FORM OF ORDER SHEET

	Co	urt of
		Case No255/2023
S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	31/1/202	Mr. Saadullah Khan Marwat Advocate. It is fixed for preliminary hearing before Single Bench at Peshawar
		on Parcha Peshi is given to appellant/counsel.
	·	. By the order of Chairman
		REGISTRAR
-		
-		
	,	
1		
,		

The appeal of Mr. Zia Ullah son of Inayat Ullah Constable no. ? 832-Police Station Havid Bannu received today i.e. on 24.01.2023 is incomplete on the following score which is returned to the counsel for the appellant for completion and resubmission within 15 days.

- 1- Check list is not altached with the appeal.
- 2- Appeal has not been flagged/marked with annexures marks.
- 3- Affidavit may be got attested by the Oath Commissioner.
- 4- Annexures of the appeal be attested.
- 5-7 Annexures of the appeal are not in sequence which may be annexed serial wise as mentioned in the memo of appeal.
- 6- Pages nos. 11 to 15 & 20 to 23 of the appeal are illegible which may be replaced by legible/better one.
- 7- Wakalat nama in favour of appellant be placed on file.
- 8- Four more copies/sets of the appeal along with annexures i.e. complete in all respect may also be submitted with the appeal.

No. <u>364</u> /S.T.

DI. <u>26-01</u>/2023

REGISTRAR

SERVICE TRIBUNAL KHYBER PAKHTUNKHWA PESHAWAR.

Mr. Saaduiiah Khan Marwat Adv. High Court at Peshawar.

Re- mb_ itted the objections.

BEFORE THE KPK SERVICE TRIBUNAL PESHAWAR

S.A. No. 255 /2023

Zia Ullah

S. No

versus

INDEX

RPO & Others

Documents Annex P. No.

·			
1.	Memo of Appeal		1-6
2.	FIR dated 03-10-2021	"Å"	7-8
3.	Show Cause Notice dated 13-10-2021	"B″	9.
4.	Reply to Show Cause Notice, 14-10-21	"C"	10
5	Enquiry report	"D"	11-14
6.	Final Show Cause Notice, 11-11-21	"E"	15 .
· 7.	Reply to FSCN dated 12-11-2021	"F"	16
8.	Dismissal order dated 18-05-2022	"G″	17
9.	Reinstatement of co-employee dated 18-05-2022	"H"	18
10.	Representation dated 23-05-2022		19
11,	Observation on appeal dated 20-06-22	<u>"</u> "	20
12.	Enquiry report dated 29-07-2022	"К"	21-22
13.	Service Appeal No. 1430/22	"L"	23-26
14.	Reinstatement order dated 30-12-2022	"М″́ .	27-28
15.	Withdrawal order dated 12-01-2023	"N″	29
•		·	

Through

Saadullah Khan Marwat Advocate

Appellant -

21-A, Nasir Mansion, Shoba Bazaar, Peshawar Ph: 0311-9266609

Dated: 25-01-2023

BEFORE KPK SERVICE TRIBUNAL PESHAWAR

S.A No. 255/2023

Appellant

Zia Ullah S/O Inayat Ullah R/o Nawer Khel, Lakki Marwat, Constable No. 832, Police Station Havid,

Diar, No. 3169 25-1-2023

Versus

Regional Police Officer, Bannu Region, Bannu.

Bannu

1.

2.

Willes den - dav

Registrati

District Police Officer,

APPEAL U/S 4 OF SERVICE TRIBUNAL ACT, 1974 AGAINST OB NO. 384, DATED 30-12-2022 OF R. NO. 01, WHEREBY APPELLANT WAS REINSTATED INTO SERVICE WITH IMMEDIATE EFFECT AND PERIOD OF DISMISSAL / OUT OF DUTY WAS TREATED AS LEAVE WITHOUT PAY:

⇔<=>⇔<=>⇔<=>⇔<=>⇔<

⇔<=>⇔<=>⇔<=>⇔<=>⇔

Respectfully Sheweth;

- That appellant was appointed as Constable on 10-06-2014 and served the department to the best of his ability and to the entire satisfaction of the superiors.
- That on 03-10-2021, FIR No. 1327, Police Station Lakki Marwat u/s 302/34 PPC was registered against PASI, Naveed Nawaz for murder 1 of Aleemn Shah. (Copy as annex "A")

3⁷ -

- 3. That on 13-10-2021, appellant was served with Show Cause Notice on the allegation that:-
 - That on the event of full day you followed Naveed Nawaz to the crime scene and now you are hiding facts which shows your connivance with the accused.
 - That all speaks gross misconduct on his part and liable to be
 punished under Police Rule 1975. (Copy as annex "B")
- 4. That on 14-10-2021, appellant replied to the Show Cause Notice and denied the allegations. (Copy as annex "C")
- 5. That enquiry into the matter was initiated against appellant but the same was not conducted as per the mandate of law because no statement of any witness(s) was recorded in presence of appellant nor he was afforded opportunity of cross examination what to speak of self defense. No punishment for imposition upon him was suggested what to speak of major punishment of dismissal from service. (Copy as annex "D")
- That on 11-11-2021, appellant was served with Final Show Cause Notice, without supply of enquiry proceeding to appellant which was also replied on 12-11-2021 and denied the allegation. (Copy as annex "E" & "F")
- 7. That on 18-05-2022, major punishment of dismissal from service was imposed upon appellant without taking into consideration the facts and circumstances of the case by R. No. 02. (Copy as annex "G")
- 8. That on 18-05-2022, Co-Employee, Fahim Ullah having same role and conduct in the matter was exonerated from the charges, despite the fact that he was equally held responsible in the matter was given minor punishment of stoppage of increment. (Copy as annex "H")
- That on 23-05-2022, appellant submitted representation before R.
 No. 01 for reinstatement in service with all back benefits which met dead response till date. (Copy as annex "I")

