

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR

Appeal No. 9613/2020

Date of Institution ... 12.06.2020

Date of Decision ... 05.10.2020

Naeemullah son of Amal Janan, R/O Lakki Ghundaki, Tehsil and District Karak.  
... (Appellant).

VERSUS

The Inspector General of Police, Khyber Pakhtunkhwa, Peshawar and one other.  
... (Respondents)

Present.

Mr. Ahmad Jan Khattak,  
Advocate.

... For appellant

MR. HAMID FAROOQ DURRANI,

... CHAIRMAN

JUDGMENTHAMID FAROOQ DURRANI, CHAIRMAN:-

1. The appellant is essentially aggrieved of order dated 23.02.2009, passed by respondent No. 2, whereby, he was discharged from service with effect from his absence. He is also dissatisfied with order of respondent No. 1 dated 12.05.2020, through which his mercy petition was rejected.
2. Learned counsel for the appellant heard and available record gone through.
3. Learned counsel straightaway referred to an order passed by A.I.G/Establishment, for Inspector General of Police Khyber Pakhtunkhwa on 07.04.2017, in the case of one constable Umar khan No. 646. He contended that in the referred case the incumbent was discharged from service on 01.12.2008 and his departmental appeal was also dismissed. However, on 07.04.2017, the

Appellate Board was pleased to reinstate him in service. He was of the view that the appellant herein was also entitled to the similar treatment. Attempting to justify the delay in submission of instant appeal and other departmental representations/appeals, learned counsel referred to judgment reported as 2002-PLC(C.S) 268.

4. It is essential to note that the order of reinstatement of Constable Umar Khan was passed in the case which had its distinctive facts and circumstances. Similarly, the judgment cited at the bar is not attracted to the case of appellant.

Paragraphs 3 & 4 of the judgment require to be reproduced hereunder:-

*"3. On the other hand, learned counsel for the appellants in C.As 971 to 975 and respondents in other appeals, contended that no doubt respective appellants and the respondents were untrained teachers till they acquired the requisite qualification, whereupon they were allowed graded pay from the date they qualified the training course, however, they served as teachers and discharged full duties like trained teachers, as such, they were entitled to running pay alongwith annual increments and other service benefits. Reliance was placed on province of Sindh through the Secretary, Education Department, Karachi and 2 others V. Ghulam Rasul and 35 others (1976-SCMR-297) and NWFP Government through Secretary Education Peshawar and others V. Muhammad Qavi Khan 91996-scmr-1011).*

*4. In the interest of justice and similarity of the point involved in all the cases, the delay in filing Civil Appeals Nos. 703 to 705 and 712 of 2000 is condoned."*

5. The record is also depictive of the fact that the appellant had tried to conceal certain important facts from this Tribunal. As a matter of fact, the appellant, after having been awarded penalty on 23.02.2009, preferred departmental appeal which was decided in negative on 10.09.2009. After enormous delay a Petition under Rule 11 of the Khyber Pakhtunkhwa Police Rules, 1975 was submitted by the appellant. The same was considered by the

respondents in meeting of review petition board held on 10.12.2015 and it was rejected also being badly barred by time, on 01.01.2016. Needless to note that the copy of order of respondent No. 1 bearing No. 91/16 dated 01.01.2016 was provided by learned counsel at the time of hearing today. This is one of the important documents which was withheld and not submitted alongwith the appeal.

In order to cover the delay, the appellant submitted an undated Mercy Petition which was rejected on 12.05.2020. The ground noted therein was to the effect that revision petition of appellant was already processed and rejected on 01.01.2016.

6. From the record it is evident that the appellant not only remained indolent in submission of departmental appeal/revision petition within the time prescribed for the purpose but also attempted to re-agitate the already buried issue after four long years through the mercy petition.

7. In the circumstances, the appeal in hand does not merit admission for regular hearing, therefore, is dismissed in limine. File be consigned to the record room.



