

SCANNED
KPST
Peshawar

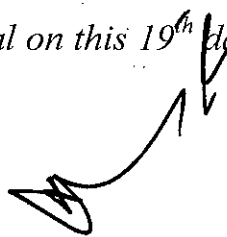
19th Oct, 2022

1. Learned counsel for the petitioner present. Mr. Muhammad Adeel Butt, Addl: AG for respondents present.

02. The compliance order dated 11.08.2022 shows that it is in line with the judgment passed by this Tribunal but was subject to the result of the CPLA, therefore, there is nothing wrong with the compliance order and this petition is accordingly filed. Consign.

3. *Pronounced in open court in Peshawar and given under my hand and seal of the Tribunal on this 19th day of October, 2022.*





(Kalim Arshad Khan)
Chairman

22.09.2022

Petitioner alongwith his counsel present. Mr. Ahmad Jan, S.I (legal) alongwith Mr. Asif Masood Shah, Deputy District Attorney for the respondents present.

Learned counsel for the petitioner stated that vide order dated 11.08.2022, the appellant has been conditionally & provisionally reinstated in service with all back benefits subject to the outcome of CPLA, however no back benefits have yet been granted to him. Representative of the respondents requested that time may be granted to apprise this Tribunal regarding grant of back benefits of the petitioner. To come up for further proceedings on 19.10.2022 before the S.B.




(Salah-Ud-Din)
Member (J)

08.2022

Petitioner alongwith counsel present. Mr. Kabir Ullah Khattak, Additional Advocate General alongwith Ahmad Jan, S.I (Legal);for respondents present.


Representative of the respondent department sought time for submission of implementation report. Adjourned. To come up for implementation report on 31.08.2022 before S.B.


(Fareeha Paul)
Member (E)

31.08.2022

Learned counsel for the petitioner present. Mr. Asif Masood Ali Shah, Deputy District Attorney alongwith Mr. Raziq, H.C for the respondents present.




Respondent department, produced a copy of office order bearing No. 14307-21/PA/SSP-Coord. dated 11.08.2022 whereby the petitioner has been reinstated in service with all back benefits conditionally/provisionally subject to the outcome of CPLA pending before the august Supreme Court of Pakistan. Copy of the same is placed on file as well as provided to the petitioner. Petitioner requested for adjournment that he will submit objection(s) on office order submitted by the respondents on the next date. Adjourned. To come up for objection(s)/further proceedings on 22.09.2022 before S.B.


(Mian Muhammad)
Member (E)

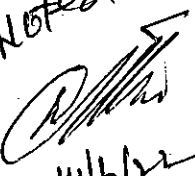
Form- A
FORM OF ORDER SHEET

Court of _____

Execution Petition No. 321/2022

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1	03.06.2022	<p>The execution petition of Mr. Abdul Qadir submitted today by Mr. Noor Muhammad Khattak Advocate may be entered in the relevant register and put up to the Court for proper order please.</p> <p style="text-align: right;"> REGISTRAR</p>
2	14-6-22	<p>This execution petition be put up before Single Bench at Peshawar on <u>20-6-2022</u>. Original file be requisitioned. AAG has noted the next date. The respondents be issued notices to submit compliance/implementation report on the date fixed.</p> <p style="text-align: right;"> CHAIRMAN</p>
	20 th June, 2022	<p>Counsel for the petitioner present. Mr. Kabirullah Khattak, Addl: AG for respondents present.</p> <p>Respondents are directed through the learned Addl: AG to submit implementation report on or before the next date. To come up for implementation report on 10.08.2022 before S.B.</p> <p style="text-align: right;"> (Kalim Arshad Khan) Chairman</p>

**SCANNED
KPST
Peshawar**

Noted

14/6/22

Noted

18/7/22



OFFICE OF THE
CAPITAL CITY POLICE OFFICER,
PESHAWAR
Phone No. 091-9213757

ORDER

Ex-SI Abdul Qadar of CCP Peshawar was awarded major punishment of dismissal from service by the then SSP Operations, Peshawar vide OB No. 3563 dated 29.09.2011 on the charges that he is in possession of illegal arms/ammunition and narcotics which were recovered from his residential room of PS Badaber and were kept hidden by him without maintaining proper record. In this context a criminal case vide FIR No. 882 dated 09.06.2011 u/s 9C-CNSA/13/14 AO/3/4/PO/342 PPC PS Badaber was registered against him.

Ex-SI Abdul Qadar of CCP filed a Service Appeal No. 1966/2011 before the Khyber Pakhtunkhwa Service Tribunal Peshawar. The Hon'ble Tribunal accepted his appeal, set aside the impugned order and reinstated the appellant into service with the direction to conduct de-novo enquiry within 90 days. The de-novo enquiry was conducted in which the Ex-SI Abdul Qadar was again dismissed from the service by the then SSP Coordination on dated 13.05.2019. He filed departmental appeal which was filed/rejected on dated 22.08.2019 after due consideration.

Feeling aggrieved the appellant again filed Service Appeal No. 1227/2019 before the Khyber Pakhtunkhwa Service Tribunal Peshawar. On 11.04.2022 the Hon'ble Tribunal ordered that "the appeal in hand is allowed by setting aside the impugned orders and the appellant is reinstated in service with all back benefits."

In light of the Tribunal Judgment, direction of competent authority, kind approval of W/CCPO & DSP Legal opinion, Ex-SI Abdul Qadar of CCP is hereby conditionally & provisionally re-instated in service with all back benefits subject to the outcome of CPLA which is still subjudice in the Apex Court.

(Shahzada Umar Abbas Babar) PSP
SSP COORDINATION
FOR CAPITAL CITY POLICE OFFICER
PESHAWAR

No. 14307-21 /PA/SSP Coord: dated Peshawar the 11 / 08 /2022

Copy of above is forwarded for information & n/action to:

1. The Capital City Police Officer, Peshawar.
2. The SSP Operations, CCP Peshawar.
3. The AIG Legal, CPO, Peshawar.
4. SP Courts & Litigation, CPO, Peshawar w/r to his office Memo: No. 3310/Legal dated 13.07.2022.
5. SsP Headquarters & Security.
6. DSP Legal, CCP Peshawar.
7. AD-IT CCP Peshawar.
8. OS & PA to CCPO
9. PO, EC-I, EC-II, & CC,
10. Officials concerned.