2

10. That on the departmental appeal, R. No. 01 passed order for reenquiry in the criminal case with remarks:-

"Please re-enquire into it and find the actual role of the officers in incident vide letter dated 20-06-2022". (Copy as annex "J")

- 11. That on 29-07-2022, Additional Superintendent of Police Bannu held re-enquiry into the matter whereby in the recommendations it was held in categorical manner that all the 06 police officials are recommended for exoneration from the charges leveled against them. (Copy as annex "K")
- 12. That on maturity of the case, appellant filed S. A. No. 1430/22 before the hon'ble Tribunal which was admitted to regular hearing and notice of the same was issued to respondents for reply. (Copy as annex "L")
- 13. That in the meanwhile, re-enquiry was conducted into the matter and the appeals already submitted before the authority was accepted and they were reinstated into service with immediate effect and period of dismissal / out of duty was treated as leave without pay vide order dated 30-12-2022. (Copy as annex "M")
- 14. That in the meanwhile, the aforesaid appeal before the hon'ble Tribunal came up for hearing on 12-01-2023 and then in the light of the fresh recommendation dated 30-12-2022 was withdrawn with permission to file a fresh one. (Copy as annex "N")

Hence this appeal, Inter Alia, on the following grounds;

GROUNDS

 $\overline{1}$

- a. That from the FIR dated 03-10-2022, it is very much clear that Naveed Nawaz apprehended one Almeen Shah with pistol and arrested him at the spot. One Johar Muhammad son of Dilawar Shah posing himself to be the leader of PTI of the locality, made hot words with the said PASI for arresting the said culprits.
- b. That the said deceased whirled message on Face book ID against the said PASI that he is harassing handsome people. The said PASI went to village Dalo Khel and killed the said Almeen Shah at the same time, appellant was at police post, Lakki Marwat.

3

- c. That appellant never facilitated the said PASI in the commission of offence and it was his own act, if any.
 - d. That charges leveled against appellant has no nexus with the same as he never facilitated the said matter.
- e. That the matter was not dealt with as per the mandate of law because neither any statement of any witness(s) was recorded in presence of appellant nor he was afforded opportunity of cross-examination.
- f. That appellant was unaware as to whether the said PASI is going for checking to Hospital or for going to other purpose.
- g. That enquiry conducted in the matter but no punishment was ever suggested by the Inquiry Officer to impose the same upon appellant, what to speak of major punishment of dismissal from service.
- h. That the authorities never dealt with the matter as per the record and circumstances and for no obvious reason, appellant was implicated in the same.
- i. That in similar circumstances, constable Fahim Ullah was exonerated from the charges by R. No 02 at the recommendation of Political vendetta and appellant was awarded with major punishment of dismissal from service.
- j. That on representation of appellant fresh enquiry was conducted and in the recommendation the enquiry officer held in the enquiry report and recommended for exoneration from the charges leveled against them. In the circumstances, no punishment was required under the law.
- k. That though R. No. 01 issued the impugned order whereby the appeals of the officials were accepted, they were reinstated into their services with immediate effect and period of dismissal / out of duty was treated as leave without pay.

ī.

I. That when appellant was reinstated into service in pursuance of reenquiry report dated 29-07-2022 then no legal justification ever exists to be not reinstated appellant into service with all back benefits even double punishments were imposed, i.e. reinstated into service with immediate effect instead of from the date of dismissal from service and period of dismissal / out of duty was treated as leave without pay.

- m. That appellant never absented from duty but it was the illegal order of respondents where he was kept away from duty.
- n. That after exoneration from the so called criminal charges, no stigma ever exists and the impugned order is not only illegal but is based on malafide and discrimination as one Faheem Ullah
 Constable was not treated at par with appellant.

It is, therefore, most humbly prayed that on acceptance of the appeal, order dated 30-12-2022 of the R. No. 01 be set aside to the extent of double punishments i.e. reinstatement in service with immediate effect and period of dismissal / out of duty was treated as leave without pay.

Appellant

Through

Saadullah Khan Marwat

5

۱U

Arbab Saiful Kamal

Amjad Nawaz Advocates

Dated: 25-01-2023

,

AFFIDAVIT

I, Zia Ullah S/O Inayat Ullah, Constable No. 832 Police Station Havid Bannu (Appellant), do hereby solemnly affirm and declare that contents of **Service Appeal** are true and correct to the best of my knowledge and belief.

DEPONENT

CERTIFICATE:

 $\mathbf{\tilde{z}}$

As per instructions of my client, Service Appeal No. 1430/22 has earlier been filed by the appellant before this Hon'ble Tribunal which was later on withdrawn to file a fresh one.