(HAMID FAROOQ DURRANI)  
CHAIRMAN



ANNOUNCED  
05.10.2020

Form- A

## FORM OF ORDER SHEET

Court of \_\_\_\_\_

Case No.- 9613 /2020


S.No. +	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	24/08/2020	<p>The appeal of Mr. Naeemullah resubmitted today by Mr. Ahmad Jan Khattak Advocate may be entered in the Institution Register and put up to the Worthy Chairman for proper order please.</p> <p style="text-align: right;"> REGISTRAR,</p>
2-		<p>This case is entrusted to S. Bench for preliminary hearing to be put up there on <u>05/10/2020</u></p> <p style="text-align: right;"> CHAIRMAN</p>

The appeal of Mr. Naeemullah son of Amal Khan r/o Lakki Ghundaki District Karak received today i.e. on 12.06.2020 is incomplete on the following score which is returned to the counsel for the appellant for completion and resubmission within 15 days.

- 1- Copy of order of discharge from service mentioned in the memo of appeal is not attached with the appeal which may be placed on it.
- 2- Copies of charge sheet, statement of allegation, show cause notice, enquiry report and replies thereto are not attached with the appeal which may be placed it.
- 3- Copies of departmental appeal and its rejection order are not attached with the appeal which may be placed on it.
- 4- Copy of first revision petition mentioned in the memo of appeal is not attached with the appeal which may be placed on it.
- 5- Copy of order dated 07.4.2017 is illegible which may be replaced by legible/better one.
- 6- Necessary party may be made in the memo of appeal.
- 7- Annexures of the appeal may be attested.
- 8- Annexures of the appeal may be flagged.
- 9- Six more copies/sets of the appeal along with annexures i.e. complete in all respect may also be submitted with the appeal.

No. 1228 /S.T,

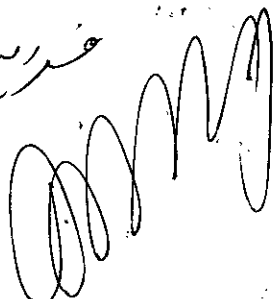
Dt. 15-06 /2020.

  
REGISTRAR  
SERVICE TRIBUNAL  
KHYBER PAKHTUNKHWA  
PESHAWAR.

Mr. Ahmad Jan Khattak Adv.  
District Court Karak

30/6/2020

منار عالی  
مقرر عنوان بالا میں نام کو  
complete کرنے کے لئے مقرر وقت درکار ہے  
نہ اس کے ساتھ کہ مقرر حذر میں مقرر وقت  
مقرر نامہ میں

  
30/6/2020

P.to

15) Duly done and done in order

*[Signature]*  
20/6/2020

15/7/2020

Re-submitted after removal  
all the objections.

*[Signature]*  
15/7/2020

Note

Re-submitted after completion, with the  
observation that, charge sheet etc as objected  
by the branch concerned are not available  
with appellant and the respondent are not  
providing the same to appellant moreover  
the departmental appeal is placed on  
file at page no. 10 (as merged appeal /  
application) and its rejection order is  
placed on file at page no. 11,  
hence case may well be entertained.

*[Signature]*

**BEFORE THE SERVICE TRIBUNAL KHYBER  
PAKHTUNKHWA PESHAWAR**

Service Appeal No. \_\_\_\_\_/2020

Naeem Ullah ..... Appellant

**VERSUS**

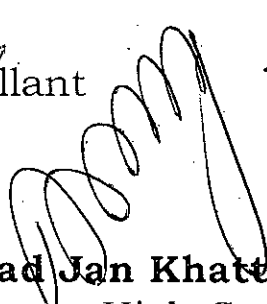
The IGP and others ..... Respondents

**I N D E X**

S.No	Description of Documents	Annex	Pages
1.	Service Appeal		1-4
2.	Affidavit		5
3.	Application for condonation of delay with affidavit		6-7
4.	Addresses of Parties		8
5.	Copy of Medical testimonials	A	9-12
6.	Copy of order of Respondent No 1 dated 07.04.2017 along with better Copy	B	13
7.	Copies of Application and order dated 12.05.2020	C & D	14-15
8.	Copy of Charge Sheet with better Copy		16
9.	Copy of Revision Petition		17
10.	Wakalat Nama		18

