


FORM OF ORDER SHEET

Court of _____

Case No.- _____ 1901 /2022

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	22/12/2022	<p>The appeal of Mr. Fazal Rabi presented today by Mr. Afrasiab Khan Wazir Advocate. It is fixed for preliminary hearing before Single Bench at Peshawar on _____.</p> <p>Notices be issued to appellant and his counsel for the date fixed.</p> <p style="text-align: right;">By the order of Chairman</p> <p style="text-align: right;"> REGISTRAR</p>

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

APPEAL NO. 1901 /2022

FAZAL RABI

VS

POLICE DEPARTMENT

INDEX

S. NO.	DOCUMENTS	ANNEXURE	PAGE
1.	Memo of Appeal	1-3
2.	Affidavit	4
3.	Appointment order	A	5
4.	Applications and Medical reports	B & C	6-22
5.	Impugned order dated 12.04.2021	D	23
6.	Departmental appeal and appellate order dated 23.11.2022	E & F	24-25
7.	Revision petition	G	26-28
8.	Vakalatnama	29

APPELLANT

THROUGH:


**AFRASIAB KHAN WAZIR
ADVOCATE HIGH COURT**

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

APPEAL NO. _____/2022

Mr. Fazal Rabi, Ex-LHC No.838,
Village Asaf Khel korona City
Karak, Post office Tehsil & District Karak.

.....**APPELLANT.**

VERSUS

- 1- The Inspector General of Khyber Pakhtunkhwa, Peshawar.
- 2- The Regional Police Officer, Kohat Region.
- 3- The District Police Officer, District Karak.
- 4- The Accountant General of Khyber Pakhtunkhwa, Peshawar.
- 5- The District Account Officer, District Karak.

.....**RESPONDENTS.**

APPEAL U/S-4 OF THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL ACT, 1974, AGAINST IMPUNGED ORDER DATED 12.04.2021 WHEREBY RESPONDENTS IMPOSED MAJOR PENALTY OF COMPULSORY RETIREMENT FROM SERVICE UPON APPELLANT AND ABSENCE PERIOD HAS BEEN CONSIDERED AS LEAVE WITHOUT PAY AND AGAINST APPELLATE ORDER DATED 23.11.2022 REJECTED ON NO GOOD GROUNDS.

Prayer:

That on acceptance of this instant service appeal of the appellant the impugned orders dated 12.04.2021 & 23.11.2022 may very kindly be set aside and respondents may please be directed to reinstate the appellant with all back benefits. Any other remedy which this Tribunal deems fit that may also be awarded in favor of the appellant.

R/SHEWETH:

ON FACTS:

Brief facts of the appeal are as following:

- 1- **That** the appellant is appointed vide order dated 12.02.2002 in police department as Constable and was performing his duties passionately and wholeheartedly. **Copy** of the appointment order is attached as annexure.....**A.**
- 2- **That** appellant due to some urgency moved an application vide dated 17.09.2020 & 21.09.2020 to the respondent for grant of leave and the reason for moving applications was ailment of appellant aged father while in that period mother appellant died. **Copy** of applications and medical reports are attached as annexure . are attached as annexure.....**B & C.**

- 3- **That** the respondents without looking into the genuine cause of the appellant issued impugned order dated 12.04.2020 whereby the appellant was awarded major penalty of compulsory retirement from service. **Copy** of the impugned order dated 12.04.2021 is attached as annexure.....**D.**
- 4- **That** the appellant feeling aggrieved from aforementioned impugned order, moved representation to the appellate authority which was rejected on no good grounds vide dated 23.11.2022. **Copy** of departmental appeal and appellate order dated 23.11.2022 are attached as annexure.....**E & F.**
- 5- **That** the appellant further feeling aggrieved preferred revision petition to Respondent. No.1 which is still pending. **Copy** of the revision petition is attached as annexure.....**G.**
- 6- **That** the appellant further feeling aggrieved and having no other remedy but to file this instant appeal on following grounds inter alia.

ON GROUNDS:

- A- **That** the issuance of Impugned order dated 12.04.2021 & 23.11.2022 by the respondents is against law, rules and norms of natural justice and hence liable to be set aside.
- B- **That** the appellant has not been treated in accordance with law and violated article 4 and 25 of the Constitution of Islamic Republic of Pakistan, 1973.
- C- **That** the action of the respondents is arbitrary in nature by issuing the impugned order dated 12.04.2021 & 23.11.2022 is against the norms of natural justice.
- D- **That** no show causes notice or statement of allegation was served upon the appellant beforehand.
- E- **That** no final show causes notice is served upon the appellant beforehand.
- F- **That** the no rule.9 of the efficiency and discipline rules 2011 is followed by the respondents.
- G- **That** the no opportunity of chance of personal hearing/defense has been granted to the appellant beforehand.

3

H-That the appellant seeks permission to advance any other ground and proof at the time of regular hearing.

Dated: 21.12.2022

APPELLANT

FAZAL RABI

THROUGH:

AFRASIAB KHAN WAZIR

&

M. ABID WAZIR

ADVOCATE HIGH COURT

PESHAWAR

Certificate:

That no earlier appeal is preferred before this august tribunal.