NO. Ju La ADVOCATE

ا گار پررٹ	ابتانُان ابتانُان
س ر نپورٹ شد، زیر دفتہ ۱۵ مجموعہ صالطہ نو جداری	ابتدائى اطلاع نسبت جرم قابل دست اندازى يولغ
لكيمروت .	ب تعانه کلی
کُ دِنْت دِنْرِ عد 10.021 (دَنْت 12.20 بَت	، المبر 1329 تارز
03.10.021 دقت 12.50 بجدجا كيدكى	ار تاريخ و دنت راورت
03.10.021 دتت 13.50 بجه	
حد ف شاه دلد عاليين شاه سكنه ابا خيل بعمر 31/32 سال	۲_ ام سکونت اطلاع د منده مستغیث
PPC 302/34	٣- مخصر كيفيت جرم (معددفد) حال اكر بحدايا كميا بو-
بيضك اذان محمد نودتكمه خان داقعه دادخيل جانب غرب	۲۰ جائے وتوعہ فاصلہ تھا نہ سے ادر سمت
جنوب8/9 ككويتراز قتمانه	
ا_نويذلوا زار جمركل جرف مرك بسران كل نوا وستنه دلدخيل	۵۔ ااسکوت لزم
برسیدگی مراسله پر چگز ارش د بورت جاک کما گیا	۲ - اکاردائی جوتنیش سے متعلق کی گن اگراطلار عکرنے
	عی تو نقف ہواتو دجہ بیان کرہ
بمزنها بيش لمجر	۷ ماند بردائی کارج د دت

ابتد إتى اطلاع بينيج درب كرو – ايك تحريرى مراسارد يودث منجانب نوداسلم خان ASHO بغرض تمائى مقدمه بدست كسفيل عالمكير 603 موصول موكر ذيل ب- ريورك حذف شا، دلد عالمينشا، سكنه ابا خيل المر 31/32 سال CNIC نمبر 5-112015337131 رابط نمبر 3008306607 آن مودند 03.10.02 بونت 12.50 بجد بمقام کی ہیتال کی مردت سوجود کی نغش دالد اش عالین شاہ ہم 1/52 مال یوں ریورٹ کرتا ہے کہ امروز میں دالد ام ہاردن ادشد دلدگل بادشاہ سکنہ اباخیل جو ہرمحد کے بیٹھ کھتے جو ہرمحد خان کا انطار کرد ہے ہے دالدام عالمین شاہ علیحد دچار بائی پر بین کے برآ دیے میں بیٹا تھا جکر سائیڈ پرددمر کا جار پالی پر میں اور ہاردن الرشد بیٹے تے۔ بوت قریب 12.20 بیٹھک کے چھوٹے درواز ہ نے نویدنواز جوکہ پولیس کی دردی میں ملومی تھا جبکہ اس کا بھا کی عمر کل عرف مرکب لیسران گلنو از سا کنان دلو خیل اندر بینتک آئے ددنوں کے پاس کا شنادف بائے تھ تو یونواز نے فورا اپنے کا شنادف سے والدام بر فائر تک شروع کی جس ہے وہ لگ کر جاریائی رکر بڑا جبکہ عرکل نے نویدنواز کے فائریک کے دوران ہم براین کاشنکوف ایم کے دکھا بعد دقوعہ ملزمان بيثتك بينظل بمحن ادربهم بوجد حالى باتحصر كجم ندكر سكم واستكنو رابعدجو برمجد خان ولددلا درخان سكنددلوخيل است ككمريب بینجک کی طرف نگل آیا ادرہم نے دالدام کوسنجال کرجر ہرتندخان کے گاڑٹی میں ڈال کرسید حامثی سپتال کی لے آئے گر دالد ام زخوں کی تأب ندلا کر راستہ میں جان بحق ہوا تھا۔ دجہ عدادت یہ ہے کہ دالدام نے اپنے نیسبک پر امرداز ددعہ سے بچے در تبل الزم نویدنواز کے خلاف خوبردلڑکوں کو تلک کرنے اور بلیک میل کرنے کا پوسٹ چلاتا جا۔ جس پر دتوعہ ہذار دنما ہوا ہے۔ دقوعہ ب. بذا میرے علادہ رشتہ دارم ام ہاردن الرشید دلدگل بادشاہ سکنید یہ آم کے بحشم خود دیکھا۔ میں والدام کے تُل کرنے کا برخلا ف نويدنوان اسلحها يم كرف ،غرض مشتر كمه ادادة قل كرف كابرخلاف لمزم عمركل عزف ميرك كى ديويدار بول _العبدد سخط انكريزي يدي كادردانى يوليس حسب آمده اطلاع ش سيتال مردان آكر مدعى بالاكى ريودت مبطتح يريس الاكر يزحكر سنايا سجعا ياحميا _ درست

ASI PS LM 03.10.021

OFFICE OF THE DISTRICT POLICE OFFICER, LAKKI MARWAT

Date /

/10/2021

No. 6524 Janc.

SHOW CAUSE NOTICE UNDER POLICE RULES 1975.

WHEREAS, you Constable Zia ur Rehman No.B32 while posted at PP City Lakki were found indulge in the following allegations:-

- 1 That on the event of full day you followed Naveed Nawaz to the crime scene and now you hiding facts which show your connivance with the accused.
- That all speaks gross misconduct on his part and liable to be punished under Police Rule 1975.

You are therefore, found guilty of misconduct, as the defined in section 2 (iii) of KPK Police Rules 1975 and as such are liable to action under section 3 of the said Rules.

Based on the above facts, I am satisfied that no enquiry is needed in this case as contained in section 5.3 clauses (a) & (c) under the said Rules.

Now, therefore, you Constable Zia ur Rehman No.832 are called upon under section 4 (1) of the KPK Police Rules 1975, to show cause within 07 days of the issuance of this notice, as to why one or more penalties including major penalty of dismissal from service should not be imposed upon you.