Through

Appellant

  
**Ahmad Jan Khattak**  
Advocate, High Court,  
Distt: Courts Karak

①

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

Service Appeal No. 9613 /2020

Khyber Pakhtunkhwa  
Service Tribunal

Diary No. 5045

Dated 12/6/2020

Naeem Ullah S/o Amal Janan

R/o Lakki Ghundaki, Tehsil & District Karak

.... Appellant

**V E R S U S**

1. The Inspector General of Police, Khyber Pakhtunkhwa Peshawar
2. Superintendent of Police, FRP, District Kohat.

..... Respondents

Filed to-day

Registrar

12/6/2020

**SERVICE APPEAL UNDER SECTION 4 OF THE**  
**KHYBER PAKHTUNKHWA SERVICES TRIBUNAL ACT**  
**1974 AGAINST THE FINAL ORDER / JUDGMENT OF**  
**RESPONDENT NO 1 DATED 12.05.2020 BY VIRTUE**  
**OF WHICH DEPARTMENTAL APPEAL /**  
**REPRESENTATION HAVE BEEN DISMISSED ON**  
**TECHNICAL GROUNDS WITHOUT ANY LEGAL AND**  
**FACTUAL JUSTIFICATION.**

Re-submitted to -day  
and filed.

Registrar 24/8/2020



**PRAYER:**

**On acceptance of the instant Service Appeal, the appellant may please be re-instated as Constable as he was before dated 23.02.2019 alongwith all back benefits.**

**Any other relief, which this Hon'ble Tribunal deems fit and just may very graciously be granted.**

**Respectfully Sheweth:**

1. That the appellant had been appointed as Police Constable under bearing No.1449 of FRP, Kohat in the year 2007.
2. That after completed almost more than eighteen (18) months service, the sons of the appellant fell ill, due to which the appellant had to get leave for treatment of his minor son. **(COPY OF MEDICAL TESTIMONIALS IS ANNEXURE "A")**.
3. That the appellant submitted so many applications for granting leave, but the respondents were reluctant and ultimately the appellant submitted appeal, which was declined. **(COPY OF ORDER OF RESPONDENT NO.1 DATED 07.04.2017 IS ANNEXURE "B")**.

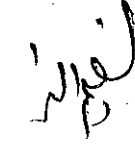
4. That feeling aggrieved the appellant submitted another application to respondent No.1, which also met the same fate. **(COPIES OF APPLICATION AND ORDER DATED 12.05.2020 ARE ANNEXURE "C" & "D" RESPECTIVELY).**
5. That not satisfied with the order of respondent No.1, the appellant submits the instant appeal on the following grounds, inter alia;

**GROUND S:-**

- A. That the appeal of the appellant is competent and within time.
- B. That the appellant has been condemned unheard, which is against the principles of dispensing legal as well as natural justice.
- C. That due to arbitrary and whimsical decisions of respondent on political grounds for ulterior motives the constitutionally and statutorily guaranteed rights of the appellant have been grossly violated.
- D. That it is well established principles of law laid down by superior courts that no one is to be condemned unheard, under section 21 of General Clauses Act. It is

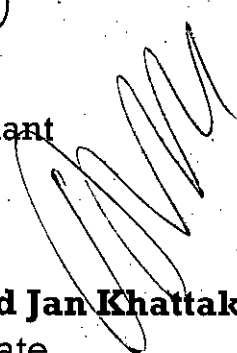
Hence, it is very humbly prayed that by On acceptance of the instant Service Appeal, the appellant may please be re-instated on humanitarian grounds as Constable as he was before dated 23.02.2009 alongwith all financial & service back benefits.

Any other relief, which this Honourable Tribunal deems appropriate, may kindly be awarded to the appellant for the ends of justice.



Appellant

Through



**Ahmad Jan Khattak**  
Advocate,  
District Courts Karak

Dated: \_\_\_\_ .06.2020

**CERTIFICATE**

It is certified that all contents of the instant appeal are true and correct to the best of my knowledge of belief. No such like appeal has been filed before this Hon'ble Tribunal prior to this one.



ADVOCATE

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

Service Appeal No. \_\_\_\_\_/2020

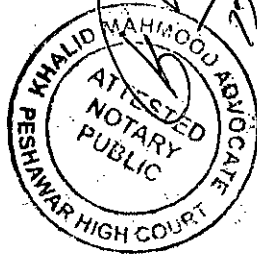
Naeem Ullah. .... **APPELLANT**

**VERSUS**

The Inspector General of Police & others. .... **RESPONDENTS**

**AFFIDAVIT**

I, Naeem Ullah S/o Amal <sup>Jaman</sup> R/o Lakki Ghundaki, Tehsil & District 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 No.14202-7829939-7  
 Cell: 0336-9828827