Deponent

4

BEFORE THE KP SERVICE TRIBUNAL, PESHAWAR

Fazal Rabi

.....Petitioner

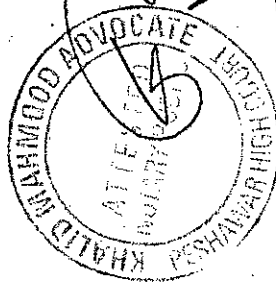
VERSUS

Police Department and others

..... Respondents

AFFIDAVIT

I, Fazal Rabi S/o Gul Sari Khan R/o Mohallah Ast Khel, Karak, do hereby solemnly affirm and declare on oath that the contents of the accompanying Service Appeal are true and correct to the best of my knowledge and belief and nothing has been concealed from this Hon'ble Tribunal.



DEPONENT

CNIC: 14202-4317723-7

Cell 0334-9173770

Recruitment Session, January-2002
On merit List at SL No. 52

ORDER.

Mr. Fazal Rabi S 10 Civil Sarani
Asst Khal P.S. Karak District
Height 5-7 Chest 34 x 35 1/2 Education 12th
Birth 29-03-80 age on Enrolment 21 Years 10

11 days hereby enlisted as Constable in ...
with effect from 12-02-2002 purely on temporary basis
Police, subject to the Medical fitness and verification of character
antecedents etc.

His service is liable to be terminated with 14-days notice
assign any reason. He is allotted Constable
(old SPL).

O.B.NO. 94

Dated 12-2/2002

[Handwritten Signature]
Superintendent of Police,
Karak

حکومت عالی

گزارش مبلغ سائل کو ایک صورت میں
 درپیش ہو چکا ہے۔ جملہ وجوہ سائل کا
 جاننا یہاں ضروری ہے۔ لہذا یہ درخواست
 استدعا ہے کہ سائل کو یہ سب
 رخصت و اتفاقاً دینے کے اخراجات صادر
 فرمائیں۔

محکمہ گورنمنٹ

اداریہ

17-09-20

تاریخ

17-9-20
 LHE
 SB

مستحق
 مستحق
 مستحق
 مستحق

جواب عالی۔

گزارش قبلہ مسائل کو بوجہ ضرورت
۱۰ ایوم رخصت کی اشہ ضرورت ہے
ماہیان سے نیز بوجہ درخواست استعدائی جان
مسائل کو ۱۰ ایوم رخصت التفاتیہ دینے کا حکم
شہرہ مشکو و مشرکاش مسائل دعا گو پہنچا

العارض

تحریر ۱۰-۹-۲۰۲۰

ایضاً

فصل الہی ۱۲۲
LHC
تقریر مشیل
میرزا



ہسپتال جامع السلام خٹک
 (گولڈ میڈلسٹ) ایف سی پی ایس (چسٹ)
 ڈسپنسر ہسپتال جامع السلام خٹک
 ڈسپنسر ہسپتال جامع السلام خٹک

Dr. Saad Usman

Age 40 Date 01-10-20

History
 cough
 chest pain
 wheeze
 high grade
 basal crackles
 RR 28-30
 90bpm
 SpO2 $\frac{92}{80}$
 CRT
 LFT's
 Spironolactone
 Echo

Rx Dig Pass 4 1hr
 Dig Maxom 2gm 4 (AD)
 WS _____ 121
 Dig Decadron 2cc 4
 WS _____ 0
 Dig Lasix 40 4
 WS _____ 0
 Alami Nebi + 9 water 2cc
 WS _____ 121
 Ventola Nebi + 9 water 2cc
 WS _____ 121

تھینک آروز اندرو پیر 2 بجے سے شام 6 بجے تک پرنسپل میڈیکل سٹور بالقابل زمانہ ہسپتال کرک سٹی
 ڈسپنسر ہسپتال جامع السلام خٹک ڈسپنسر ہسپتال جامع السلام خٹک ڈسپنسر ہسپتال جامع السلام خٹک
 0331-9254437, 0345-9806298

Echocardiography Report

Name	C. A. Salih Murt		Sex	Female	Address	Peshawar KR
Date	29/10/2020	Age	2 years	Referred By		
Measurements	Observed	Normal Range (mm)	Parameter	Values		
Aortic Root Dimension	3.6	20-40	EPSS			
Left Atrial Dimension	4.7	19-39	PIIT			
LV End Diastolic Dimension	5.2	36-56	A Velocity (cm/sec)			
LV End Systolic Dimension	4.1	25-41	E Velocity (cm/sec)			
IVS Thickness	1.2	08-12	E: A Ratio			
LVPW Thickness	1.0	07-11	RVSP (mmHg)	Sys: 76		
R Vent. Dimension	2.5	07-25		Diast:		
Fractional Shortening	19%	Ejection Fraction (Normal Range 50-70%)		39%		
DRT		DCT				
Doppler Study						
Valve	Gradient (mmHg)		Peak Velocity (cm/sec)	Valve Area (cm ²)		Regurgitation
	Peak	Mean		Doppler	2-D	
Aortic Valve						+1
Mitral Valve	36	33				+3
Tricuspid Valve						+1
Pulmonic Valve						+1

