


Appeal No. 517/2014
Mr. Wuli But Khan.

3. 09.05.2014

Counsel for the appellant present. Preliminary arguments heard and case file perused. Counsel for the appellant contended that the appellant has not been treated in accordance with law/rules. Against the impugned order dated 01.01.2014, he filed departmental appeal on 07.01.2014, which has not been responded within the statutory period of 90 days, hence the present appeal on 09.04.2014. Points raised at the Bar need consideration. The appeal is admitted to regular hearing subject to all legal objections. The appellant is directed to deposit the security amount and process fee within 10 days. Thereafter, Notices be issued to the respondents. Appellant has also filed an application for suspension of the impugned order dated 01.01.2014. Notice of application should also be issued to the respondents for reply/arguments. To come up for written reply/comments on main appeal on 04.08.2014 as well as reply/arguments on application on 11.06.2014.

Appellant Deposited
Security & Process Fee
Re. 200/- Bank
Receipt is Washed with File.


Member

4. 09.05.2014

This case be put before the Final Bench D for further proceedings.


Chairman


23.5.2014

Counsel for the appellant and AAG for the respondents present. The learned counsel for the appellant moved application for early hearing of the appeal as well as amendment in the appeal or withdrawal of the appeal with permission to file fresh one. On the application of the learned counsel for the appellant, the appeal was requisitioned. The learned counsel for the appellant stated that the appellate authority i.e DIG of Police, Kohat Region, Kohat (respondent No. 2) has modified the order of the competent authority and converted the penalty of compulsory retirement into that of one step reversion to the rank of constable vide order dated 19.5.2014. Since order of the appellate authority has not only changed nature of the penalty but also nature of the appeal, amendment in the appeal may not serve the purpose, and the appellant is, therefore, allowed to withdraw the appeal, with permission to file a fresh appeal within the period of limitation prescribed by the law for the purpose. The appeal is disposed of accordingly, with no order as to costs.

ANNOUNCED

23.5.2014




Chairman


23/05/2014

Form- A
FORM OF ORDER SHEET

Court of _____

Case No. 517/2014

S.No.	Date of order Proceedings	Order or other proceedings with signature of judge or Magistrate
1	2	3
1	09/04/2014	<p>The appeal of Mr. Wali Bat Khan presented today by Mr. Shahid Qayum Khattak Advocate may be entered in the Institution register and put up to the Worthy Chairman for preliminary hearing.</p> <p style="text-align: right;"> REGISTRAR</p>
2	14-4-2014	<p>This case is entrusted to Primary Bench for preliminary hearing to be put up there on <u>9-5-2014</u></p> <p style="text-align: right;"> CHAIRMAN</p>

BEFORE THE SERVICE TRIBUNAL
KHYBER PAKHTUNKHWA PESHAWAR

Service Appeal No. 5/7 /2014

Wali Bat Khan Appellant

Versus

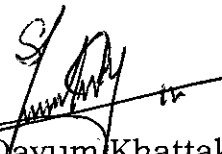
Provincial Police Officer and others..... Respondents

INDEX

S.No.	Description of Documents	Pages
1.	Memo of appeal	1-5
2.	Affidavit	6
3.	Stay application	7
4.	Affidavit	8
5.	Address of the parties	9
6.	Charge Sheet	10-11
7.	Reply of appellant	12-13
8.	Copy enquiry report.	14
9.	Copy of impugned order dated 01/01/2014	15
10.	Copy of representation	16-17
11.	Other documents	18-
12.	Wakalat Nama	


Appellant

Through


Shahid Qayum Khattak
Advocate, High Court
Peshawar

Dated: /04/2014

①

**BEFORE THE SERVICE TRIBUNAL
KHYBER PAKHTUNKHWA PESHAWAR**

Service Appeal No. *517* /2014

Wali Bat Khan S/o *Gul Bat Khan* R/o Choorlakki

Tehsil & District Kohat..... Appellant

Versus

1. Provincial Police Officer/ Inspector General of Police
Khyber Pakhtunkhwa, Peshawar
2. Deputy Inspector General of Police Kohat Region, Kohat.
3. District Police Officer, Karak
4. Government of Khyber Pakhtunkhwa through
Chief Secretary, Peshawar

533
09/4/14

.....Respondents

u/s-4 of Service Tribunal Act 1974
APPEAL/AGAINST THE ORDER DATED 01/01/2014 PASSED BY
RESPONDENT NO. 1 BY WHICH MAJOR PENALTY OF
COMPULSORY RETIRMENT FROM SERVICE HAS BEEN
AWARDED TO THE APPELLANT AND THE REPRESENTATION OF
THE APPELLANT FILED ON 06/01/2014 HAS NOT YET BEEN
DECIDED BY THE RESPONDENT NO. 2

PRAYER

On accepting this service appeal, the impugned order bearing OB No. 08 dated 01/01/2014 may graciously be set aside by declaring it illegal, unlawful, without authority, based on mala fide, void abinitio and thus not sustainable in the eyes of law and the appellant may please be reinstated on his post with all back benefits of pay and service.

Respectfully Sheweth;

1. That appellant joined police department in the year, 1989 and has rendered satisfactory service in the Department for the last 30 long years and has earned promotion to the rank of Head Constable and performed his duties with full zeal and enthusiasm.

2

2. That respondent No. 3 issued a charged sheet to the appellant on 10/12/2013 containing the allegation of corruption and numerous bad entries in the service record which has properly been replied by the appellant on 16/12/2013. (Copies of charge sheet and reply are attached)
3. That after the reply of appellant an enquiry was conducted fully exonerated him from the allegation leveled in the charged sheet. (Copy of the enquiry report is attached)
4. That after the receipt of the enquiry report respondent No. 3 issued the impugned order dated 01/01/2014 by awarding major penalty of compulsory retirement from service contrary to the rules and regulation. (Copy Impugned order dated 01/01/2014 is attached)
5. That Appellant filed representation against the said order to respondent No. 2 on 07/01/2014 but so far the same has not been decided by the leaned respondent No. 2. The ground taken in the same may please be considered as an integral part of this appeal (Copy of representation is attached)
6. That as the statutory period for filling Appeal is expiring hence, the petitioner filling this appeal on the following amongst other grounds inter alia:

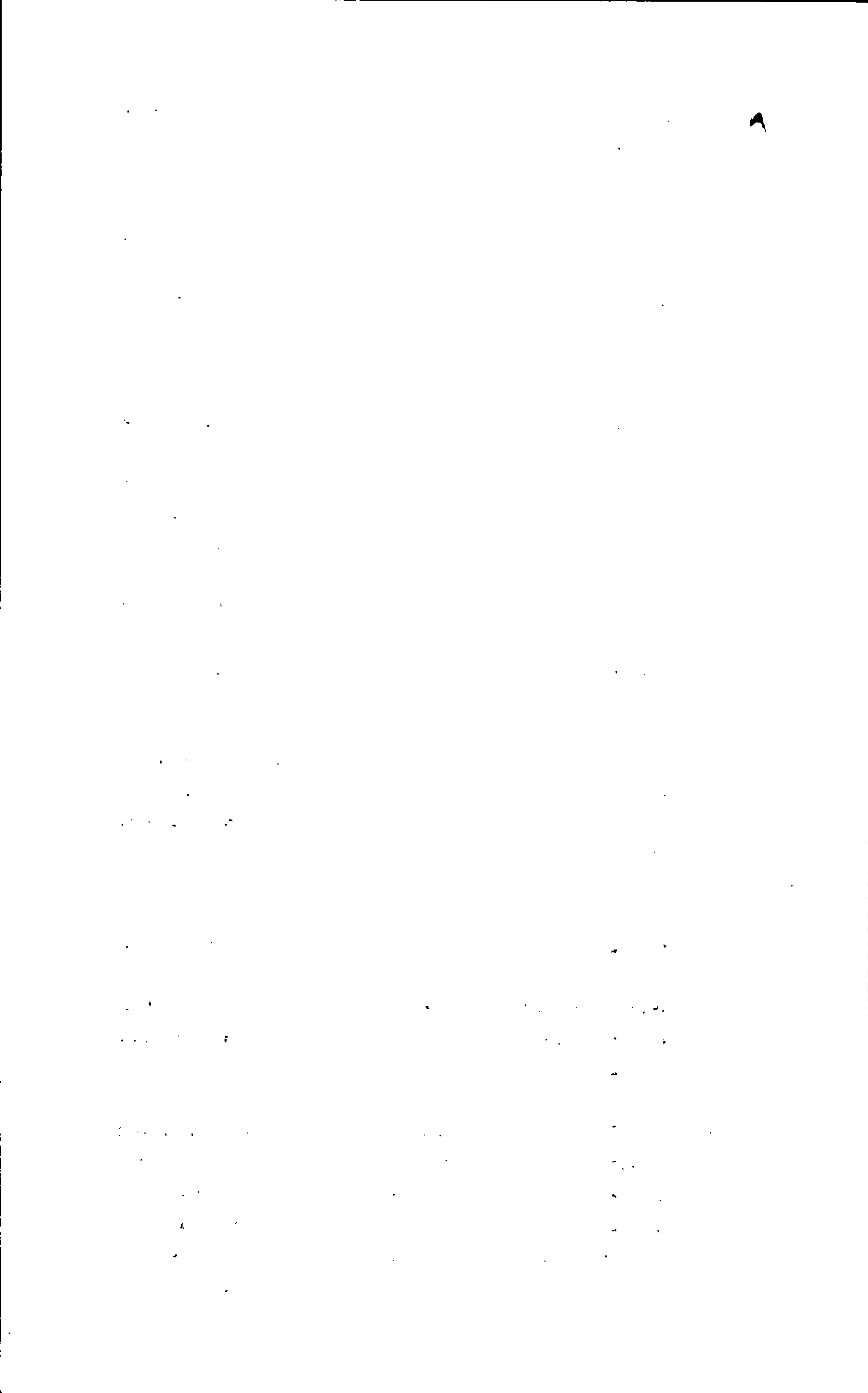
GROUND:

- a. That the impugned orders is illegal, unlawful, without authority, based on mala fide, void abinitio thus untenable in the eyes of law and is liable to be set aside.
- b. That the order of respondent No. 3 is very much harsh and is against the principle of natural justice.
- c. That the respondent No. 3 has not issue any show cause notice nor any proper opportunity of hearing has been provided to appellant thus the impugned order is nullity in the eyes of law and is liable to be set aside.

S/P

- d. That as per enquiry report allegation leveled in the charge sheet has not been proved but still respondent No. 3 has passed an order on the basis of mere allegation based on rumors. It is pertinent to mention that casualness and irresponsible attitude of the respondent and enquiry officer has to be seen that all the proceeding has been taken against appellant mentioning his wrong name.
- e. That the case of appellant has been treated in very arbitrary manners and no evidence what so ever has been brought on record to substantiate the allegation leveled against appellant.
- f. That the impugned order has been passed in violation of law and rules of disciplinary proceedings and principles of natural justice. Enquiry officer has reported in clear terms that charges of corruption did not stand proved as evidence of any kind was not procured in support of the charges. The authority wrongly and malafidly based the impugned order on assessments and speculations, therefore the impugned order is bad in law.
- g. That the opinion of enquiry officer that there were rumors about the involvement of appellant in corruption has no legal value because enquiry proceedings are quasi judicial proceedings therefore it was incumbent upon enquiry officer to probe into the allegations and find out the truth in the light of concrete evidence. In the absence of any proof, the opinion of enquiry officer was against the settled principles governing disciplinary proceedings.
- h. That the enquiry officer in very explicit words has reported that no evidence has been procured to establish the charge and only opined that there were rumors about the involvement of appellant in corruption. District Police Officer Karak imposed major penalty of compulsory retirement from service on appellant on basis of unfounded and baseless assessments. Under the law punishment in departmental proceedings should always be commensurate to the guilt proved through substantive peace of evidence during enquiry.
- i. That the enquiry proceedings against appellant suffered from gross infirmities, illegalities and irregularities as no evidence

[Handwritten signature]



(4)

what so ever has been produce or cited in the enquiry report nor any witness has been examined before the appellant.

- j. That order passed is with mala fide intention as the good entries recorded in the services recorded of appellant has not been considered at all rather bad entries which with due respect are not available in the record of appellant has been discussed by the respondent. Therefore the impugned order is not sustainable under the law.
- k. That the authority went beyond the scope in accepting the opinion of enquiry officer based on assessments and speculations rather the enquiry officer explicitly stated that no evidence available against appellant. The authority did not examine the departmental file in the light of real controversy.
- l. That the impugned order has been based on hallowed and unfounded assessments of enquiry officer who was otherwise not competent to conduct enquiry, therefore the order is worth set aside.
- m. That no final show cause notice was issued to appellant which is mandatory under the law. Similarly appellant was not personally heard and no opportunity of defense has been provided to appellant.
- n. That That worthy provincial police officer had issued clear order No. 6505-25/OS (Ops) dated 17.08.2013 for disposal of such enquires through committee constituted as provincial and regional level while the case of appellant was disposed of by District Police Officer in violation of above orders. (Copy attached)
- o. That finding of the enquiry officer shows that nothing has been established against appellant which could connect him with the alleged allegation of corruption as no evidence has been collected by the inquiry officer. Mere allegation or opinion does not means that the appellant was involved in corruption thus the impugned order is not tenable in the eyes of law.

5

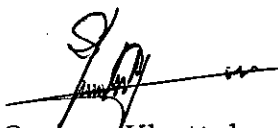
- p. That impugned order dated 01/01/2014 is suffered from gross infirmities, illegality, based on no evidence totally contradictory to the enquiry report.
- q. That the learned respondent has not taken into consideration that the rules under which the appellant has been charged are not applicable on him.
- r. That the act of respondent is totally based on discrimination undue victimization.

It is, therefore, most humbly prayed that by accepting this service appeal, the impugned order bearing OB No. 08 dated 01/01/2014 may graciously be set aside by declaring it illegal, unlawful, without authority, based on mala fide, void abinitio and thus not sustainable in the eyes of law and the appellant may please be reinstated on his post with all back benefits of pay and service.