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

In re;  
Service Appeal No. \_\_\_\_\_/2020

Naeem Ullah. . . . . **APPELLANT**

**VERSUS**

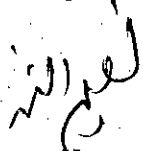

The Inspector General of Police & others. . . . . **RESPONDENTS**

**APPLICATION FOR CONDONATION OF DELAY**

With due respect it is stated as under:-

1. That the above titled appeal is pending before this Honourable court.
2. That though the instant appeal is well within time as the appellant have challenged the final order of the respondent No.1 dated 12-05-2020. Anyhow if this Honourable court is not agreed with the contention of the appellant the application for condonation is duly submitted.
3. That in such like cases condonation have been granted by superior courts.(2002 -PLC(CS)-268)

Hence, it is very humbly submitted that the appeal in hand may please be admitted for regular hearing by condoning the deficiency if any.

  
Appellant  


Through

**Ahmad Jan Khattak**  
Advocate,  
District Courts Karak

Dated: \_\_\_\_ .06.2020

7

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

In re;  
Service Appeal No. \_\_\_\_\_/2020

Naeem Ullah. .... **APPELLANT**

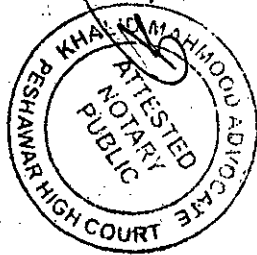
**VERSUS**

The Inspector General of Police & others. .... **RESPONDENTS**

**AFFIDAVIT**

I, Naeem Ullah S/o Amal ~~Jama~~ R/o Lakki Ghundaki,  
Tehsil & District Karak, do hereby solemnly affirm and  
declare on oath that the contents of the accompanying  
**Application** are true and correct to the best of my  
knowledge and belief and nothing has been concealed from  
this Hon'ble Tribunal.

*Naeem Ullah*  
*20/6-2020*



A circular notary seal for Khair Mahmod Advocate, Peshawar High Court. The seal contains the text: "KHAIR MAHMOOD ADVOCATE", "PESHAWAR HIGH COURT", and "ATTESTED NOTARY PUBLIC".

*Naeem Ullah*

**DEPONENT**  
CNIC No.14202-7829939-7  
Cell: 0336-9828827

8

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

Service Appeal No. \_\_\_\_\_/2020

**Naeem Ullah..... Appellant**

**VERSUS**

**The IGP & others ..... Respondents**

**ADDRESSES OF PARTIES**

**APPELLANT**

Naeem Ullah S/o Amal Janan

R/o Lakki Ghundaki, Tehsil & District Karak

**RESPONDENTS**

1. The Inspector General of Police, Khyber Pakhtunkhwa Peshawar
2. Superintendent of Police, FRP, District Kohat.

نعمان

Appellant

Through



**AHMAD JAN KHATTAK**  
Advocate, District Courts  
Karak

GOVERNMENT OF KHYBER PAKHTUNKHWA  
OFFICE OF THE DISTRICT OFFICER, SOCIAL WELFARE & WOMEN  
EMPOWERMENT DEPARTMENT KARAK  
PROVINCIAL COUNCIL FOR REHABILITATION OF DISABLED PERSONS  
(PCRD)

Dated: 29/9/2015

7068

APPLICATION FOR DISABILITY CERTIFICATE

Name: SHAHER ULLAH      Father Name: NAEEM ULLAH  
 Married: unmarried      Spouse: NIA  
 F. N.I.C Number: 14202-7829939-7      Date of Birth: 29-9-2013  
 Qualification: Nil      Nature of Disability: By Birth  
 Cause of Disability: mentally      Source of Income: Nil  
 Applied for: 21/2136      Phone No: 0343-9047698  
 Present Address: villege Gondawo chongi No<sup>2</sup> Karak  
 Permanent Address: Gondawo chongi No<sup>2</sup> Karak

Signature of Applicant

RECOMMENDATION OF THE ASSESSMENT BOARD

Applicant is Declared:

Disabled / Not Disabled \_\_\_\_\_

Disability / Impairment: mentally  
no work  
Senior Medical Officer  
YW & Children Hospital Karak