2D & M Mode Echo Study

- LV is of normal size & global hypokinesia of myocardium
- LA is dilated
- RV - Normal size
- Aortic valve thickened, calcification seen
- Other valves appear normal
- No ASD/VSD seen
- No CABG/Clot seen

by 3. MR-AR-MV

Dr Rehman Saeed
Cardiologist

Conclusion

- Bi-Atrial Enlargement
- Normal size LV & globally hypokinesia of myocardium
- Aortic sclerosis
- Senescent changes seen in Mild MR

Shahid Chest Clinic

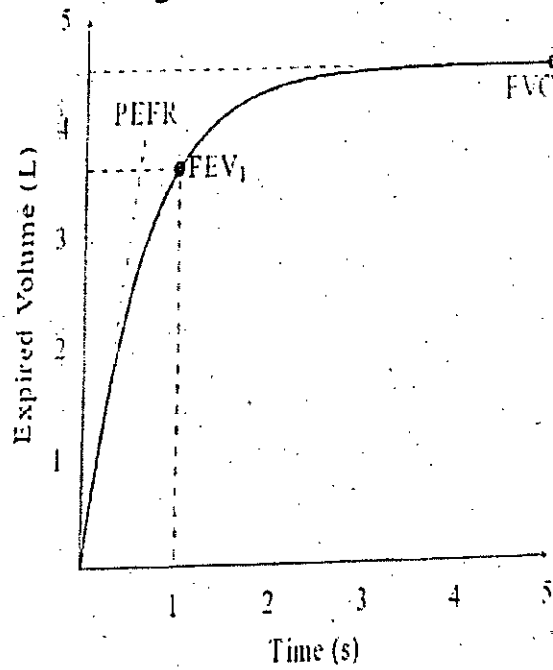
SPIROMETRY REPORT

Name: Gul Sari Khan

Age: 82 Year

Height: 150

FEV1	FVC	FEV1/FVC	PEFR
0.76	0.85	89.4	65.4
37	31	123	16



Dr Shahid Sakun
Distt Chest Specialist

No: 175/17
Received from
with letter No: CP
no sum of Rupees - RFB
in cash on account of
by cheque
in

Receipt No: 175
Dated: 9/10 972

11

KARAK
CKET DHIS-02(F)
No: 1571

Rs. 160/-
Roution 99

Payment of
Accountant
Treasure

Signature
Design

Sex: male

husband's Name:

Monthly OPD Serial No:

Provisional Diagnosis:

Date	Clinical Findings/Investions/Treatment/Test Findings
1/2	AIHD, HTN, Postoperative
Fever	
Cough (dry)	
SOB	
Headache	
Diarrhea	
Anorexia	
Abu	CBC, urea, creat 2.1

04547217

PATHOLOGY UNIT

TYPE-C- HOSPITAL KARAK

Path: #01

Patient Name: D. D. D. Age Sex: Date: 19/10/20
 R/By:- Dr. RQRD. Test:- Urine F

HEMATOLOGY

Hematology Analysis Report

First Name:
 Last Name:
 Gender:
 Age:
 Sample Type:
 Sample ID: 2677
 Run Time:
 2020/10/09 14:15
 Diagnosis:

Test	Result	Unit	N. Value	At
HB	14.0	Gm%	Male: 13.5-18 Female: 11.5-16	PCV
TRBC	-	Mill/cm	Male: 4.5-5.5 Female: 3.8-5.0	M.C.Y
TLC	13,300	/cmm	4000-11000	M.C.H M.C.H.C

Parameter	Result	Unit	Range
WBC	13.3	10 ⁹ /L	4.0-10.0
Gran%	95	%	50-70
Neut	12	%	30-50
Lymph	5	10 ⁹ /L	1.0-3.0
Gran#	12.5	10 ⁹ /L	2.0-7.0
Mon%	0.15	10 ⁹ /L	0.15-0.95
RBC	4.23	10 ⁶ /L	3.80-5.80
HGB	14.0	g/dL	11.0-17.5
HCT	41.0	%	35-50
MCV	97.0	fL	82-100
MCH	144	pg	27-34
MCHC	148	g/dL	31-36
RDW CV	13.3	%	11.5-14.5
RDW SD	52.5	fL	37.0-56.0
VPLT	285	10 ⁹ /L	120-400
MPV	8.6	fL	7.0-11.0
PDW	9.7	fL	9.0-17.0
PCT	0.246	%	0.105-0.252
PLCR	17.0	%	11.4-25.0
PLCC	50	10 ⁹ /L	50-90

DLC:-

Neutrophils	45-75	95		
Eosinophils	01-06	01		PREMA
Lymphocytes	20-45	04		Retic: Cour
Monocytes	02-10	-		Normoblas
ESR:-	Fall at the end of 1 Hr (7-15 mm/hr)			BT:-
Platelets Count	2,80,000 (50,000-4,00,000)			CT:-