Any other relief not specifically prayed for but deem appropriate in the circumstances of the case may also be granted.


Appellant

Through


Shahid Qayum Khattak
Advocate, High Court
Peshawar

Dated: /04/2014

Certified that as per instruction of my client no such appeal has been filed before this Hon'ble Forum.


Advocate

6

BEFORE THE SERVICE TRIBUNAL
KHYBER PAKHTUNKHWA PESHAWAR

Service Appeal No. /2014

Wali Bat Khan Appellant

Versus


Provincial Police Officer and others..... Respondents

Affidavit

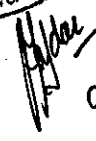
I, Wali Bat Khan S/o Gul Bat Khan R/o Choorlakki Tehsil & District Kohat, do hereby solemnly affirm and declare on Oath that the contents of the above appeal are true and correct to the best of my knowledge and belief and nothing has been kept secret from this Hon'ble Tribunal.


Deponent

Identified by


Shahid Qayum Khattak
Advocate




9/4/2014

7

BEFORE THE SERVICE TRIBUNAL
KHYBER PAKHTUNKHWA PESHAWAR

Service Appeal No. /2014

Wali Bat Khan Appellant

Versus

Provincial Police Officer and others..... Respondents

APPLICATION FOR SUSPENSION OF THE IMPUGNED ORDER
DATED 01/01/2014 TILL THE FINAL DISPOSAL OF THIS CASE

Respectfully Sheweth;

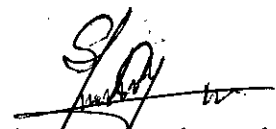
1. That the above noted case has been filed before this Hon'ble Forum in which no date of hearing is yet fixed.
2. That the applicants/appellants has got a good prima facie case in his favor and balance of convenience also lies in her favor
3. That if the order dated 01/01/2014 has not been suspended till the disposal of this Appeal then the applicant/ appellants would suffer an irreparable loss and damages.
4. That the grounds of main Petition may please also be considered as integral part of this application.

It is, therefore, respectfully prayed that by accepting this application impugned order dated 01/01/2014 may please be suspended till the final decision of the case.



Applicant/Appellant

Through



Shahid Qayum Khattak
Advocate, Peshawar

BEFORE THE SERVICE TRIBUNAL
KHYBER PAKHTUNKHWA PESHAWAR

Service Appeal No. /2014

Wali Bat Khan..... Appellant

Versus

Provincial Police Officer and others..... Respondents

Affidavit

I, Wali Bat Khan S/o *Gul Bat Khan* R/o Choorlakki Tehsil & District Kohat, do hereby solemnly affirm and declare on Oath that the contents of the above application are true and correct to the best of my knowledge and belief and nothing has been kept secret from this Hon'ble Tribunal.

Deponent

Identified by

Shahid Qayum Khattak
Advocate



M. Tajdar
9/4/2014

9

BEFORE THE SERVICE TRIBUNAL
KHYBER PAKHTUNKHWA PESHAWAR

Service Appeal No. /2014

Wali Bat Khan Appellant

Versus

Provincial Police Officer and others..... Respondents

ADDRESS OF THE PARTIES

APPELLANT

Wali Bat Khan S/o *Gul Bat Khan* R/o Choorlakki Tehsil
& District Kohat

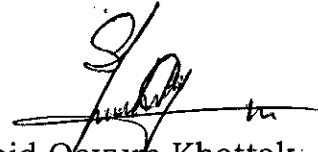
RESPONDENTS

1. Provincial Police Officer/ Inspector General of Police
Khyber Pakhtunkhwa, Peshawar
2. Deputy Inspector General of Police Kohat Region, Kohat.
3. District Police Officer, Karak
4. Government of Khyber Pakhtunkhwa through
Chief Secretary, Peshawar



Appellant

Through



Shahid Qayum Khattak
Advocate, High Court
Peshawar

Dated: /04/2014

(10)

No. _____ /EC

Dated _____ /2013

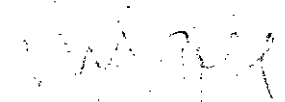
DISCIPLINARY ACTION

1. I, Atiq Ullah Khan Wazir Police Officer, Karak as competent authority is of the opinion that **Head Constable Wali Bat Khan No.188 MOL Co. East-III Makori Police Station Banda Daud Shah** has rendered him liable to be proceeded against departmentally on the charges of committing misconduct and negligence in duty.

"Head Constable Wali Bat Khan No.188 carries bad reputation for corruption. Furthermore his service record carries numerous bad entries, which show his inefficiency, misconduct and ill reputation."

2. The enquiry Officer **Mr. Gul Jamal SDPO Takht-e-Nasrati** shall in accordance with provision of the Police disciplinary rules-1975 may provide reasonable opportunity of hearing to the accused official, record his finding and make within 10-days of the receipt of this order, recommendation as to punishment or other appropriate action against the accused.


3. The accused official shall join the proceeding on the date, time and place fixed by the enquiry committee.


District Police Officer, Karak.

No. 17065-66/EC (enquiry), dated 10/12 /2013

Copy to:-

1. The enquiry Officer for initiating proceeding against the accused under the Provision of Police disciplinary rules-1975.
2. Head Constable Wali Bat Khan No.188 MOL Co. East-III Makori, Police Station Banda Daud Shah.


ATTESTED TO BE TRUE COPY

10-A

BETTER COPY

Dated 10/12/2013

CHARGE SHEET

I Atiq Ullah Khan Wazir, District Police Officer, Karak as competent authority hereby charge you Head Constable Wali Bat Khan No. 188 MOL Co. East -III Makori Police Station Banda Daud Shah as follow:

“ You Head Constable Wali Bat Khan No. 188 carry bad reputation for corruption. Furthermore your service record carries numerous bad entries which show your inefficiency, misconduct and ill reputation.

2. By reason of your commission / omission, constitute miss-conduct under Police disciplinary rules-1975 and have rendered your self liable to all or any of the penalties specified in Police rules-1975 ibid.
3. You are, therefore, required to submit your written defense within 07- days of the of the receipt of this charge sheet to the enquiry Officer Mr. Gul Jamal Khan SDPO Takt-e-Nasrati. Your written defense if any should reach the Enquiry Officers within the specified period, failing which it shall be presumed that you have no defense to put in and in that case ex-parte action shall be taken against you.
4. Intimate whether you desire to be heard in person.
5. A statement of allegation is enclosed.

District Police Officer Karak

ATTESTED TO BE TRUE COPY

No.

17064

Date

10/12

(11)

CHARGE SHEET

I, Atiq Ullah Khan Wazir, District Police Officer, Karak as competent authority, hereby charge you **Head Constable Wali Bat Khan No.188** MOL Co. East -III **Makori Police Station Banda Daud Shah** as follow:-

"You Head Constable Wali Bat Khan No.188 carry bad reputation for corruption. Furthermore your service record carries numerous bad entries, which show your inefficiency, misconduct and ill reputation."

2. By reason of your commission / omission, constitute miss-conduct under Police disciplinary rules-1975 and have rendered your-self liable to all or any of the penalties specified in Police rules-1975 ibid.