Fit to work / Not fit to work \_\_\_\_\_

Type of job advised (Optional) \_\_\_\_\_

Referred to \_\_\_\_\_

Recommendation of the Board \_\_\_\_\_

Concerned Specialist \_\_\_\_\_

29/9/2015  
 (Medical Superintendent, DGH Hospital Karak)  
 Chairman, Medical Council Assessment Board  
 Karak

District Officer  
 Social Welfare, Karak

Principal  
 Technical & Vocational College  
 G.T.V.C. Karak

CHILDREN SPECIALIST  
 Women & Children Hospital  
 Karak  
 Manager  
 Employment Exchange  
 Karak

- Note:
1. Attach CNIC copy OR Copy of form B in case of Children.
  2. Attach 2 passport size photos.
  3. This form is only for use of District Karak.
  4. Doctors are requested to place clarify the applicant's type disability as illness diagnosis is not solution of applicant. It may be marked disabled person.
  5. Doctors are requested not to hand over the form if person(s) is not disabled as alteration are expected by applicant. Care is also needed that normal person formed disabled CNIC. Disabled may checked by specialist and by presenting disabled but in facts names normal are controlled by checking CNIC.
  6. Disability meant the internationally the person is considered / accepted as disabled.

**ATTESTED**



OFFICE OF THE DISTRICT OFFICER, SOCIAL WELFARE & WOMEN EMPOWERMENT DEPARTMENT KARAK  
PROVINCIAL COUNCIL FOR REHABILITATION OF DISABLED PERSONS (PCRDP)

DISABILITY CERTIFICATE

Registration No. 7068  
Dated: 29/9/2015

DISTRICT ASSESSMENT BOARD FOR DISABLED PERSONS (DABDP)

ATTESTED

Name: SHAHZAD ULLAH

Father Name: NAEEM ULLAH

Married / Un-Married: un-married

Spouse: Nil

Date of Birth: 29-09-2013

N.I.C Number: F-14202-7829939-7

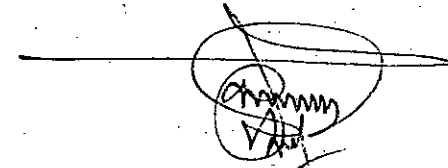
Qualification: Nil

Nature of Disability: mentally retarded

Present Address: Gondawo Chongi No 2 Karak

Permanent Address: Same As Above

Recommendation of the Board: Disability Certificate



DISTRICT OFFICER,  
SOCIAL WELFARE/SECRETARY DABDP KARAK

فوزیہ بیگم

GOVERNMENT OF KHYBER PAKHTUNKHWA  
 OFFICE OF THE DISTRICT OFFICER, SOCIAL WELFARE & WOMEN  
 EMPOWERMENT DEPARTMENT KARAK  
 PROVINCIAL COUNCIL FOR REHABILITATION OF DISABLED PERSONS  
 (PCRD)

Dated: 27/11/2015

APPLICATION FOR DISABILITY CERTIFICATE

Name: SHAHER ULLAH Father Name: NAEEM ULLAH  
 Married: unmarried Spouse: N/A  
 F. N.I.C Number: 14202-7829939-7 Date of Birth: 29-9-2013  
 Qualification: NIL Nature of Disability: By Birth  
 Cause of Disability: mentally Source of Income: NIL  
 Applied for: 719136 Phone No: 0343-9047698  
 Present Address: Village Gondawo Chongi No 2 Karak  
 Permanent Address: Gondawo chongi No 2 Karak

Signature of Applicant

RECOMMENDATION OF THE ASSESSMENT BOARD

Applicant is Declared:

Disabled / Not Disabled \_\_\_\_\_ Disability / Impairment: mentally  
 Fit to work / Not fit to work \_\_\_\_\_ Type of job advised (Optional): None  
 Referred to \_\_\_\_\_ Recommendation of the Board: mentally

Concerned Specialist

(Medical Superintendent, DHO Hospital Karak)  
 Chairman, Medical Council Assessment Board  
 Karak

District Officer  
 Social Welfare, Karak

Principal  
 Technical Vocational College  
 G.T.V.C Karak

CHILDREN SPECIALIST  
 Women & Children Hospital  
 Karak  
 Manager  
 Employment Exchange  
 Karak

- Note:
1. Attach CNIC copy OR Copy of form B in case of Children.
  2. Attach 2 passport size photos.
  3. This form is only for use of District Karak.
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  5. Doctors are requested not to hand over the form if person(s) is not disabled as alteration are expected by applicant. Care is also needed that normal person formed disabled CNIC. Disabled may checked by specialist and by presenting disabled but in facts names normal are controlled by checking CNIC.
  6. Disability meant the internationally the person is considered / accepted as disabled.