HAEMOPARASITE:-

MP: _____

RBC;s MORPHOLOGY:-

Granulocytosis
Lymphopenia

OPTION:- _____

PATHOLOGY UNIT

TYPE-C- HOSPITAL KARAK

Path: #03

13

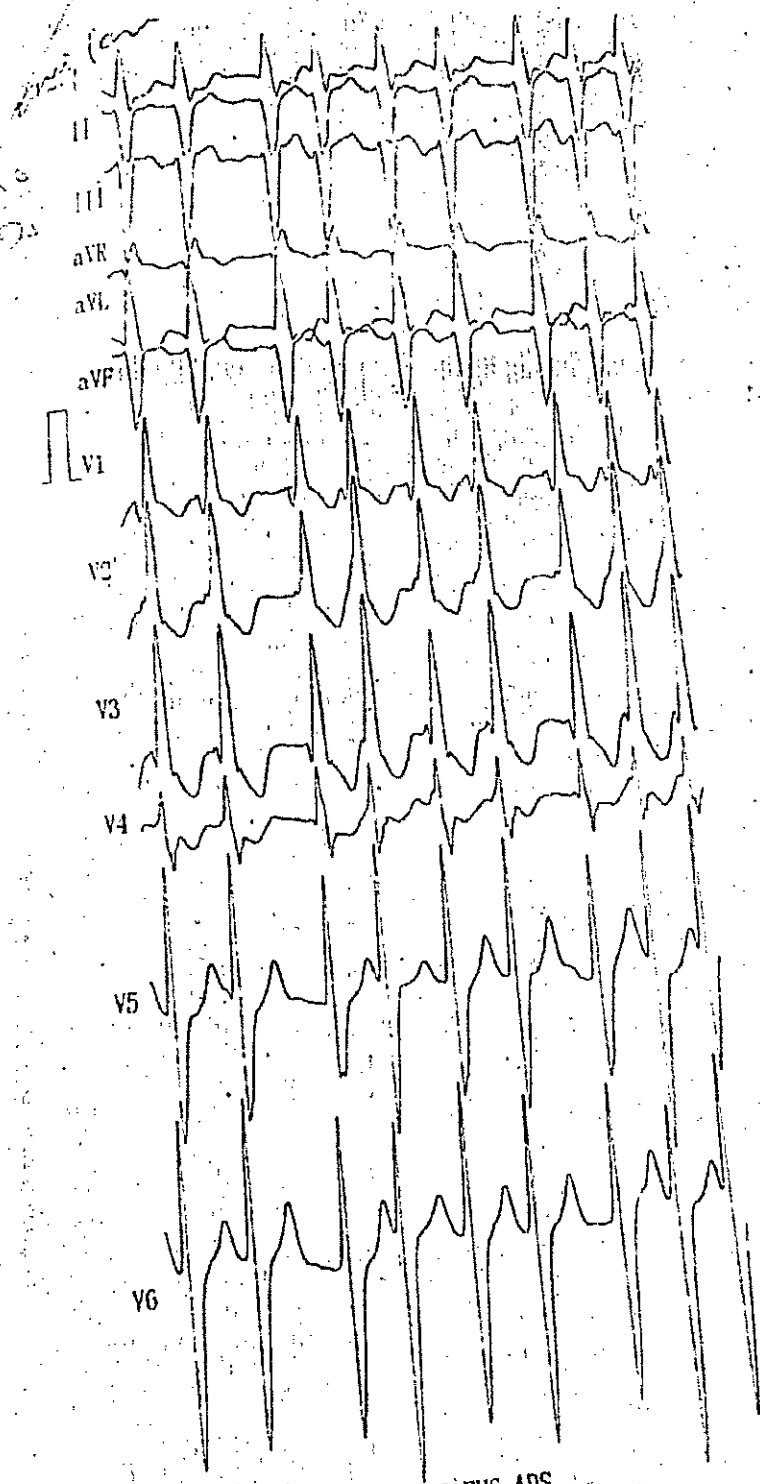
Patient Name C. G. K. Age Sex Date 09/10/2020
 R/By:- Dr. RQRD. Test:-

BIOCHEMISTRY

TEST	RESULT	UNIT	N: RANGE
BLOOD SUGAR (F)		Mg/dl	70-----110
BLOOD SUGAR (R)		Mg/dl	80-----120
BLOOD UREA	53	Mg/dl	15-----45
S:CREATINNE	2.1	Mg/dl	0.5-----1.5
S:IRIC ACID		Mg/dl	3.4--7--0(IN MEN) 2.4--5.7 (IN FEMALE)
S: CHOLESTROL		Mg/dl	150---250
S:TRYGL YCROIDES		Mg/dl	150--- 200
S:BILIRUBIN		Mg/dl	0.1-----1.0
S:ALK:PHOSPHOTASE		U/L	UP TO 300
S.PROTIEN		Mg/dl	
SGPT		U/L	UP TO 45
S:CALCIUM		Mg/dl	8.1-----10.4

Signature MD
 Pathologist Unit

14



25mm/s 10mm/mV AC50 EMG ADS

DHO HOSPITAL KARAK

DHIS-02(F)

15

OUT DOOR PATIENT TICKET

Sent To:

District: 5

CRP No: 1690

Facility Name: (D.H.Q.)

Name: [Handwritten Name] Age: 80 Sex:

Father's/Husbands' Name:

Monthly OPD Serial No.