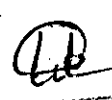
3. You are, therefore, required to submit your written defense within 07-days of the receipt of this charge sheet to the enquiry Officer Mr. Gul Jaisal Khan SDPO Takht-e-Nasrati Your written defense if any should reach the Enquiry Officers within the specified period, failing which it shall be presumed that you have no defense to put in and in that case ex-parte action shall be taken against you.

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

5. A statement of allegation is enclosed.

10/12/2014
12-12-13


District Police Officer, Karak



ATTESTED TO BE TRUE COPY

(11-A)

BETTER COPY

DISCIPLINARY ACTION


1. I, Atiq Ullah Wazir Police Officer, Karak, as competent authority is of the opinion that Head Constable Wali Bat Khan No. 188 MOL Co. East -III Makori Police Station Banda Daud Shah has rendered him liable to be proceeded against departmentally on the charges of committing misconduct and negligence in duty.

“ Head Constable Wali Bat Khan No. 188 carries bad reputation for corruption. Furthermore his service record carries numerous bad entries which show his inefficiency, misconduct and ill reputation.

2. The enquiry Officer Mr. Gul Jamal SDPO Takht-e-Nasrati shall in accordance with provision of the Police disciplinary rules-1975 may provide reasonable opportunity of hearing to the accused official, record his finding and make within 10-days of the receipt of this order, recommendation as to punishment or other appropriate action against the accused.
3. The accused official shall join the proceeding on the date, time and place fixed by the enquiry committee.

District Police Officer, Karak

No. 17065-66/EC(enquiry), dated 10/12/2013


ATTESTED TO BE TRUE COPY

Copy to :-

1. The enquiry Officer for initiating proceeding against the accused under the provision of Police disciplinary rules-1975.
2. Head Constable Wali Bat Khan No. 188 MOL Co. East -III Makori Police Station Banda Daud Shah.

ATTESTED TO BE TRUE COPY

(17)

100

Handwritten text in Urdu, appearing to be a list of names and dates, possibly a genealogical record or a list of transactions. The text is written in a cursive style and includes several dates such as 1989 and 1985.

17064

10/13


(18)

(15)

صا عالی: بحوالہ ص 17064 حورم 12/10

کہ میں لوگوں میں حکم سے سال 1987 میں کھڑی ہوا۔ میں نے لوگوں کو اس وقت پروردگار
 کو رس اور ذیل کو رس میں سے حاصل کیا۔ یہ 13 افسانہ اور میں ہمیشہ سناری
 دہانتا ہوں اور آواز گاؤں کو مد نظر رکھتے ہوئے افسانہ بیان کرتی ہوں
 کہ لوگوں کو کافی ہے۔ جو میں نے بدیم، ایل و حیوان کی کتاب پر عمدہ
 لکھ کر کتابوں میں کیا ہے جو چھوٹے ہیں۔ افسانہ بیان اہم ہے
 اچھا کارکردگی کی بنا پر تعیناتی کرتے ہیں اور میں نے اچھا کارکردگی
 کی بنا پر تعریفی سرٹیفکیٹ پائے اور نقد اعزازات حاصل
 کر چکے ہیں۔ تعریفی سرٹیفکیٹ اور کارکردگی پر ان کے
 تقویلات لف معاف ہے۔

صبا والا - میں ایک اچھا لوگ افسانہ نگار۔ کافی کارروائی کی ہے
 مگر اچھا نام ہو کر اچھے اوقات کا سامنا کر رہا ہوں
 ان کے ایلانز جو سالانہ رپورٹ میں قسم اٹھانے والے ہیں
 نہیں دیکھے بلکہ میرا حال نامہ بالکل حراف دور سفاکی
 ہے افسانہ بیان نے ہمیشہ سے اچھے کارکردگی کی تعریف
 کی ہے اور دہرا ہے


 ATTESTED TO BE TRUE COPY

بہترین بلکہ بہترین کے طور پر
کارڈز کی آئی آئی سند کو طلب کر کے ان کے
کارڈز کی آئی آئی

میں ایک ایک بلین نہیں گولا ایک بلین جا سیراد میں
خبردار ہے گولا بلین نہیں ہے گولا خبردار میں نہیں ہے
میں عام بلین جو ایک بلین کے ساتھ ساتھ میں ایک بلین میں
میں بلین کے ہیں۔ انہوں نے بھی ایک جا سیراد میں خبردار ہے
بلین جا سیراد ہے جو ایک سے ملوا کر سکتے ہیں۔ خبردار
میں بلین ملزم آئی میں۔ جبکہ ایک بلین کے ساتھ ساتھ
خبردار ہے۔

میں بلین کے ساتھ ساتھ ایک بلین کے ساتھ ساتھ
بلین کے ساتھ ساتھ ایک بلین کے ساتھ ساتھ
بلین کے ساتھ ساتھ ایک بلین کے ساتھ ساتھ
بلین کے ساتھ ساتھ ایک بلین کے ساتھ ساتھ
بلین کے ساتھ ساتھ ایک بلین کے ساتھ ساتھ
بلین کے ساتھ ساتھ ایک بلین کے ساتھ ساتھ
بلین کے ساتھ ساتھ ایک بلین کے ساتھ ساتھ
بلین کے ساتھ ساتھ ایک بلین کے ساتھ ساتھ

ATTESTED TO BE TRUE COPY

جناب والا۔ بہت افسوس تکلف پر مجبور ہوں کہ میں نے علمِ تحقیقاتی کارگزاری کے دوران اپنے مسٹر کو طلبہ لڑکے ان کے روبرو لگا کر دیا گئی ہے۔ میرا کوئی بند بھائی نہیں ہے کوئی ایسا لڑکا نہیں ہے فرمایا ہے۔

کوئی بھائی نہیں ہے۔ کوئی سوٹ گاڑیاں نہیں ہے میں بھائیوں کی طرح لڑکے کے مکان سے رہتا ہوں۔ ہم باغی بھائی ہیں۔ انھوں نے ہمیں کوئی جاننا نہیں فرمایا ہے۔ پوری جاننا دھڑکاؤ، خانہ سے مصلحت کر سکتے ہیں۔ میرے بھائی مولانا آری ہیں۔ ایک بھائی فطرت سے صحت مند دوری کرتا ہے۔ میرا اچھا نام صاف شفا بخش ہے کوئی کرپشن نہیں کرتا ہے۔ الزامات بالکل بے بنیاد اور منہ کھرتے ہیں یہ قسم بھائی پیش کرے کو تیار ہوں

لہذا استدعا ہے کہ جا شیت سے میرے خلاف الزامات سے بری الذمہ قرار دیا جائے اور جاٹ شیت لجنہ مندرجہ کسی کارروائی داخل حقتہ نظام حاکم کے اعلیٰ