**ATTESTED**

OFFICE OF THE DISTRICT OFFICER, SOCIAL WELFARE & WOMEN EMPOWERMENT DEPARTMENT KARAK  
PROVINCIAL COUNCIL FOR REHABILITATION OF DISABLED PERSONS (PCRDP)

DISABILITY CERTIFICATE

Registration No. 7063  
Dated: 29/9/2015

DISTRICT ASSESSMENT BOARD FOR DISABLED PERSONS (DABDP)

**ATTESTED**

Name: SHAHZAD ULLAH

Father Name: Naeem Ullah

Married / Un-Married: un-married

Spouse: Nil

Date of Birth: 29-09-2013

N.I.C Number: F-14202-7829939-7

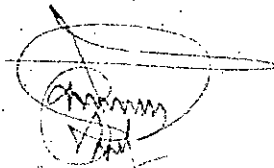
Qualification: Nil

Nature of Disability: mentally retarded

Present Address: Bandawa Chongi No 2 Karak

Permanent Address: Same As Above

Recommendation of the Board: Disability Certificate



DISTRICT OFFICER,  
SOCIAL WELFARE/SECRETARY DABDP KARAK

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13

2

FROM :

1597

FAX NO. 10519212057

09 Apr 2017 10:09AM P1



13-04-17

OFFICE OF THE  
INSPECTOR GENERAL OF POLICE  
KHYBER PAKHTUNKHWA  
PESHAWAR.

No. S/ 2310

17, dated Peshawar the 07/04/2017.

2745

10-4-17

ORDER

This order is hereby passed to dispose of departmental appeal under Rule 11-A of Khyber Pakhtunkhwa Police Rule-1975 submitted by Ex-Constable Umar Khan No. 646. The appellant was discharged from service by DPO/Karak vide OB No. 1601, dated 01.12.2008 on the charge of absence from Elite Training Center Mardan w.e.f 17.08.2008 to 19.11.2008, 20.1.2008 till date of discharge from service i.e. 01.12.2008 for a period of 03 months and 14 days.

His appeal was filed / dismissed by Regional Police Officer, Kohat vide order Pndst: No. 6824/EC, dated 08.08.2009.

Meeting of Appellate Board was held on 30.03.2017. Petitioner present and heard. Petitioner stated that his absence was not deliberate but the domestic affairs did not allow him to join duty. He further contended that his monthly salary was the sole source of income for running the affairs of his family affairs and he is facing great hardship in earning livelihood for his family.

The petitioner service was less than 03 years therefore he was discharged from service. Hence conversion of the discharge order is not justified. Therefore, the Board decided that petitioner is hereby re-instated into service. However, the intervening period shall not be neither considered towards service nor duty. He will not be entitled for any kind of benefits of intervening period.

This order is issued with the approval by the Competent Authority.

**ATTESTED**

(MASOOD AHMAD KHAN, I/L)  
AIC/Establishment,  
For Inspector General of Police,  
Khyber Pakhtunkhwa,  
Peshawar

RE 02  
BS  
04/17

No. S/2311-17/117.

3216  
15/4/17

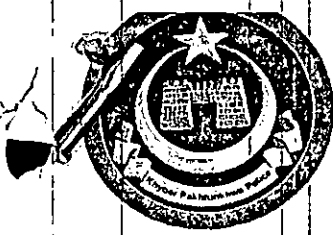
Copy of the above is forwarded to...

1. Regional Police Officer, Kohat
2. District Police Officer, Karak.
3. PSO to IGP/Khyber Pakhtunkhwa, CPO Peshawar
4. PA to Addl. IGP/HQs: Khyber Pakhtunkhwa, Peshawar
5. PA to DIG/HQs: Khyber Pakhtunkhwa, Peshawar
6. PA to AIG/Legal, Khyber Pakhtunkhwa, Peshawar.
7. Office Supdt: E-IV CPO Peshawar.

D/O Karak  
For information and  
necessary action plz

OFFICER IN CHARGE  
DISTRICT POLICE OFFICER  
KARAK  
15/4/17





15

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

No. S/ 1703 /20, dated Peshawar the 12/05/2020.