Provincial Diagnosis:

Date	Clinical Findings/Investions/Treatment/Test Findings
06/10	40 canals
07/10	14 Bectofast (ATT)
15/10	47 Azysol 500
27	Variable GP
09/11	2 to 2 Parasitol test 2 to

16

PATHOLOGY UNIT TRICT HEADQUARTER HOSPITAL KARAK

Path: #01

Patient Name: Gull Age/Sex: 17 Date: 16/10/23
 R/By: - Dr. _____ RQRD. Test: - _____

HEMATOLOGY

Test	Result	Unit	N. Value	Absolute value
HB	<u>12.1</u>	Gm%	Male: 13.5 - 18 Female: 11.5 - 16	PCV _____ % (40-45)
TRBC	<u>-</u>	Mill/cm	Male: 4.5 - 5.5 Female: 3.8 - 5.0	M.C.V _____ μ (76-96)
TLC	<u>16900</u>	/cmm	4000 - 11000	M.C.H _____ μ g (27-32)
				M.C.H.C _____ % (30-35)

DLC:-

Neutrophils	<u>81</u>	45-75	(2000-7500/cm)
Eosinophils	<u>01</u>	01-06	(40-440/cmm)
Lymphocytes	<u>16</u>	20-45	(1500-3500/cmm)
Monocytes	<u>02</u>	02-10	(200-800/cm)

PREMATURE CELLS
 Retic. Count: - _____ % WBCS
 Normoblasts _____ % WBCS

ESR:- Fall at the end of 1st Hr (7-15 mm/hr)
 Platelets Count:- _____ /cm (1,50,000-4,00,000)

BT:- _____ mt _____ sec
 CT:- _____ mt _____ sec

HAEMOPARASITE:-

MP: _____

RBC's MORPHOLOGY:-

OPINION:-

2/10/23 / 10615

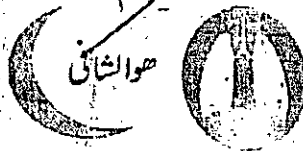
Sharma Press Karak Mob: 0336-1194708

Signature I/C
Pathology unit

Abdul Salam Khattak

(Gold Medalist) FCPS (Chest)
Chest Specialist KDA Hospital Karak

No: 15836-N
PUL-17-20158



(17)
ڈاکٹر شاہد سلام خٹک
ایف سی پی ایس (گولڈ میڈلسٹ) ایف سی پی ایس (چسٹ)
ایس آر سی جیٹ اسپتال KDA ہسپتال کرک
ایم ایف ایس پی ایچ ڈی، ایم ایف ایس، ایم ایف ایس، ایم ایف ایس، ایم ایف ایس

Name Amir Saeed Khan

Age 82 Date 14-10-2015

PHYSICAL EXAMINATION

General

Well

Weight

Normal

Temperature

Normal

Pulse

Normal

Respiration

Normal

Chest

Cracks

2-1

Spontaneous

ECG

X Cap Sungdo

Imp ITP

Exp Respiratory

CA 10

by Dr. Behau Saeed
Dr. Amir Saeed

M. Khattak

Dr. Shahid Saeed
MCh, FRCR, FRCGS
District Chest Specialist

ہسپتال کرک، روزانہ دوپہر 2 بجے سے شام 6 بجے تک پتہ: عزیز میڈیکل سنٹر بالٹا، ناناہ ہسپتال کرک شہی
یا ناناہ میڈیکل سنٹر گلزار مارکیٹ آمیری کی بلاکہ نمبر حاصل کرنے کیلئے رابطہ کریں 0331-9254437, 0345-9806298

Shahid Chest Clinic

SPIROMETRY REPORT

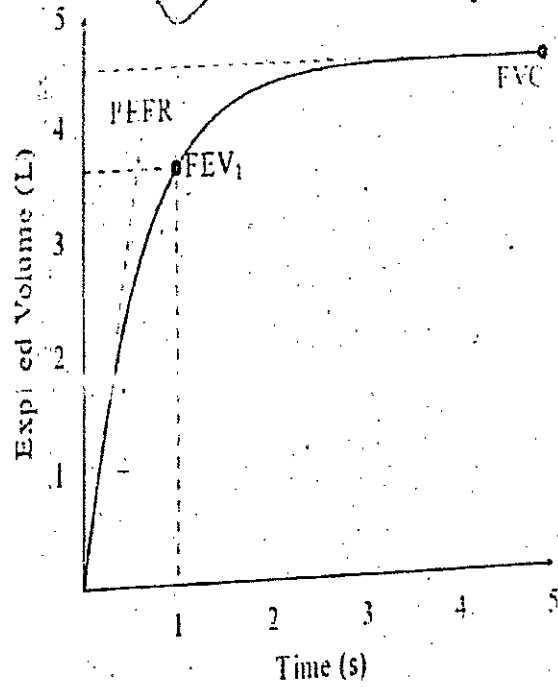
Name: Gul Sari Khan

Age: 83 years

Height: 160

FEV1	FVC	FEV1/FVC ^{PEF}	PEFR ^{TEV/lit}
0.95	0.95	92.4	100
107	104	24	138

Dr. Salam
14/11/22



X

Dr Shahid Salam
Distt Chest Specialist

AIR

Laboratory
Collection Point

Mob: 0335-9158246
0315-9743605



عمر
کمال بھاری
ایئر ایف ایم

19

ایئر ایف ایم ہسپتال ایمرجنسی سروس کے ساتھ ایئر ایف ایم ہسپتال کے لیے درخواست دینے کے لیے

IL SARI KHAN

DATE = 3 October 2020

ALE

REP NO = 2445

YRS

REF BY =

BLOOD

TIME = 4:49 PM

TESTED= FBC,PLATELETS COUNT,ESR.