NOTE:-

Take notice that if you failed to submit reply in compliance of this show cause notice within the stipulated time, it will be presumed that you have nothing to offer in your defense and in that case, an expert action shall straightaway be taken against you without any further notice.

E.strict. Police Officer Lakki Marwat[#]

بخد مت جناب بخوالہ بشمولہ شوکاز نوٹس نمبر کی <u>6584/SRC</u> مجاربہ جناب ڈسٹر کٹ پولیس آفیسر صاحب ضلع کلی مروت معروض ہوں کہ افسران بالانے بھے سے الزامات مند رجہ شوکاز نوٹس کے بابت وضاحت طلب کی ہے۔

جواباً معروض مول ۔ کہ بچیلے مہینوں ۔ چوکی ملی میں بطور کانٹیل تعینات رہا ہوں ادر انہی ایام میں تعیناتی کے دوران کوئی بھی غیر ڈسپلن حرکت / کوئی کام ایسا نہیں کیا ہے جو کہ تحکم کے لئے کوئی مسلے کا بحث ہوں۔ عالی جاہ او توعہ سے روز 2021/10/ 6 ضح 1158 بے تا 2000 تک ہمراہ نوید نواز ASI بازار گشت ڈیو ٹی پر تھاڈیو ٹی کے اختتام بوت 2000/10/ 6 ضح 1158 بے تا 2000 تک ہمراہ نوید نواز ASI بازار گشت ڈیو ٹی پر تھاڈیو ٹی کے اختتام بوت 2000 میں 12 ہے جو کی ٹی آکر اپنا کرہ دہائتی سرکاری دائق چوکی ملی میں آرام فرمار باقتا۔ و و توج کے دوران اس سے قبل / بعد میں نوید نواز ASI کی کوئی مدد / تعادن یا سہولت فراہم نہیں کی ہے۔ میری روائی ڈیو ٹی کے بابت نقل مدات لف ہے۔ انہی ریکارڈڈیو ٹی کی رو سے ناکر دہ جرم کے بابت شوکاز نوٹس بالا مزید کاروائی کے داخل دفتر فرمائی جادے۔ معانی دی جاد ہے۔

میں نوازش ہو گی۔ مور فد: 201-10-14

مل معطل كالشيبل ضياء الله 832 متعينه يوليس لائن لكي مروت

sarb

التحور المستحقين

بالاله بالله النواليرى هذا ب حالات فقعل لوال م مورى فقدم حنبف فاه ولدعالمين فاة وأتوجاس تقومهما بولاف لوبردواز تعمم المجارج جوى تما مرب . برادر امتى عمر كل كانال دلوخيل درج ومتم رضي مرقق وقق من خالات تختصر دول من م قرى فقدهم معالم می ال ی موت واکد اش عالب ا ا م اس من ا رجوت بريلاف ملزمان بالاكتر مراه امرور وه، واكدة ش)، جادون الرزيد جو مراجد مر جبال من جو بر النظار مر سے ا برودس جاريانى يربي اعا - جند المرد بردو مرى جاريانى ير وہ (ودی) اور حارون الر شرید میں تھے ۔ بوقت فریب 20:11 میں بیس ک محبوف دروار سے مد كورلوارجوم لجولي ورد كامير) ملبق بالا جس كا جانی عركل كمنان دكورل اندر به به اند دولوى - باس طاشتكوف حالیے تھے - او پر او ازنے فور ا اپنے کا فنگوف سے والدامش عالم پن شاہ برفا مرتب فسريع فاجس له وه من مرجار بانی بر بر المرا - جبد عمر کل سے اور مراز سے فا ایک سے دور ان اس بر کلا ت کوئی ایک بل تعا- لعبد اروتوع فلنوان بعد مص يكل ش اور لوج خان بالحك وہ (مدی) کونہ کر کا۔ ۲۰۰ کے لعد جو پر شد ویردلاور خان ایسے اور سے بیچل کی طرف قیل آیا . اور داکر دستیمال کرے جو سرخدی گاؤی ک دای مری سیتالی کی ۲ سے ۔ جبکہ مناکد کا سی زخوں کی تاب نہ لا س راسم میں جابحتی حو ۱۔ وجہ عرفت ہے سے کہ مفتول سے فہر کانک کانک بر و توجه سے پو د برقبل تعلیم کو بر کو ز سے خلاف خو بر انزوں کو تن مرت اوربوب وسل مرت كاليوسف حيلايا عنا جس بروتوسرهف ردناهوا-وتوعه حف البشته دارانی حارون المرد ماحیت دور بدوبا - ۲۰۰۰