ولی پتہ خان مول کٹی ملکوڑی ٹری ہانڈی

LB

ATTESTED TO BE TRUE COPY

ضیاعی

تاریخ 17065-66 / 13:12:10 خدق پیدائش
ولی تان 188 حال ہول کچی مکڑی عمارت قلعہ مانڈو داؤد شاہ کی داغ دار
سروس ریگڈ اور بید عقوانی میں ملوث پورے بارے انکوائری پور سروس ہول
مذکورہ کو لایم انکوائری دفتر سے طلب کیا گیا۔ جو دفتر آج جس
ایک تحریر بیان اور ساتھ اسکا کارڈوں اور اخباری پیسے بھی پیش کر کے
جو ہمراہ لف اور قابل مدفظ ہے۔

مذکورہ اپنے تحریری بیان میں ظاہر کیا کہ وہ سال 1989 کا پھر لڑنے
نوش کوئی نہیں۔ انٹر شریف ٹورس اور ڈور ٹورس پاس سے ہیں۔ انکی پرورش
انکی منڈیوں اور اسکے آچھے کارڈوں، دہلیاننداری پر ہوئی ہے۔ مزید یہ بھی بتلایا
کہ اسے ایڈرس رپورٹ نہیں دیا گیا ہے اور ساتھ ہی یہ بھی ظاہر کیا کہ اسکے نام
در جائیداد اور بنک بلیٹس نہیں ہے اور اسکے تین بھائی آرم میں ملزم ہیں
ایک بیرون ملک قطر میں ہے۔ اس کے سقم کرپشن نہیں آتا ہے

مذکورہ ازیں مذکورہ کے اعمال نام سے اسکے Good اور Bad اندراج
دفتر کرپشن سے طلب کر کے جو ہمراہ لف اور قابل مدفظ ہے

اس کے اسکے پر جائیداد اور بنک بلیٹس کے بارے میں ضیفہ اور
معلومات پور مگر اسکے نام پر کوئی جائیداد اور بنک بلیٹس نہ پایا گیا۔ دوران
انکوائری اسکے خدق کرپشن کے بارے میں تحریری رپورٹوں میں ثبوت نہ ملے۔ البتہ
مباح آفواہ یہ ہے کہ وہ کرپشن میں ملوث پایا گیا ہے۔ انکوائری رپورٹ
تیار کر کے

Jamal
محلہ کارپشن
تحت قوت

No. 148/TN
DATED. 20-12-13

ATTESTED TO BE TRUE COPY

This Order is passed on the departmental enquiry against HC Wali Bat Khan No.188 of this District Police leading to the present departmental proceedings are


According to the charge sheet, HC Wali Bat Khan No.188 carried bad reputation for corruption and also carries numerous bad entries in his service record, which clearly show inefficiency, misconduct and ill reputation on his part.


Charge Sheet and Statement of allegation based on above allegations were served upon the defaulter HC Wali Bat Khan No.188. Mr. Gul Jamal Khan, SDPO District Police, Kohat was appointed as enquiry Officer to scrutinize the conduct of HC Wali Bat Khan No.188 with reference to the charges leveled against him.

The Enquiry Officer conducted departmental enquiry, during the course of which he obtained land record and bank accounts in the name of defaulter H.C which showed nothing on his part. However, the enquiry officer recommended him as corrupt on the basis of general reputation and public perception for appropriate action.

From the perusal of available record, recommendations of enquiry officer and verbal information given by local Officers of special Branch and I.B about his corrupt reputation and received on transfer from Kohat District to this with reference to numerous complaints of corruption/ malpractices, use of political and extra departmental influence for getting posting of his choice on sensitive check posts vide Deputy Inspector General of Police, Kohat Region, Kohat Order Endst:No. 3258-63/EC, dated 02.05.2013, the undersigned being competent authority under Rule-3 of NWFP now Khyber Pakhtunkhwa Police Rules 1975, am satisfied that the defaulter H.C is an Official of ill repute and remained involved in misuse of powers during his longer service of 30-35 years in Police Organization. Hence in exercise of powers vested in me under rule 5(5) of the rules ibid. he is awarded major penalty of compulsory retirement from service with immediate effect.

Order No. 2
Dated 01-01 /2014


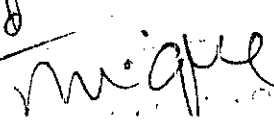

ATTESTED TO BE TRUE COPY


District Police Officer, Karak

OFFICE OF THE DISTRICT POLICE OFFICER, KARAK

No. 20 /EC, dated Karak the 01-01 /2014.

Copy of above is submitted to the Deputy Inspector General of Police, Kohat Region Kohat for favour of information w/r to his Office Endst:No.1364-66/C-Cell, dated 08.08.2013.


District Police Officer, Karak

15-A

BETTER COPY

ORDER

This order is passed on the departmental enquiry against HC Wali Bat Khan No. 188 of this District Police leading to the present departmental proceedings are as follows:-

According to the charge sheet, HC Wali Bat Khan No. 188 carried bad reputation for corruption and also carries numerous bad entries in his service record, which clearly show inefficiency, misconduct and ill reputation on his part.

Charge Sheet and Statement of allegation based on above allegation were served upon the defaulter HC Wali Bat Khan, Mr Gul Jamal Khan, SDPO Takht-e-Nasrati was appointed as enquiry Officer to scrutinize the conduct of HC Wali Bat Khan with reference to the charge leveled against him.

The enquiry Officer conducted departmental enquiry, during the course of which he obtained land record and bank accounts in the name of defaulter H.C which prove nothing on his part. However, the enquiry officer recommended him as corrupt on the basis of general reputation and public perception for appropriate action.

From the perusal of available record, recommendations of enquiry officer and verbal information given by local Officers of special Branch and I.B about his corrupt reputation, the undersigned being competent authority under Rule-3 of NWFP now Khyber Pakhtunkhwa Police Rules 1975, am satisfied that that the defaulter H.C is an officer of ill repute and remained involved in misuse of powers during his long service of 25 years in Police Organization, hence in exercise of powers vested in me under rule 5(5) of the rules ibid, he is awarded major penalty of compulsory retirement from service with immediate effect.


OB No. 8
Dated 01/01/2014

District Police Officer, Karak

OFFICE OF THE DISTRICT POLICE OFFICER, KARAK

No. 20 /EC, dated karak the 01/01/2014

Copy of above is submitted to Deputy Inspector General of Police, Kohat Region Kohat for favour of information w/r to his Office Ends: No. 1364-66/C-Cell, Dated 22.08.2013.


ATTESTED TO BE TRUE COPY

District Police Officer, Karak

(16)

BEFORE THE DEPUTY INSPECTOR GENERAL OF POLICE
KOHAT REGION, KOHAT

SUBJECT: APPEAL AGAINST THE ORDER OF D.P.O KOHAT BEARING OB
NO.8 DATED 01-1-2014 AWARDDING THE APPELLANT THE
PENALTY OF COMPULSORY RETIREMENT FROM SERVICE WITH
IMMEDIATE EFFECT.

Respectfully Sheweth,

With great respect, the appellant prefers the instant appeal for consideration
and others in accordance with norms of justice.

Fact:

Briefly stated that the appellant while posted the District Karak was
proceeded against departmentally on the charges of carrying bad reputation
for corruption and also carrying numerous bad entries in his service record
which should inefficiency, misconduct and ill reputation on his part.