RESULT

TEST	NORMAL RANGE	UNITS	RESULT
Hb	12.0-----16.0	gm/dl	14.6
TLC	4000-----11000	/cmm	8,000
Platelets count	1,50,000-----4,00,000	/cmm	2,68,000
DLC:-			
Neutrophils (Child)	20-----40	%	83
(Adult)	40-----75	%	
Lymphocytes (Child)	40-----75	%	12
(Adult)	20-----40	%	
Monocytes	01-----06	%	02
Eosinophils	01-----06	%	03

TEST	NORMAL RANGE	UNITS	RESULT
Sugar	65-----150	mg/dl	99

MD: Umair Khattak

Professor
Ghafafoor Ullah
MBBS
MCPS (Medicine)
FCPS (Dermatology)



ڈاکٹر غفور اللہ
ایم۔ بی۔ بی۔ ایس
ایم۔ سی۔ بی۔ ایس (میڈیسن)
ایف۔ سی۔ بی۔ ایس (ڈرماٹالوجی)

Specialist
Wazir Abad Medical Complex Peshawar

حیات آباد میڈیکل کمپلیکس پشاور
پشاور، خیانت، مہراں ٹروروی، سیٹیا لادی

Name: Amal Saha Khan Age: 23 Date: 14/1/20

2500 Δ H2

Tab Pamelor / Verrucac
① = ① = ①

Tab Methycobal
① ٹولی ① 625

Tab Augmentin
① = ① 75

Tab Cubic
① ٹولی ① Plus 10

Calamine
Polysorb Plus 27

Not Valid For Court

0331-9801035, 0306-9752907
غفر میڈیکل کالج ہسپتال پشاور
پشاور ہسپتال

Rehman Saeed
FCPS (Cardiology)
MCPS (Medicine)
Consultant Cardiologist

ڈاکٹر رحمان سعید
ایف سی ایف ایس (کارڈیالوجی)
ایم سی پی ایس (میڈیسن) کنسٹنٹ کارڈیالوجسٹ
انچارج سی سی او

ڈسٹرکٹ ہسپتال کاراک

Incharge CCU
District Hospital Karak

Pt Name Carl John Khan Age 55 Sex M Date 07/11/2020

Clinical Record



Wt 70kg
Ht 170cm
BP 120/80
HR 70
RR 18
SpO2 98%
ECG Normal
Chest X-ray Normal

Tas famoran 2.5g
Tas Metoprolol 50
Tas Xcept 10g
Tas Verapamil
Tas Aldactone 75
Tas furosemide
Tas Zest 110
Tas Metoprolol
Cyp He...
20

Dr. Khan
11/11/20

فون نمبر: 0311-9712143, 0333-9712143

رابطہ: نریق میڈیکل گروپ مارکیٹ سنگھی روڈ کرک

Professor
Ghafoor Ullah
MBBS

MCPS (Medicine)
FCPS (Dermatology)

Specialist

Mayat Abad Medical Complex Peshawar



ڈاکٹر غفور اللہ

ایم۔ بی۔ بی۔ ایس
ایم۔ سی۔ بی۔ ایس (میڈیسن)
ایف۔ سی۔ بی۔ ایس (ڈرماٹالوجی)

حیات آباد میڈیکل کمپلکس پشاور

پشاور، خیبر پختونخوا

Name Gul Sali Mirza Age 82 Date 19/12/22

△ H2

Tab Gabics 100

Q1

101

Tab Methycobal

Q1

101

Q1 Polifax plus skin oint

Q1

Not Valid For Court

0331-9801035, 0306-9752907
فزیل میڈیکل کورس بال تقابل برائے اسپتال کرک
پشاور

My this Order will dispose off the departmental enquiry against LHC Fazal Rabi No. 838 of this district Police.

ANNEX 'D'

23

Facts are that LHC Fazal Rabi transferred from the Special Branch to this district Police vide the WIGP KP Peshawar order No. 11254-55/E-IV dated 25.09.2020 but LHC Fazal Rabi failed to report at his new place of posting and absented himself from lawful duty w.e. from 09.10.2020 to till date without any leave or prior permission. His pay has been stopped to this effect. This state of affair is quite adverse on his part and shows his negligence, carelessness and irresponsibility in the discharge of his official obligations. This act on his part is against service discipline and amounts to gross misconduct.

He was issued with Charge Sheet and Statement of allegations. Mr. Muhammad Irfan, the then SDPO Karak was appointed as an Enquiry Officer to conduct proper departmental enquiry against him and to submit his findings within the stipulated time.