قتعا قا اس ريور البرقق معلت (132 قوره المر 30 ممر) 12 هانه ی دج جنه جو برندن شرع خونی شوم هذا می برد وجه هر جوب بن محد عثمان ٢٠٠٠ ٢٢٦ موجواله چارج شرا ٢٠٠٠ ٢٠٠٠ قورف ١٢/٥١/٥٠ ، فرضم اللر ٢٠ / ٢٠٤ مى بواد جارج شائر ٢٠٢٠ - 6373 فورف الم/٥٨٦، رفينى ٦٨٦٢ جارى تحقير لمزير لمق از ٩٨٥٦ جوً مُقده میں قلبراہے کو برقیم کا سولت بہا کا سے ۔ اکھوا ار ار دستھا کو مارت حوير فمقيق ولفعدين كاخاطر مربيلو ومرزاوب برآنلوا بري و جار عار عف المحوف رور نافیہ حوف سی کو جنب مرب موالہ مربر الارنا ہے ۱د/o/ده لغور دوار Icas فاتبن سے والیے الم بر رحوف سے جدد موال ور الجم 1/0/ 30 لوفت ١٥٠ : 1/ مح الحج حرب عرب ال سی روانی الخسر بر شده بانی سخ جند بوای وزیر ۱۵ رور ناف الخ بوقت ١١٢٠ محاديد حاديد حاد مكى وان سي فرامري ردور فی تحمر بر فوفی ہے۔ جس میں ماک کا طرف سے تحریر حوالیے کم م مقدم فنل منذ شرو میں جو کی خاص کا تا بے لؤ پر لو از 204 کی سمرندارى على وانى حاف - تابم مذحوره فلتر كوركواز دو غير خاف مردیاً دیا سے ان مزدراجات سے بارے قسر جونی اندر ان الله / 238 كابراى فحريرى ديداج تر موالات مي الم مدر الدي المودر الوارى مايى أردشت اوريتال رواكى كالدراجات إس فالم خور المصرين المحيان المحان المراكم المؤيد المراس المراف (فررس) معالمعان محالي اور روزناني بي اندراجات شرر (غريغان) في بی - فذکوره ضرار مسروالات/ جوریان از مردری فور برای حداثی -د بان جوازم بزبان خامی وج) سے مراف در دو از 200 بر روٹ کار میں المولاً میں سے - اور وروعہ سرزد دیا ہے حبیبہ ۲ من سے محصف وربائل مر کاری بی اندی ایس - جو قد کجند میں والیسی آئی سے جن بی فر در می PAS ملر) کے من میں منہ 187/12 میلا ایش FC اور ونی کی D/AC الله الله جاريب مي . اور اس فح في و تصريد فاخاط بندم ده خل

د دلوخرل جاتب نا تم وبندی سے انجارج شراب محص عالم الد کا بران ویک ا جسی نے بہان میں کیا تہ ہے مرب قورت انڈر ، جبل خا 6663/FRA مارف خانFRR (137 ، طاعر حالتهم 1519 بروز وتوع محورف مدر مر60 من دلفخول) چاہی برنا م بندی بر توجود عما کہ اوردوار 200 جو یا سخا الجارج ببرالموف فوالركار وم أيا جور الدرائيون خود مرردا تحا اور اللا فحا بالله الومرس مرت داوخل فى طرف يدا جسى مقباسهادى قوبالل کالوی ٥٨٥ ونت دهد وی - به علم نيس که سرکاری فورا دل ور) اندی كون هوى فحب لوير الوار ف يحي حيل أب - حبك والي بر كارى فق النول د لوخيل بعاكمات فاطرف في كاكبار فذ هوره الخيارة مع ا وتبر أفرى موجوده بنيرى كيا تم من كاوي بدان يس جوبه الخارج خراباری ہے دیا ہے ، روزنا ہے جو کی ساکی سردر طرنا لا کا کا کا کا الفروط التلكم في محواله ورنبر و روزالي ال- 10-20 كوت 60:01 في جود تقطى تحا لجود الأن كالمرف وأنى كايس . جن خاصر ودوليه لانن تع يو مطلوب تھ ، محمر دولي كارن ميں اين حاجم ي نسر كان اي . اور نور فه ١٢/٥/٥٦ كو بونت ٢١٠٢ ٥ مجم لائن ٢٠ خبر كارد ور ف يغ فالم مردراً والي جود الحال غرف مري حرى فرو الم ٥٨ ٥٠ والعرال ا بزیش ا بشن بخ نبر بن مرد من مرد مقوم هذ اچی ADA مرانی بر من بى اربخ تورف المامان فقرر ب جان فن في المن الحلق الي حيارة المبط حجوب بي المناواتي بران فر روی طور بر بیسی کواسے. جو به زیرد بخط) کے ریڈر کے خوالم سرا حواہے۔ ناہم مردو سرادات (جوابا ہے کی خاطر باوجور طابی خانجہ شاکیا۔ تحریری جوب لف اندو الجری طف سے اسی طرح النجم المنزر 187 سے بی جند موالات تف جور تلز اف در طوار تحمم سے عقب دار کھ سر کاری فورانل جانے ، تر دور سر ایس سم فصلو در لوار سے بیجھنے سے ماری فو با ٹل میں الس کا دیا ہے۔ بردر وتوجہ فرانل سركان بر الراحوري الله 2636 6 الحدوث عى حس كابران بابا. Aunto

