 روزانچ 13⁰⁷/₀₁₆

ظہردان

بد 12 رپورٹ غیر حاضری لیسٹرفان منا وقت 06:30، وقت 3:46
اس وقت چالان ڈیوی کی لفری کی ضرورت پڑی
ضلع لفری سے جوڈ 542 عدم موجود پانر حل کے خلاف
رپورٹ غیر حاضری درج روزانچ نوکر نقلد لفری مناسب
کارروائی ارسال افران بالا ہوگی۔

جانمائی!

نقل بطابقا اصل سے

13⁰⁷/₀₁₆ کا 24⁰⁷/₀₁₆

عمرہ غیر حاضری 11 یوم

MM-PL. Mardan

13-07-2016

Sir

Forwarded

~~BA~~
S/LOPLMAN
29.7.16

FORWARDED

~~DBP/HQrs/Traffic~~
Mardan.

22/7/16.

پولیس لائن

تعل و ۱۱ روزانہ 24/16

صوبہ

عد ۱۱ رپورٹ بشیر خان ۵۵ وقت 22:25: دی موہنہ 4 07/16
 درجہ سیکر میں دفتر عمر میں بیٹھا ہوا تھا کہ ایک لاسٹر کا
 بغیر تمبھن پلٹے داخل ہوا معلوم کیے پر پتہ چلا کہ یہ نیشنل
 حواد 542 ہے حکم آرڈر تینالی قمان صدر میں ۱۱ SHO
 قمان صدر ن پولیس لائن بھویا ہے یہ پانکوں جسے حرکات
 و سکنات کرتا ہے اور اسی وجہ سے ضلع صوبہ جات سے ضلع
 خٹنا شکایتا تبدیل ہو کر حاضر آئے۔ قمان صدر تبدیل
 ہو کر سیکر ایوان کے قبول میں کیا ہوا عد 12 روزانہ
 13 7/16 سے لائن بدستور غیر حاضر ہے ان سے کوئی
 ڈیوٹی نہیں لی جا سکتی ہے۔ خدشہ ہے کہ یہ نیشنل کوئی
 مسئلہ پتہ نہ کرے لہذا رپورٹ درجہ روزانہ ہو کر
 منتقلہ لفظ مناسب کارروائی آفران بالائی خدمت میں
 ارسال ہوگا۔

خدا عالی!

تعل بمطابق اصل ہے

MM. PL. Mordun

24 - 07 - 2016

FORWARDED

DSP/HQ or Traffic
Mordun.

28/7/16

تخل و صا اورنگ 8/8/17

درد
 اورنگ
 حاضر
 بندہ
 ریا
 کالی
 سدا
 نہ
 مذکورہ
 اس
 میں
 شکار

ماہ اگست 2017ء کو 8/8/17 اور وقت عشق الرحمن پر 40 فیروز
 کتب سوار علی 1825 اگر اورنگ کتا صید نم و میں لائن جو کتا لائن نہیں سڑکی
 ریا۔ جس میں نہیں ہے۔ اس کو اورنگ کتا قریب سے تیار کر تاریا اور میں
 کالی کتا ساری، جو کتا کتا کتا کتا کتا کتا کتا کتا کتا کتا کتا کتا کتا کتا کتا
 سدا اورنگ کتا 542 کتا کتا کتا کتا کتا کتا کتا کتا کتا کتا کتا کتا کتا کتا کتا
 نہ کتا کتا کتا کتا کتا کتا کتا کتا کتا کتا کتا کتا کتا کتا کتا کتا کتا کتا کتا
 مذکورہ کتا کتا کتا کتا کتا کتا کتا کتا کتا کتا کتا کتا کتا کتا کتا کتا کتا کتا
 اس کتا کتا کتا کتا کتا کتا کتا کتا کتا کتا کتا کتا کتا کتا کتا کتا کتا کتا
 میں ارسال کتا کتا کتا کتا کتا کتا کتا کتا کتا کتا کتا کتا کتا کتا کتا کتا
 شکار کتا کتا کتا کتا کتا کتا کتا کتا کتا کتا کتا کتا کتا کتا کتا کتا کتا کتا

کتاب کالی

تخل و صا اورنگ 8/8/17

14-3-2017

نولیدائن

نقل مذ کی نوعی 25.07/16

صلو

گنتی ملازمان

5

بشیر خان 5 ما وقت 20:30:30:30

رولڈ بشیر خاوری

اس وقت گنتی ملازمان کتنی - حساب میں کتنی

حواد 542 عدم موجود یا یا میں : حساب کے خلاف

رولڈ بشیر خاوری مدنی (وہ) پر محسوس نقلہ عملدرہ دست

کے لئے لغوی مناسب کاروائی ارسال امرن بلائی جائیگی -

ظاہر

پہ سٹور غیر حاضر

نقل و بلائی رولڈ



NIM-pl. Marala

25-7-16

FORWARDED

DBP/HQ/Traffic
Marala

21/7/16

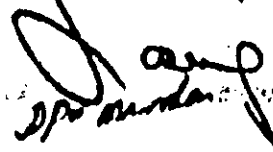
Sir

Forwarded

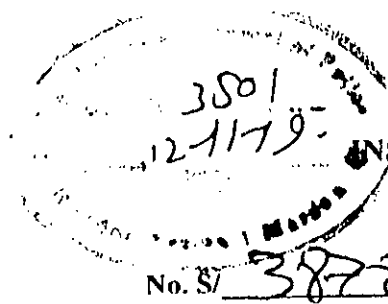


LOPLMON
29.7.16

Pay Slip and Issue
Charge Sheet



OB 1837
2-8-16



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

No. S/ 3878 /19, dated Peshawar the 07 / 11 /2019.