To The Commandant,  
Frontier Reserve Police,  
Khyber Pakhtunkhwa, Peshawar.

Subject:- MERCY PETITION.


Memo:

The Competent Authority has examined and filed the mercy petition submitted by Ex-Constable Naeem Ullah No. 1449 of FRP Kohat against the punishment of discharged from service awarded by Superintendent of Police, FRP Kohat vide OB No. 106, dated 23.02.2009 beir not maintainable as his revision petition has already been processed and rejected this office order N S/91/16, dated 01.01.2016.

The applicant may please be informed accordingly.

(SYED ANIS-UL-HASSAN)  
Registrar,  
For Inspector General of Police,  
Khyber Pakhtunkhwa, Peshawar.

ATTESTED

Better copy  16

ORDER

Const: Naeem Ullah 1449 of this District has absented

himself with out any leave or prior permission with effect from  
25-3-08 till <sup>to</sup> date.

Instead of proper service and also through the  
News paper (Mashriq) he did not returned nor replied.

Ex-party action has been taken and he is hereby

Discharged from the service with effect from his absence \_\_\_\_\_

25-3-08 under special power ordinance 2000.

OB NO.106

Dated: 23-02-09

Superintendent of Police, FRP

Kohat

  
**ATTESTED**

No 166

Date 3-3-09

ORDER.

Const Naemullah 1449 of this District has absented  
himself without any leave or prior permission with effect from  
25-3-08 till todate.

Insted of proper service and also through the  
News paper (Mashriq) he did not returned nor replied.


Ex-party action has been taken and he is hereby  
discharged from the service with effect from his absence  
25-3-08 under special power ordinance 2000.

OB NO.

106

Dated

23/2/09

  
Superintendent of Police, FPP  
Kohat.

  
**ATTESTED**



17

17

To The inspector General of police :  
Khyber Pakhtunkhwa , Peshawar.

Subject: REVISION PETITION UNDER RULE II-A POLICE RULES 1975

Respected sir ,

Petitioner very humbly submits revision petition on the following facts and grounds.

**FACTS:.**

- (1) The petitioner was enlisted in police department as foot constable in District karak In the year 2007 and qualities recruited course.  
That petitioner facts domestic problem which did not Allow the petitioner to continue his service and eve ally was dismissed from service Vide order no 106 Dated 23/02/2009
- (3) That petitioner ran from the pillar to the post from the revival and survival of his Service but to no avail
- (4) That Petitioner has come to know that police rule 1975 has been amended in the Year 2014 by inserting Rule 11-A where in revision power have been conferred on Your good office therefore , petitioner submit the instant petition on the following Grounds.

**GROUND:-**

- (A) That the impugned has been based on Ex – Parte proceedings and no chance of Defense was provided to petitioner .No charge sheet was served on petitioner .
- (B) That Petitioner disappearance from duties was not deliberate but as the domestic Problem did not allow petitioner to join service
- (c) That the petitioner authority did not speaking order on the petition of petitioner and Defense of petitioner was not taken into account .Therefore, the impugned order was Passed contrary to section 24-A of General Clauses Act.
- (D) That Petitioner is belong to a roar family and was deprived of service for commission of no wrong .There fore ,  
The impugned order or not sustainable .

It is therefore humbly prayed that the impugned order may bay be set aside and petitioner may be Re-instated in service with all back benefits.