حبوم بهان سے مد بروزوقوع تورضه ١٤/٥/١٦ كومس ٥ فو باشل برد دو فاتھى تتمريف در لنوار سي بيسي كب يس جبد وقوعم ب روز مين كبد جوى سي بران المراب رى 245/7 ك 10 المستبدر ٥٥ الم حسك المراجى فى على حس کا بی تی بوی بدان مدا بر ای بی مداخد در او از سے پیچے سرکاری واتی میں الفنری بنی آنکی سے - مردہ سے برانات دف اندوں اری طخہ البری . ٢٦ الم الله المالي فالا الله الله الله المالي الم الله المالي المالي المالي المالي المالي المالي المالي المالي ال ے بطابق دیر نافیہ خدری جمت ببیتال کی سی دو آتی کی ہے۔ مکرتین پنی انسری لنت اور المقبى ت مطالق مذكوره ببتال في النرى بني في الدينية یس الاج کا رواد ال سے اواسے . مزود کم م مرود وقوعہ جو دان ا بزبان خاج عام تھا کہ مذکورہ وحدہ ملزم نے مقتول کا مرک تب نبر لموسط بترجي ولمبعد بدرايد براتمهوط ومطحا رموق كاجانب بوازهوا يج جب او جو کابن اوجو دلف ی ن تراس ک از خو دو شیشی علی ی سے اور طورل عما تك بريا م بندى لفرى معابق لفيدلواز AST بزركيه برالمروط قوظ کار داد خوال کی طرف کد بی بیے جبدہ میں تے بیچے موبائیل سرکاری میں لفرى بعج المين في زمرد فتحطى اس نتهم بريد الم الم فعم خان ع=/= الرحياء الدرحين B32/Fc بزرايع جو بانيل سركارى لودر لو از PAS مح يسج حا بی . جبد اری وجہ سے یا سی در معلی کے قت یا مخلرمان مومًا ثره بينجا ہے کی خاطرخالات و واقعات کو جنہا ہے کی کوشیش مرسي سي ، جبد الله من عقر حقر عا عن جرب وي المربعة الله 238 فسر حجف. ولا الله ٩٠٦/٩٠٦ اوعبد اللارى ٢٠/٦٤ في خال في ورفي جا بی ۔ ڈرائی وروں اللر 825 کے بران کے قطابق کہ بروز ووقوعہ ہم س ک فربانبل -ركان برايد بود في فقى - ناج به مع حقيقنا سے موقوعه من د ان بولیسی قلازمان سے براہ راس جمان طور بر جھنہ سینی آلمیا نہے۔ جبكم فسرر - قطابق الودرلواز ٢٦٦ العلم خور ببالالاأمل بسرائ -حق مر سوالد المنان مي العاند المقيقة كوجه الت مي الداش في القرور با ہے جا سر ان کے خلاف رکھو درتج کم ان کا روابی کا سرخارشکا کا جاتی ہے ،

OFFICE OF THE DISTRICT POLICE

OFFICER LAKKI MARWAT

NO. 7489 / SRC Dated 11 / 11 / 2022.

FINAL SHOW CAUSE NOTICE

You Constable Zia Ullah No. 832 while posted at PP City Lakki are guilty of acts of omission as detailed below.

On the event of full day he followed PASI Naveed Nawaz to the crime scene and now you hiding facts which show your connivance with the accused. Thus this speaks deviant and gross misconduct on his part.

Prior to this effect, you were issued Show Cause Notice to this effect. Your
 reply to the Show Cause Notice was perused and was found un-plausile.

3. NOW THEREFORE, I Shahzada Umar Abas Baber PSP, District Police Officer Lakki Marwat call upon you through this Final Show Cause Notice within three (03) days of the receipt of this Final Show Cause Notice that as to why you should not be awarded a major punishment including dismissal from service as provided under KPK Police Rules, 1975. Also state whether you want to be heard , in person.

4. In case your reply is not received within stipulated period without sufficient reasons it shall be presumed that you have no defense to offer and the undersigned would be at liberty to pass an ex-parte action against you.

Sd/-

(Shahzada Umar Abbas Babar) PSP District Police Officer; Lakki Marwat



FINAL SHOW CAUSE NOTICE

You Constable Zin Ullah No.832 while posled at PP of acts of omission and commission as detailed belowing "On the event of full day you followed Naveed Nawaz to the crime scene and now hiding for deviant hiding facts which show your connivance with the accused. Thus this spenks

...sT

Prior to this effect, you were issued show Cause Notice to this effect. and gross misconduct on your part.

reply to the show cause notice was perused and was found un-plausible. NOW THEREFORE, I. Shahzada Umar Abbas Babar PSP, District Police Officer Lakki Marwat call upon you through this Final Show Cause Notice within three (03) days of the receipt of this Final Show Notice that as to why, you should not be awarded a major punishment including dismissal from Service as provided under KPK Police 1975. Also state whether you want to be heard in person.

In case your reply is not received with in stipulated period without sufficient 4. reasons, it shall be presumed that you have no defense to offer and the undersigned would be at liberty to pass on ex-parte action against you

ATER

(Shahzada Umar Abbas Babar) PSP District Police Officer WLakki Marwa

City Lukki nre guilt

جناب عالي المحوالية مولية ما شريحا ذلول تم تركي 7489/src مود 2021-11-11 مجادية جناب ذسوك يوليس الميسرصاحي صلك مى بردت ميروس مول كيسال وقن أوين التسليسلية من شوكازلولن مبرى 6584/src موريد 2021-13-14 كاريد ماجب ديا كما حجن سيم جواب عن ساكن سط معصل جواب الدومعيادا كوابرى مع مرصاحب سط مناته مع كما . أيك مرتبه جرشان وفاسن وكاردوس مسرمند رجة بالاديا كماية مؤكار وضكا جواب ديية وقت واضح كرجكا مون كمددوز وتوعه يغن 1202-10-30، كون 15-80 بحد تاذن 12:00 بحد تك بر اولا يذكوان سالقة PSI عال طرم بازار كشت برتمار دايول ف اعترام بوت 12:00 بحكمت في وألب يراب مرور بالتي والت جول فاتر ما مواجد ور مست ودينة من العزيم ويذواري وكالمدور تعاون أسواست فرائم مين ك بي المدون بالا ميطابق ديكار دروز نامجه جوك مي كالس مدات بين كرده مراًه سابقه جواب ساكل كي في آي كي جون تبوت بين ف عالی جاہ! ساکن کونا کردہ جرم بر ہراساں، پر پشان کے بغیر نائبل توکا زند ش/انکوائری بالاسر بیدکار دائی کے داخل دفتر فرمائی جاتے۔ نوازش ماتحت پر دری ہوگی۔ منور 12-11-2021 مائل معطل كانشيبل خياءالله 832 متعينه يوليس لائن كل مردت