To : The Regional Police Officer,
Mardan.

Subject: REVISION PETITION.

Memo:

The Competent Authority has examined and filed the revision petition submitted by Ex-FC Jawad No. 542 of Mardan District Police against the punishment of dismissal from service awarded by District Police Officer, Mardan vide OB No. 700, dated 14.03.2017, being badly time barred.

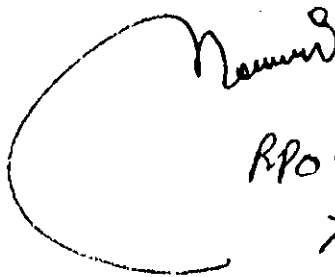
The applicant may please be informed accordingly.


(SYED AMIS-UL-HASSAN)
Registrar,
For Inspector General of Police,
Khyber Pakhtunkhwa,
Peshawar.
06-11-2019

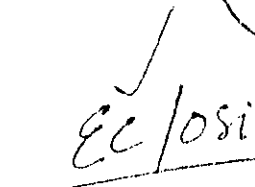
No - 13779/ES.
Dt - 12-11-19.


EC / DPO Mardan.

For information.


RPO Mardan.
7/11/19




EC / OSI
For information.


DP Mardan.
17-11

ORDER

This order will dispose-off departmental inquiry, which has been conducted against Constable Jawad No. 542, on the allegation that he while posted at Police Lines Mardan. According to the report of Line officer, he (Constable jawad) is totally an indiscipline person and every time he did acts like a mental person and being a discipline force his this attitude can create some serious accident he also deliberately absented himself from lawful duty vide DD No. 12 dated 13.07.2016 to DD No. 14 dated 24.07.2016 and DD No. 05 dated 25.07.2016 to DD No. 10. dated 08.08.2016. This attitude adversely reflected on his performance which is an indiscipline act and gross misconduct on his part as defined in rule 2(iii) of Police Rules 1975. Therefore he was recommended for departmental action.

In this connection, Constable Jawad No. 542, was charge sheeted vide this office No. 246/R, dated 04.08.2016 and also proceeded him against departmentally through Mr. Ikhtiruz Khan, DSP/HQrs: Mardan, who after fulfilling necessary process, submitted his findings to the undersigned vide his office endorsement No. 311, dated 18.08.2016. The allegations have been established against him by the enquiry officer and recommended for Major Punishment.

The undersigned agreed with the findings of the enquiry officer and the alleged Constable Jawad No. 542, is hereby awarded Major Punishment of "Dismissal from Service" while his 25-days absence period is counted as leave without pay, with immediate effect in exercise of the power vested in me under the above quoted rules.

Order announced

O.B No. 700

Dated 14/3/2017

Dr. Aman Saeed Ahmed (PSP)
District Police Officer,
Mardan.

No. 2961-661 dated Mardan the 14-3-2017

Copy for information and necessary action to:-

1. The Deputy Inspector General of Police, Mardan Region-I, Mardan.
2. The S.P Operations, Mardan.
3. The DSP/ HQrs: Mardan.
4. The Pay Officer (DPO) Mardan.
5. The E.C (DPO) Mardan.
6. The OSI (DPO) Mardan.

ORDER

This order was issued on the report presented by ... of ... the order of ... he was ...

It is noted that the case is that the applicant while posted at Police Line ... according to the report of Law Officer, that he was totally an indisciplined person and very ...

He was called in orderly room held in this office on 06.08.2017 and heard him ... did not produce any cogent reasons for his absence. Besides the applicant was ...

(Muhammad Alam, Chairman) P.S. Regional Police Officer, (Mardan)

No. 12345 / 2017 Dated Station the 12/08/2017

Copy to District Police Officer, Mardan for information and necessary action w.r to his office. Memo No. 4507 B dated 19.07.2017. The serial Record is returned herewith.

Handwritten notes and signatures at the bottom of the page, including dates like 11/8/17 and 20/8/17.

2

ORDER.

This order will dispose-off the appeal preferred by Ex-Constable Jawad No. 42 of Mardan District Police against the order of District Police Officer, Mardan, whereby he was awarded Major punishment of dismissal from service vide District Police Officer, Mardan OB No. 700 dated 14.03.2017.