Mr. Gul Jamal Khan DSPO Takht-Nasrati was appointed as enquiry officer to
enquire not the allegations leveled against the appellant. After submiss of
finding by the enquiry officer, the impugned order was passed by the DPO,
Karak.

Findings:

1. That as per the impugned order, the enquiry officer enquired about land
record and bank accounts in the name of the appellant which proved nothing
against the appellant. Finding nothing solid in support of the allegation of
corruption, the enquiry officer recommended the appellant for punishment on
the basis of rumour and public perception for appropriate action.
2. That enquiry officer had failed to examine any body from the general public in
support of the allegation of corruption or corrupt practices by the appellant.
The land record and bank account of the appellant negated the charge of
corruption leveled against the appellant.

(16)

ATTESTED TO BE TRUE COPY

16-A

BETTER COPY

BEFORE THE DEPUTY INSPECTOR GENERAL OF POLICE KOHAT
REGION, KOHAT

SUBJECT: APPEAL AGAINST THE ORDER OF D.P.O KOHAT BEARING OB
NO. 8 DATED 01-01-2014 AWARING THE APPELLANT THE
PENALTY OF COMPULSORY RETIREMENT PROM SERVICE
WITH IMMEDIATE EFFECT

Respectfully Sheweth;

With great respect, the appellant prefers the instant appeal for consideration and others in accordance with norms of justice.


FACTS:

Briefly stated that the appellant while posted the District Krak was proceeded against departmentally on the charges of carrying bad reputation for corruption and also carrying numerous bad entries in his service record which should inefficiency , misconduct and ill reputation on his part.

Mr. Gul Jamal Khan DSPO Takht Nasrati was appointed as enquiry officer to enquire not the allegations leveled against the appellant. After submiss of finding by the enquiry officer, the impugned order was passed by the DPO Karak.

Grounds:

- A. That as per the impugned order, the enquiry officer enquired about land record and bank accounts in the name of the appellant which proved nothing against the appellant. Finding nothing solid in support of the allegation of corruption, the enquiry officer recommended the appellant for punishment on the basis of rumour and public perception for appropriate action.
- B. That enquiry officer had failed to examine andy body form the general public in support of the allegation of corruption or corrupt practices by the appellant. The land record and bank account of the appellant negated the charge of corruption leveled against the appellant.


ATTESTED TO BE TRUE COPY

(17)


- C. The impugned order was passed on the basis of verbal information of the secret agencies which carried no legal value and were inadmissible in evidence.
- D. The impugned order was passed on flimsy grounds. The same was arbitrary, unjustified and not sustainable in the eye of law.
- E. No action had ever been initiated against the appellant during his long service of 30 years on the charge of corruption, mala practices, use of political and extra departmental influence for getting posting of his choice on sensitive check posts. So much so that even show cause notice was ever issued to the appellant on these counts as mentioned in the impugned order.
- F. The appellant had earned numerous good entries for good performance of official duties and no complaint was ever submitted against the appellant by any quarter of the society.
- G. General allegations were leveled against the appellant with no specific example of corruption and bad entry in his service record.
- H. The impugned order was not based on sound reason. The enquiry conducted by the enquiry officer did not justify the compulsory retirement of the appellant from service.


Pray:

In light of the above submissions, it is requested that the impugned order may be set aside and the appellant re-instated in service w.e.f. the date of compulsory retirement please.

Dated: 07-1-2014.

Yours obediently,


Ex-IHC Wali Bat No. 138
R/O Choorlakki
Tehsil & District, Kohat


ATTESTED TO BE TRUE COPY

7/1/2014


17-A

BETTER COPY

- C. The impugned order was passed on the basis of verbal information of the secret agencies which carried no legal value and were inadmissible in evidence.
- D. The impugned order was passed of flimsy grounds. The same was arbitrary, unjustified and not sustainable in the eyes of law.
- E. No action had ever been initiated against the appellant during his long service of 30 years on the charge of corruption, male practices, use of political and extra departmental influence for getting posting of his choice on sensitive check posts. So much so that even show cause notice was ever issued to the appellant on these counts as mentioned in the impugned order.
- F. The appellant had earned numerous good entries for good performance of official duties and no complaint was ever submitted against the appellant by any quarter of the society.
- G. General allegation were leveled against the appellant with no specific example of corruption and bad entry in his service record.
- H. The impugned order was not based on sound reason. The enquiry conducted by the enquiry officer did not justify the compulsory retirement of the appellant from service.

Pray:

In light of the above submission , it is requested that the impugned order may be set aside and the appellant re-instated in service w.e.f the date of compulsory retirement please.


ATTESTED TO BE TRUE COPY

Yours obediently

Dated 07/1/2014

Ex- IHC Wali Bat No. 188 R/o
Choorlakki, Tehsil & District Kohat.

18

From : The Inspector General of Police,
Khyber Pakhtunkhwa,

To : The Capital City Police Officer,
Peshawar.

All Regional Police Officers,
Khyber Pakhtunkhwa
All District Police Officers,
Khyber Pakhtunkhwa.

No. 6505-25/OS (Ops)

Dated : 17.08.2013

Subject:- ERADICATION OF CORRUPTION

Memo:

This is in continuation of correspondence on the subject.

2. All senior officers have powers to take disciplinary action against (inefficiency) misconduct and corruption of their subordinates. Chief Minister Khyber Pakhtunkhwa has ordered strict and prompt action against all corrupt police officers / officials. In line with drive of KPK government against corruption an institutionalize mechanism has been devised by KPK Police to deal with corrupt officers/officials. For the purpose Police Accountability Commission at CPO level and Regional Disciplinary Committees at RPOs level are established. The commission and committees will complete their task within 30 days and submit report to Provincial Police Officer.

3. Detail about composition and functions along with working mechanism of Police Accountability Commission and Regional Disciplinary Committees is as under:

a. Police Accountability Commission

Composition

- Addl IG HQs
- DIG HQs
- DIG Enquiries & Inspections
- AIG Establishment
- AIG Legal

Functions

- Review of recommendations of Regional Disciplinary Committees
- Monitoring of all major and minor punishments including removal, retirement and lay off from service
- Review and assessment of administrative, disciplinary, appellate actions
- Retention policy for inefficient and corrupt officers

b. Regional Disciplinary Committees

Composition:

- RPO
- All DPOs in the Region
- SSP Special Branch

ATTEN: ... COPY

13 6290-82

18-A

BETTER COPY

From : the Inspector General of Police,
Khyber Pakhtunkhwa.

To: The Capital City Police Officer,
Peshawar

All Regional Police Officers,
Khyber Pakhtunkhwa

All District Police Officers,
Khyber Pakhtunkhwa

No. 6505-25/OS(Ops)

Dated 17.08.2013

Subject:- ERADICATION OF CORRUPTION

Memo:

This is in continuation of correspondence on the subject .

2. All senior officers have powers to take disciplinary action against inefficiency , misconduct and corruption of their subordinates. Chief Minister Khyber Pakhtunkhwa has ordered strict and prompt action against all corrupt police officers / officials in line with _____ of KPK government against corruption an institutionalize mechanism has been devised by KPK Police to deal with corrupt officers/ officials. For the purpose Police Accountability Commission at CPO level and Regional Disciplinary Committees at RPOs level are established. The commission and committees will complete their task within 30 days and submit report to Provincial Police Officer.