OFFICE OF THE DISTRICT POLICE OFFICE LAKKI MARWAT

ORDER

My this order will dispose off the departmental enquiry proceedings against Constable Zia Ullah No.B32 while posted at PP City Lukki was found to indulge in the following omission/commission as detail below:-

"That an the event of full day he followed PASI Naveed Navuz to the crime scene and now you hiding facts which show his connivance with the accused. Thus this speaks deviant and gross misconduct on his part.

2. He was issued Show Cause Natice to this effect. His raply to the show cause notice was perused and was found un-plausible. He was issued final show cause notice and the reply thereof was also found un-satisfactory.

3. Therefore, 1 <u>Shahzadu Umar Abhas Babur PSP</u>. District Police Officer. Lakki Marwat exercise of the power vested in me under KPK Police Rules-1975, hereby impose upon hun major punishment of "Dismissal from service" with immediate effect. He is directed to deposit all the Goyt: articles allouted to him to the concerned branches.

OB No. <u>212</u> Dated: <u>18</u> 105/2022.

(Shahzada Umar Ahhus Bahar) PSP District Police Officer Dakki Marwal District Folice Officer

to. 7448-SI Dated Lakki Marvot the Copy of above is submitted for favour of information to:-1. The Regional Police Officer, Bannu Region, Bannu.

2. EC. PO, OHC & Lines Officer for necessary action.

OFFICE OF THE DISTRICT POLICE OFFICER LAKKI MARWAT Ph# 0969-538240, Fax# 0969-538244

ORDER:

1

2.

My this order will dispose off the departmental enquiry proceedings against Constable Faheem Ullah No. 215 while posted at PP City Lakki Marwat was found to indulge in the following omission/commission as detail below:-

1. "That he is facilitating PO/accused Naveed Nawaz. Thus this speaks deviant and gross misconduct on his part.

In this regard, he was charged sheeted and enquiry was marked to DSP/Hqrs: Lakki Marwat for through probe into the allegations. The enquiry officer after conducting proper departmental enquiry submitted finding report stated therein that he official concerned physically not took part in the incident, however on the event of full day he went behind the accused PASI Naveed Nawaz in Govt. vehicle which speaks their secret intentions towards the incident and also hide the facts from the Enquiry Officer, hence found guilty of the misconduct. He was served with Final Show Cause Notice to this effect. His reply to the Final Show Cause Notice was perused which was also found un-satisfactory.

 Therefore, I Shehzada Umar Abbas Babar PSP, District Police Officer Lakki Marwat exercise of the power vested in me under KPK Police Rules-1975 hereby impose upon him minor punishment of "Stoppage of Increment for two (2) years" with immediate effect.

O.B No. <u>209.</u> Dated: <u>18-05-2022.</u>

Sd/-

(SHEHZADA UMAR ABBAS BABAR) PSP District Police Officer Lakki Marwat.

No. 7460-63/dated lakk! Marwat.

Copy of the above is submitted for favour of information to:

- 1. The Regional Police Officer, Bannu region, Bannu.
- 2. EC, PO, OHC & Lines Officer for necessary action...

بخدمت جناب ريجينل بوليس آغييسر صاحب لينون ريجن بينون عوان: در خواست دربار بمال سروس منسوقى ارار ر 2022-05-49/18-49/18 ... مجاربة جناب د سر تمك إدليس آفيسر صاحب تلى مروت جناب عالی: - من سائل سر خلاف جناب DPO صاحب کی مردت نے جارج شیٹ جاری فرمایا۔ کدمن سائل نے او ید اواز PASI مرد میں میں مائل سے خلاف جناب DPO صاحب کی مردت نے جارج شیٹ جاری فرمایا۔ کدمن سائل نے او ید اواز PASI کورتوع میرزدتوع میں Facilatate کیا ہے۔ اور Facilatate کورتوع میں دور Event Full Day yo followed Naveed Nawaz to the erume seence دری بار _ ماکن ذیل کر ارشات عرض کرنا جا متا اول - که ا- من سائل جو کی کی میں بخشیت کسٹیل اقیرات اتھا-۲- نویدنواز اPAS انچارج چوکی مذا تعینات تفا-س^و لوندلواز اPAS صاحب نے مبینہ دنوع اپنے آبائی گاؤں دلوخیل میں مرز دکیا ہے۔ جواسم لیے دیمیہ نودا بے ذاتی مدٹر کارمیں جا^{کر} وقورع سرز دكمات ۳- روز وتورع من سائل جمراه نوید نواز خان PAS ، نفری بولیس بسلسله کشت بوت 15:08 بح ردانه جوار PAS صاحب ف بلات 12:05 بیج حسب معمول مقرره دنت پر کشت ختم کر کے چوکی ہذا واپس آیا۔ادر این واپس کی ربورٹ بحوالد مد7 رونا مج 03/10/2021 درج كردائى ...-۵۔ گشت سے دالی پڑس ساکل اپنے مرکادی بیرک جو کی بذاییں جاکرآ دام کرنے لگا۔ ۲۔ من سائل نے جارج شیٹ کا مفصل جواب اشران بالا کو تریک طور پر عرض کیا۔ جناب DSP/HQ تکی مردت انکوائری آفیسر مقرر ہوا۔ پر دران انگوا تر کی جناب DSP/HQ صاحب مے من سائل کا کراس بیان ریکارو کیا۔ ے۔ الکوابڑی آفیسر صاحب نے من ساکل سے خلاف لگاتے کیے الزمات تابت شد سے۔اور الکوابڑی ریورٹ (فائنل ریورٹ) بخدمت جناب DPO مساحب كى مروت ادسال فرمايا-۸- جناب DPO حداً حب ف فائل شوکا دنونس جاری فرمایا - جس کامن سائل مے مفسل جواب کر اری -۹۔ درین طالات کے باوجود جناب DPO صاحب کی مردات نے (جب الزامات تابت ند ہوتے) من سائل کے بارے Dismissal From Service کارکامات جاری فرما ہے۔ لہد ااستد عاب کہ من سائل جوب بنیاد الزامات کے تحت فورس ے Dismissal کے احکامات جاری ہو یکے میں فرازش فر ما کر مروں پر بحالی ادر جناب DPO صاحب کی مردت کے ارڈ رکومنسون فرمائے جانے کے احکامات صادر فرمادیں کرم جنتی ہوگی۔ المارض يل خباءالله 832 متعينه جو کی ٹی کی (حال برخاست) 23-05-2022 APPIN