Brief facts of the case are that, the appellant while posted at Police Lines, Mardan, according to the report of Line Officer, that he was totally an indisciplined person and every time he did acts like a mental person and being a discipline force his attitude can create some serious accident. He also deliberately absented himself from lawful duty with effect from 13.07.2016 to 24.07.2016 and 25.07.2016 to 08.08.2016. Consequently he was issued charge sheet and proceeded against departmentally through DSP Headquarter, Mardan, who after fulfilling necessary process, submitted his findings to the District Police Officer, Mardan wherein the allegations were established against him and recommended him for Major Punishment of dismissal from service. Therefore he was dismissed from service by the District Police Officer, Mardan.

He was called in orderly room held in this office on 08.08.2017 and heard him in person. The appellant did not produce any cogent reason for his absence. Besides the appellant was also dismissed from service due to absence from duty but he did not give off his conduct of absence. Therefore, I find no grounds to intervene the order passed by District Police Officer, Mardan. Appeal is rejected.

ORDER ANNOUNCED.

(Muhammad Alam Shinwari)PSP
Regional Police Officer,
Mardan

No. 6214 /ES, Dated Mardan the 10/08 2017.

Copy to District Police Officer, Mardan for information and necessary action w/r to his office Memo: No. 450/LB dated 19.07.2017. The Service Record is returned herewith.
(*****)

2505
11-8-17

PEC/OSI/SPS Legal
for intimation
DPO, Mardan
10/8/17

BEFORE THE HONOURABLE SERVICE TRIBUNAL KHYBER PAKHTUNKHWA,
PESHAWAR.

Service Appeal No. 1889/2019


Jawad Ex-Constable No.542 Mardan.....Appellant

VERSUS

1. The Inspector General of Police Khyber Pakhtunkhwa, Peshawar.
2. The District Police Officer, Mardan.
3. The Regional Police Officer, Mardan.Respondents

AUTHORITY LETTER.

Mr. Atta-ur-Rahman Inspector Legal, (Police) Mardan is hereby authorized to appear before the Honourable Service Tribunal, Khyber Pakhtunkhwa, Peshawar in the above captioned service appeal on behalf of the respondents. He is also authorized to submit all required documents and replies etc. as representative of the respondents through the Addl: Advocate General/Govt. Pleader, Khyber Pakhtunkhwa Service Tribunal, Peshawar.


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


Regional Police Officer,
Mardan.
(Respondent No. 03)


District Police Officer,
Mardan.
(Respondent No. 02)

قیمت
50 روپے

69373



ایڈوکیٹ: _____

بار کونسل/ ایسوسی ایشن نمبر: 14-14-1937

رابطہ نمبر: 2578251-0302

پشاور بار ایسوسی ایشن، خیبر پختونخواہ

بعدالت جناب Before Kp Service Tribunal Peshawar

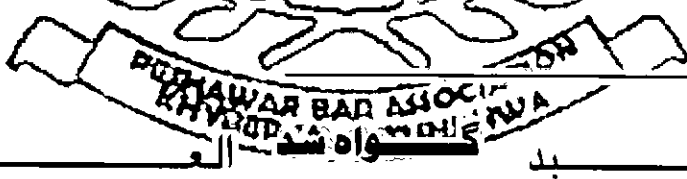
دعویٰ:	منجانب:
علت نمبر:	
مورخہ:	
جرم:	
تھانہ:	

جواد بنام کیو ایس ڈی بی (سٹیشن)

باعث تحریر آتکہ

مقدمہ مندرجہ عنوان بالا میں اپنی طرف سے واسطے پیروی و جواب دہی کاروائی متعلقہ

آن مقام سے برائے سناہ زید اللہ ریسنری کے کوکیل مقرر کر کے اقرار کیا جاتا ہے کہ صاحب موصوف کو مقدمہ کی کل کاروائی کا کامل اختیار ہوگا، نیز ڈیکل صاحب کو راضی نامہ کر مئے و تقریر ثالث و فیصلہ برخلاف 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 کاروائی کے واسطے اور وکیل یا مختار قانونی کو اپنے ہمراہ یا اپنے بجائے لے کر اختیار ہوگا اور صاحب مقرر شدہ کو وہی جملہ مذکورہ باختارات حاصل ہوں گے اور اس کا ساختہ پرواختہ 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



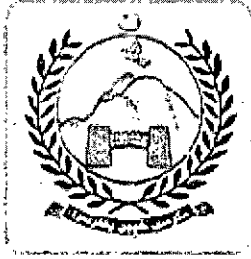
المقوم:

مقام کے لیے منظور ہے۔

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

Accepted
by
Shahzullah Younsuz
Advocate

جواد
محمد جواد



**KHYBER PAKHTUNKHWA
SERVICE TRIBUNAL, PESHAWAR**

No. 919 /ST

Dated: 25-4-2022

All communications should be addressed to the Registrar KPK Service Tribunal and not any official by name.

Ph:- 091-9212281
Fax:- 091-9213262


To

The District Police Officer,
Government of Khyber Pakhtunkhwa,
Mardan.

Subject: JUDGMENT IN APPEAL NO. 1889/2019, MR. JAWAD.

I am directed to forward herewith a certified copy of Judgement dated 02.02.2022 passed by this Tribunal on the above subject for strict compliance.

Encl: As above


REGISTRAR
KHYBER PAKHTUNKHWA
SERVICE TRIBUNAL
PESHAWAR