The Enquiry Officer reported that accused LHC was transferred from the Special branch but intentionally failed to report in the district. Later on, he was issued with Show Cause Notice in the daily Express newspaper on 16.01.2021 but the accused LHC made reasoning for not reporting to his official duty in shape of treatment of his father and failed to produce cogent reason in his defense. Accused official intentionally shows carelessness and negligence in the discharge of official obligations. Therefore, the E.O recommended him for award of major punishment of compulsory retirement from service.

Keeping in view of the available record and facts on file, perusal of enquiry papers and the recommendations of the Enquiry Officer, he is found guilty of the charges. He did not take interest in his official obligations. However, putting lenient view on his family, I, Tariq Habib, District Police Officer as competent authority under the Police Rule 975 (amended in 2014) hereby impose major punishment of compulsory retirement with immediate effect and his absence period of 157 days is treated as leave without pay.

OP No. 115
Date: 12/04/2020

District Police Officer, Karak

OFF OF THE DISTRICT POLICE OFFICER KARAK

No. 201 /EC(Er) dated the Karak 13/04 /2020

Copy of this order is forwarded to the District Police Officer Kohat w/r to his office letter No. 381/K dated 02.12.2020. No. 967/PA dated 01.03.2021 for favour of information, please.

Tariq Habib

District Police Officer, Karak

To: The Deputy Inspector General of Police,
Kohat Region Kohat

ANNEX E

Subject: REPRESENTATION

24

Respected Sir,

With due respect and humble submission appellant submits the present representation against the order of District Police Officer Karak bearing OB No. 115 dated 12.04.2021 vide which appellant was compulsory retired from service.

FACTS

1. That appellant joined Police as constable in the year 2002, and qualified recruit course and was rendering services to the entire satisfaction of senior officers.
2. That the appellant is ATS and lower school course qualified.
3. That appellant was marked absent from duty and was compulsory retired from service vide impugned order mentioned above. Hence this representation is submitted on the following grounds.

GROUNDS

- a) That the impugned order was passed against the law and facts on record.
- b) That the appellant father was in precarious condition for which the appellant had preferred an application to the competent authority for leave and treatment of his ailing father as there was no male member in the family except the appellant to look after the parents.
- c) That the appellant request for leave was turned down by the competent authority without any reasons and justification.
- d) That the authority did not comply with the codal and procedural formalities before passing the impugned order.
- e) That the enquiry officer had not taken into consideration the appellant plea nor the appellant was given an opportunity of self-defense and personal hearing is contrary to law & rules.
- f) That the competent authority (DPO Karak) had not issued Final Show Cause Notice nor given an opportunity of personal hearing and passed the impugned order immediately thus depriving the appellant from the right of personal hearing.

(25) (24-A)

That since the date of compulsory retirement, the appellant was an extreme distress and anguish due to parent's long illness and treatment. The appellant's mother has recently been passed away, therefore, was unable to prefer an appeal to the appellate authority within due course of time.

h)

That the appellant belongs to poor family. Furthermore, the appellant has no source of income to support his family members and school going children in this era of his unemployment and high inflation rate.

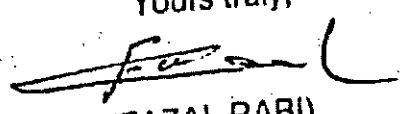
i)

That the previous service record of appellant is unblemished and having great potential to the serve in the Police department being ATS qualified.

It is, therefore, humbly requested that the impugned order mentioned above may kindly be set aside with all back benefits and appellant may be reinstated in service, please.
Impugned order.

Enclosure:

Yours truly,



(FAZAL RABI)

Ex-LHC No. 838
Post office & Tehsil & District Karak,
Village Asat Khel Korona City Karak
Mob:0334-9173770

ANNEX "F" (25)

POLICE DEPTT:

KOHAT REGION

5093
19/11/2022

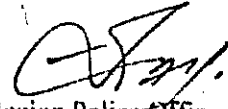
ORDER.

This order will dispose of a departmental appeal, moved by Ex-LIC Fazal Rabi No. 838 of district Karak against the punishment order, passed by DPO Karak vide OIB No. 115, dated 12.04.2021 whereby he was awarded major punishment of compulsory retirement from service on the allegations of his long and deliberate absence from lawful duties without any leave or prior permission from his seniors and remained absent for about 06-months.

He preferred appeal to the undersigned, upon which comments were obtained from DPO Karak and his service record was perused. He was also heard in person in Orderly Room held in this office on 22.11.2022. During hearing the appellant did not advance any plausible explanation in his defense to prove his innocence.

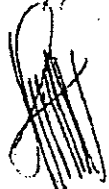
I have gone through the available record which indicates that the allegations leveled against the appellant are proved and the same have also been established by the E.O in his findings. Moreover, the competent authority has already taken a lenient view while awarding him punishment. He is enjoying pension benefits from the date of compulsory retirement vide PPO No. 6939 issued by DAO Karak. Therefore, in exercise of the powers conferred upon the undersigned, his appeal being devoid of merits and badly time-barred about more than a year is hereby rejected.