3. Detail about composition and functions along with working mechanism of Police Accountability Commission and Regional Disciplinary Committees is as under.

a. Police Accountability Commission

Composition
Addl IG HQrs
DIG HQrs
DIG Enquiries & Inspections
AIG Establishment
AIG Legal


Functions

Review of recommendations of Regional Disciplinary Committees
Monitoring of all major and minor punishment including removal
retirement and lay off from service.

Review and assessment of administrative, disciplinary , appellate actions
Retention policy for inefficient and corrupt officers / officials

b. Regional Disciplinary Committees

Composition
RPO
All DPSs in the Region
SSP Special Branch


ATTESTED TO BE TRUE COPY

Functions

- Report about reputation and assets from intelligence agencies
- Identification of corrupt and inefficient officers / officials
- Scrutiny of service, punishment and appeals record

c. Mechanism

Step 1: Review of service record for police officer (AVS to DSP) by RDCs

- **Step 2:** Seeking reports about reputation and assets from intelligence agencies by RDCs
- **Step 3:** Recommendation by RDCs to the commission
- **Step 4:** Evaluation of the recommendations by the commission and direction to disciplinary authorities
- **Step 5:** Action by disciplinary authorities
- **Step 6:** Final report by Police Accountability Commission and Regional Disciplinary Committees

4. All concerned are required to take immediate steps for formation, functioning and reports of Police Accountability Commission and Regional Disciplinary Committees under intimation to DIG Hqrs.

5. This issued with approval of Inspector General Police.

(MIAN MOHAMMAD TASSIR) PSP

Add: IGP, Ops & Ttg

For Inspector General of Police,

Khyber Pakhtunkhwa.

No 6526-27 /OS (Opa)

Copy to:

1. The Principal Secretary to Chief Minister, Khyber Pakhtunkhwa.
2. The Addl: IGP Hqrs, Khyber Pakhtunkhwa.
3. The Addl: IGP Special Branch, Khyber Pakhtunkhwa.
4. The DIG Hqrs, Khyber Pakhtunkhwa.
5. The DIG Inquiries and Inspection, Khyber Pakhtunkhwa.
6. The AIG Establishment CPO.
7. The AIG Legal CPO.
8. The PSO to Inspector General of Police.

ATTESTED TO BE TRUE COPY

(MIAN MUHAMMAD ASHU) PSP

Add: IGP, Ops & Ttg

For Inspector General of Police,

Khyber Pakhtunkhwa.

(3) 6 2 90-82

19-A

BETTER COPY

Functions

Report about reputation and assets from intelligence agencies
Identification of corrupt and inefficient officers / officials
Scrutiny of service, punishment and appeal record.

c. Mechanism

- Step 1: Review of service record of police officer (ASI or DSP) by RDCs
- Step 2: Seeking reports about reputation and asset from intelligence agencies by RDCs
- Step 3: Recommendation by RDCs to the commission
- Step 4: Evaluation of the recommendations by the commission and direction to disciplinary authorities.
- Step 5: Action by Disciplinary authorities.
- Step 6: Final report by the Police accountability commission and Regional Disciplinary committees

4. All concerned are required to take immediate steps for formation, functioning and reports of Police Accountability Commission and Regional Disciplinary Committees under intimation to DIG Hqrs.

5. This issues with approval of inspector General Police.

(MIAN MUHAMMAD ASIF) PSP
Addl: IGP, Ops



ATTESTED TO BE TRUE COPY

بعدالت حساب سروس ٹریڈنگ کمپنی لٹیاور

Appeal NO: /2014

2، پنجاب Appellate

ولی ست خان بنام IGP

موزخه
مقدمه
دعوی
جرم

باعث تحریر آنکے

مقدمہ مندرجہ عنوان بالا میں اپنی طرف سے واسطے پیروی و جواب دہی دکل کارروائی متعلقہ
آن مقام لٹیاور کیلئے بندہ فیوض کیلئے بندہ فیوض کیلئے بندہ فیوض کیلئے بندہ فیوض
مقرر کر کے اقرار کیا جاتا ہے۔ کہ صاحب موصوف کو مقدمہ کی کل کارروائی کا کامل اختیار ہوگا۔ نیز
وکیل صاحب کو راضی نامہ کرنے و تقرر ثالثہ فیصلہ برحلف دیئے جواب دہی اور اقبال دعویٰ اور
بصورت ڈگری کرنے اجراء اور صولی چیک و روپیہ ارضی دعویٰ اور درخواست ہر قسم کی تصدیق
زر میں پر دستخط کرانے کا اختیار ہوگا۔ نیز صورت عدم پیروی یا ڈگری یکطرفہ یا اپیل کی برآمدگی اور منسوخی
نیز دائر کرنے اپیل نگرانی و نظر ثانی و پیروی کرنے کا اختیار ہوگا۔ از بصورت ضرورت مقدمہ مذکور
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 بھی وہی جملہ مذکورہ بالا اختیارات حاصل ہوں گے اور اس کا ساختہ
پرواختہ منظور قبول ہوگا۔ دوران مقدمہ میں جو خرچہ ہر جانہ التوائے مقدمہ کے سبب سے ہوگا۔
کوئی تاریخ پیشی مقام دورہ پر ہو یا حد سے باہر ہو تو وکیل صاحب پابند ہوں گے۔ کہ پیروی
مذکور کریں۔ لہذا داکالت نامہ لکھدیا کہ سند ہے۔

ولی ست خان ولد صاحب ست خان سکندر ضلع لٹیاور

Attested & Accepted by
[Signature]

بمقام لٹیاور

کے لئے منظور ہے۔

واہ العبد

BEFORE THE SERVICE TRIBUNAL KHYBER PAKHTUNKHWA
PESHAWAR

Service Appeal No. 517 /20

Wali Bat Khan

Versus

Provincial Police Officer etc

APPLICATION FOR EARLY HEARING OF THE ABOVE
NOTED APPEAL

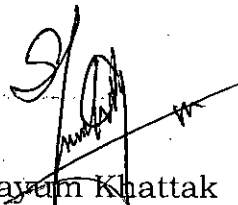
Respectfully Sheweth;

1. That the above noted appeal is pending adjudication before this Hon'ble Tribunal and the application for interim injunction is fixed for hearing on 11/06/2014 whereas the main case is fixed for hearing 04/08/2014.
2. That during the pendency of the above noted appeal the Learned Respondent No. 2 passed an order on the representation of the applicant / appellant by modifying the order of compulsory retirement to reversion to the rank of Constable on 19/05/2014
3. That the time limit for challenging the same order is 30 day and applicant / want to challenge the same order with in the statutory period to safe his vested right.
4. That to enable the applicant to challenge the same order on time fixation the case today is very much necessary for adopting further course in accordance with law.

It is, therefore, most humbly prayed that by accepting this application the above noted appeal may please be fixed for day and appropriate order may passed on the accompanying application.