Yours Obediently

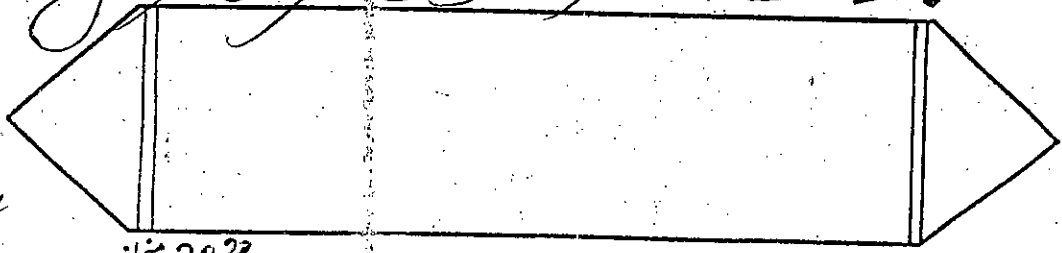
*Naeem Ullah*  
Naeem Ullah

Ex-Constable No-1449

Mobile No:03439047698

**ATTESTED**

بعدالت حسین بن محمد خواجہ مسعود حسن مسعودی لکھنؤ



Appellant

بنام

لغتم اللہ

موزخه  
مقدمه  
دعوی  
جرم

مسعود حسن مسعودی

باعث تحریر آئنگہ

مقدمہ مندرجہ عنوان بالا میں اپنی طرف سے واسطے پیروی و جواب دہی دیکھ کر روائی متعلقہ  
 آن مقام لکھنؤ کیلئے رجسٹر جانے ہوئے۔ 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 دینے جواب دہی اور اقبال دعویٰ اور  
 بسورت ڈگری کرنے اجراء اور وصولی چیک دروپیہ ارضی دعویٰ اور درخواست ہر قسم کی تصدیق  
 زرایں پر دستخط کرانے کا اختیار ہوگا۔ نیز صورت عدم پیروی یا ڈگری کی طرف یا اپیل کی برادگی اور منسوخی  
 نیز دائر کرنے اپیل نگرانی و نظر ثانی و پیروی کرنے کا اختیار ہوگا۔ از بسورت 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 باختیارات حاصل ہوں گے اور اس کا ساختہ  
 پرواختہ منظور قبول ہوگا۔ دوران مقدمہ میں جو خرچہ ہر جائنا التوا سے مقدمہ کے سبب سے ہوگا۔  
 کوئی تاریخ پیشی مقام دورہ پر ہو یا حد سے باہر ہو تو وکیل صاحب ایندہوں کے کہ پیر کی  
 مذکور کریں۔ لہذا وکالت نامہ لکھدیا کہ سند ہے۔

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2020

ماہ

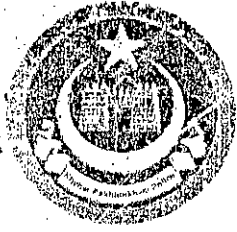
المرقوم

کے لئے منظور ہے۔

لکھنؤ

بمقام

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

No. SI/ 91 /16, Dated Peshawar the 01/01/2016.

ORDER

This order is hereby passed to dispose of departmental appeal under Rule 11-A of Khyber Pakhtunkhwa Police Rule-1975 submitted by Ex- Constable Naseem Ullah No. 1442. The appellant was Discharged from Service by SP/FRP Kohat vide OB No. 106 dated 23.02.2009 on the charges that he was absented from duty for 10 months and 28 days.

He preferred an appeal before the Commandant, FRP, KPK against the order of SP/FRP Kohat which was filed vide order issued endst: No. 6943-44/EC, dated 10.09.2009.

Meeting of Review Petition Board was held on 10.12.2015, wherein appellant was heard in person. The enquiry papers were also examined in detail. On examination of record, it revealed that he has absented for a period of 10 months and 28 days in short period of service one (01) year, 06 months and 24 days and has earned 05 bad entries. Therefore, impugned order was passed in the year 2009 and appeal has been filed in the year 2015 which is badly time-barred. Thus his appeal is hereby rejected on grounds of limitation as well as the patchy record of service.

This order is issued with approval by the Competent Authority.

(NAJEEB-UR-RAHMAN BUGVI)  
AIG/Establishment  
For Inspector General of Police,  
Khyber Pakhtunkhwa, Peshawar.

No. SI/ 92 - 100 /16, Dated Peshawar, the 01 - 01 /2016.

Copy of the above is forwarded to the:

1. Commandant, FRP, Khyber Pakhtunkhwa, Peshawar.
2. Deputy Commandant, FRP, Khyber Pakhtunkhwa, Peshawar.
3. PSO to IGP/Khyber Pakhtunkhwa, CPO Peshawar.
4. NCO to IGP/Khyber Pakhtunkhwa, CPO Peshawar.
5. PA to Addl: IGP/HQrs: Khyber Pakhtunkhwa, Peshawar.
6. PA to DIG/HQrs: Khyber Pakhtunkhwa, Peshawar.
7. PA to AIG/Establishment CPO, Peshawar.
8. Office Supdt: E-IV CPO Peshawar.
9. Central Registrar, CPO.