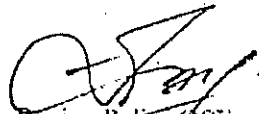
Order Announced
22.11.2022


Region Police Officer,
Kohat Region.

No. 16759 /EC, dated Kohat the 23/11 /2022.

Copy to District Police Officer, Karak for information and necessary action w/r to his office Letter No. 4725/LB, dated 18.10.2022. His Service Record is returned herewith.

ORBI ER.
punishment order
signed the applicant accordingly

District Police Officer,
Karak


Region Police Officer,
Kohat Region.

**BEFORE THE INSPECTOR GENERAL OF POLICE KHUDDA
RAKHTUNKHWA, PESHAWAR**

Subject

REVISION PETITION

Revised Ct.

With due respect and humble submission the appellant submits the revision petition against the order of Deputy Inspector General of Police, Kohat Region, Kohat vide order No 14207/19 dated 11/11/2022 rejected the departmental appeal of appellant hence the revision petition on the following grounds:

First appellant joined Police as constable in the year 2002, and qualified merit course and was rendering services to the entire jurisdiction of senior officers.

That the appellant is A.C. and lower school course qualified.

That appellant was marked absent from duty and was compulsory retired from service vide impugned order mentioned above. Hence this representation is submitted on the following grounds:

That the impugned order was passed against the law and facts on record.

That the appellant father was in precarious condition for which the appellant had preferred an application to the competent authority for leave and treatment of his ailing father as there was no male member in the family except for appellant to look after the parents.

That the appellant request for leave was turned down by the competent authority without any reasons and justification.

That the appellant was not given an opportunity of personal defence and personal hearing is contrary to law & rules.

That the competent authority (PPD Karak) had not issued final order on 18/11/2022. Not given an opportunity of personal defence and personal hearing.

That the competent authority (PPD Karak) had not issued final order on 18/11/2022. Not given an opportunity of personal defence and personal hearing.

immediately thus depriving the appellant from the right of personal hearing.

27

That since the date of compulsory retirement, the appellant was an extreme distress and anguish due to parent's long illness and treatment. The appellant's mother has recently been passed away, therefore, was unable to prefer an appeal to the appellate authority within due course of time.

That the appellant belongs to poor family. Furthermore, the appellant has no source of income to support his family members and school going children in this era of his unemployment and high inflation rate.

That the previous service record of appellant is unblemished and having great potential to the serve in the Police department being ATS qualified.

It is, therefore, humbly requested that the impugned order mentioned above may kindly be set aside with all back benefits and appellant may be reinstated in service, please
Impugned order.

Yours truly,

(FAZAL RABI)

Ex-LHC No: 836

Post office & Tehsil & District Karak
Village Asal Khel Korona City Karak
Mob: 0334-9173770

No. 791

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بار کونسل/ایسوسی ایشن نمبر: bc-17-7299				
رابطہ نمبر: 0312-9888752				

بعدالت جناب: سعید حسن مرہٹو جج ایف پی

منجانب: ایڈووکیٹ	دعویٰ:
	علت نمبر:
Peace Dept.	مورخہ:
	جرم:
	تھانہ:

باعث تحریر آئیکہ

مقدمہ مندرجہ عنوان بالا میں اپنی طرف سے واسطے پیروی و جواب دہی کارروائی متعلقہ ایڈووکیٹ سعید حسن مرہٹو کے پاس
 آن مقام کیلئے ایڈووکیٹ سعید حسن مرہٹو کو وکیل مقرر کر کے ایک اجلاس ہے کہ صاحب موصوف کو مقدمہ کی کل کارروائی کا کمال اختیار ہوگا۔ نیز کاپی صاحب کو
 راضی کرنے و تقررات و فیصلہ برحلف دینے جواب دعویٰ اقبال دعویٰ اور درخواست اسٹیجنگ کی مدد
 زریں اور خط لکھنے کا اختیار ہوگا، نیز بصورت عدم پیروی یا ڈگری یکطرفہ یا اپیل کی برآمدگی اور فیصلہ، نیز
 دائرگی کے اجرائی و نظر ثانی و پیروی کرنے کا اختیار ہوگا اور بصورت ضرورت مقدمہ مذکورہ کے قبل کارروائی
 کارروائی کے واسطے اور وکیل یا مختار قانونی کو اپنے ہمراہ یا اپنے بجائے تقرر کا اختیار ہوگا اور صاحب
 مقرر شدہ کارروائی کے لئے مذکورہ بالا اختیارات حاصل ہوں گے اور اس کا سناختہ ہوگا۔ نیز مندرجہ بالا ہوگا
 دوران مقدمہ میں ہر جگہ اتوائے مقدمہ کے سبب سے ہوگا۔ کوئی تادیبی کارروائی یا سزا دہندہ یا سزا
 باہر ہو تو وکیل صاحب یا مندرجہ ہوں گے کہ پیروی مذکورہ کریں، اس کا نام لکھ دیا تاکہ سند رہے

Accepted and Attested

Attested



الرقوم:

بد الع بد الع

نوٹ: اس وکالت نامہ کارروائی کا کمال قبول ہوگی۔

Accepted and Attested

AF 21-11-2017