Applicant/ Appellant

Through


Shahid Qayam Khattak
Advocate

BEFORE THE SERVICE TRIBUNAL
KHYBER PAKHTUNKHWA PESHAWAR

C.M No. _____/2014

In

Service Appeal No. 517 /2014

Wali Bat Khan Applicant/Appellant

Versus

Provincial Police Officer and others.....Respondents

APPLICATION FOR AMENDMENT OF APPEAL OR WITHDRAWAL
OF APPEAL WITH PERMISSION TO FILE FRESH ONE

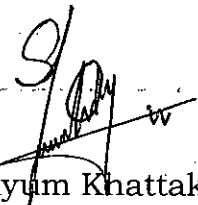
Respectfully Sheweth,

1. That the above noted appeal is pending adjudication before this Hon'ble Tribunal and the application for interim injunction is fixed for hearing on 11/06/2014 whereas the main case is fixed for hearing 04/08/2014.
2. That during the pendency of the above noted appeal the Learned Respondent No. 2 passed an order on the representation of the applicant / appellant by modifying the order of compulsory retirement to reversion to the rank of Constable from IHC on 19/05/2014 but the order has been received by applicant/ appellant on 22/05/2014/. (Copy attached)
3. That same order has not been challenged before this Hon'ble Tribunal due to the reason that the same has been passed much after the filling of the above noted appeal.
4. That applicant / appellant is also feeling aggrieved from the same order and want to assail the same before this Hon'ble Tribunal.

It is, therefore, most humbly prayed that by accepting this application the applicant may please be either to allow to make necessary amendment in memo of appeal or to allow him to withdraw the above noted appeal with permission to file afresh one.

Applicant/ Appellant

Through


Shahid Qayum Khattak
Advocate

AFFIDAVIT

I, Shahid Qayum Khattak Advocate (as per instruction provided by my client) do hereby solemnly affirm and declare that the contents of the above application are true and correct to the best of my knowledge and belief and nothing has been kept secret from this Hon'ble Tribunal.


Deponent



POLICE DEPARTMENT

KOHAT REGION

ORDER.

2680
20-05-14

This order will dispose of the appeal preferred by Ex-IHC Wali Bat of Karak district Police; wherein he was awarded major punishment of compulsory retirement by DPO Karak vide O.B No. 08, dated 01.01.2014. He requested for setting aside the punishment order and reinstatement in service.

Facts are that the official earned bad-reputation for corruption and also carries numerous bad entries in his service record, which clearly shows his inefficiency, negligence and ill-reputation on his part.

On the basis of the above-mentioned charges / omissions, Charge Sheet & Statement of allegations was issued to him under Police Disciplinary Rule 1975 by DPO Karak and Mr. Gul Jamal (SDPO Takht-o-Nasrati Karak) was appointed as enquiry officer to conduct proper departmental enquiry against him. The enquiry officer conducted transparent enquiry, completed all enquiry formalities and submitted findings report, in which the defaulter was found guilty of the charges.

Attested
Inspector legal Karak
22/5

Aggrieved from the said order passed by the DPO Karak, the appellant preferred the instant departmental appeal for setting aside the punishment order passed by DPO Karak.

Therefore the delinquent official was heard in person in orderly room held in this office on 14.05.2014. He did not submit any convincing reply to his misconduct and could not satisfy the undersigned.

Going through the available record and enquiry papers, the undersigned reached to the conclusion that charges leveled against him has been established. However, the punishment order of DPO Karak is hereby modified into reversion to the rank of Constable, the intervening period may be treated as leave of kind due.

ANNOUNCED
16.05.2014

(DR. ISHTIAC AHMAD MARWAT)
Dy. Inspector General of Police
Kohat Region, Kohat

No. 4852-53/EC, dated Kohat the 17/5/2014.

Copy of above for information and necessary action to the District Police Officer, Karak w/r to his office Memo: No. 3114/L.P. dated 25.02.2014. His service record is enclosed herewith.

2. Ex-IHC Wali Bat of Karak district

ERC/PO
For 21/4/14
Majid
Distt. Police Officer
Karak 19/5/14

(DR. ISHTIAC AHMAD MARWAT)
Dy. Inspector General of Police
Kohat Region, Kohat

BEFORE THE SERVICE TRIBUNAL KHYBER PAKHTUNKHWA
PESHAWAR

Service Appeal No. 517 /20

Wali Bat Khan

Versus

Provincial Police Officer etc

APPLICATION FOR EARLY HEARING OF THE ABOVE
NOTED APPEAL

Respectfully Sheweth;

1. That the above noted appeal is pending adjudication before this Hon'ble Tribunal and the application for interim injunction is fixed for hearing on 11/06/2014 whereas the main case is fixed for hearing 04/08/2014.
2. That during the pendency of the above noted appeal the Learned Respondent No. 2 passed an order on the representation of the applicant / appellant by modifying the order of compulsory retirement to reversion to the rank of Constable on 19/05/2014
3. That the time limit for challenging the same order is 30 day and applicant / want to challenge the same order with in the statutory period to safe his vested right.
4. That to enable the applicant to challenge the same order on time fixation the case today is very much necessary for adopting further course in accordance with law.

It is, therefore, most humbly prayed that by accepting this application the above noted appeal may please be fixed for day and appropriate order may passed on the accompanying application.

Applicant/ Appellant

Through


Shahid Qayum Khattak
Advocate

BEFORE THE SERVICE TRIBUNAL
KHYBER PAKHTUNKHWA PESHAWAR

C.M No. _____/2014

In

Service Appeal No. 517 /2014

Wali Bat Khan Applicant/Appellant

Versus

Provincial Police Officer and others..... Respondents

APPLICATION FOR AMENDMENT OF APPEAL OR WITHDRAWAL
OF APPEAL WITH PERMISSION TO FILE FRESH ONE

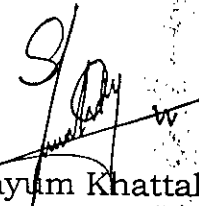
Respectfully Sheweth,

1. That the above noted appeal is pending adjudication before this Hon'ble Tribunal and the application for interim injunction is fixed for hearing on 11/06/2014 whereas the main case is fixed for hearing 04/08/2014.
2. That during the pendency of the above noted appeal the Learned Respondent No. 2 passed an order on the representation of the applicant / appellant by modifying the order of compulsory retirement to reversion to the rank of Constable from IHC on 19/05/2014 but the order has been received by applicant/ appellant on 22/05/2014/. (Copy attached)
3. That same order has not been challenged before this Hon'ble Tribunal due to the reason that the same has been passed much after the filling of the above noted appeal.
4. That applicant / appellant is also feeling aggrieved from the same order and want to assail the same before this Hon'ble Tribunal.

It is, therefore, most humbly prayed that by accepting this application the applicant may please be either to allow to make necessary amendment in memo of appeal or to allow him to withdraw the above noted appeal with permission to file afresh one.

Applicant/ Appellant

Through


Shahid Qayum Khattak
Advocate

AFFIDAVIT

I, Shahid Qayum Khattak Advocate (as per instruction provided by my client) do hereby solemnly affirm and declare that the contents of the above application are true and correct to the best of my knowledge and belief and nothing has been kept secret from this Hon'ble Tribunal.


Deponent