From: The Regional Police Officer, Bannu Region; Bannu

6181PA. anied Bainnu the 2010612022

The Addi: S.P. Bannu,

Subject

Fo:

Mn.

ORDERLY ROOM - REINQUERY IN CASE FIR NO.1329/2021 DATED

Merno:

On 16th June 2022, during Orderly Roomsthe police officials whill have been awarded punished by DPO-Lakki appeared before the Regional Police Chief. Bannu. Their appeals and findings of enquiry conducted by DSP/HQ: Lakki were perused and recorded the following remurks:-

Addl: SP/Bannu.

"Plz re-enquire into it and find the actual role of these officers in incligent."

i. Muhammad Usman LHC No.238 ii. Rafeeq Head HC No.704

part

- iii. Fuheem Ullah FC No 415
- iv. Wali Ullah FC No:568
- v. Abdul Ban FC No.245
- vi. Zin Ullah FC No.832

I am further directed to enclose herewith a copy of finding of enquiry previously conducted by DSP/HQ: Lakk and a complaint moved by Syed Ibrar Hussiin Shuit on the subject for perusal, please.

Encl: As above (15 Sheats)

Alto

PA to A76 Regional Police Officer, Bannu Region, Bannu

<u>BETTER COPY</u>

29/07/2022

Phone No: 0928-9270027 Fax No: 0928-9270045

OFFICE OF THE ADDITIONAL SUPERINTENDENT OF POLICE, BANNU

 		Dated
	•	
•	• •	•

The Regional Police Officer, Bannu Region, Bannu.

Subject:

To:

No.213/ASP

ORDERLY ROOM-REINQUIRY IN CASE FIR NO.139/2021 DATED 03.10.2021 U/S 302/34 PPC PS LAKKI.

Memo:

Kindly refer to RPO Bannu letter No. 618/PA, dated-20.06.2022, on the subject noted above. Respected Sir,

As per your kind order, the undersigned re-enquired in case FIR No-1329/2021, dated 03.10.2021, registered u/s 302/34 PPC in PS Lakki. The detail of enquiry is furnished as under: -

PROCEEDINGS:

The undersigned thoroughly studied all the documents pertaining to the subject case including the case file FIR No. 1329/2021 of PS Lakki, all the papers of previous enquiries charge-sheets, orders of departmental punishments etc. The PS Lakki and PP city (PS Lakki) record was also perused. All the six accused afficials were summoned, heard in person and their statements were got recorded after putting some questions on them. Similarly, I.O of the case SI Munawar Khan was also summoned along with ease file. He was also heard in detail and his statement was also obtained. I also went through the contents of complaint moved by ane Syed Ibrar Hussain Shah to Worthy RPO, Bannu. Coples of all the relevant documents have been placed on the enquiry life in hand.

CONCLUSION:

During the course of re-enquiry, all the six accused police officials have not been found guilty of the charges levelled against them. Neither any one of the accused was present on the spot/place of accurrence nor facilitated P.O/accused Naveed Nawaz. Likewise, neither any one of the accused has been charged for the offence by the complainant of FIR par concealed the facts from enquiry officers. The movement of police mobile from PP City, soon after the departure of accused Naveed Nawaz from the PP, cannot incriminate the under re-enquiry accused police officials with the incident of case FIR No. 1329/2021, PS Lakki. Because the movement of police mobile was for routine petrol and not towards¹ the place of accurrence. As peristatement of the I.O no involvement of the under re-enquiry police officials has been found in case FIR No.1329 or in the murder of deceased Aalameen Shah. Complete Challon has already been submitted in the case against two accused only (1) PASI Naveed Nawaz and (2) his brother Umer Gul. Had any one of the under re-inquiry accused police officials been involved in the case he would have been charged/implicated in the instant case.

Hence, it is concluded that murder of Aalameen Shah is the personal issue of PASI Naveed Nawaz and his brother Umer Gul and not the issue of under re-enquiry police officials as none of them had any enmity or personal grudges with deceased party. <u>RECOMMENDATIONS:</u>

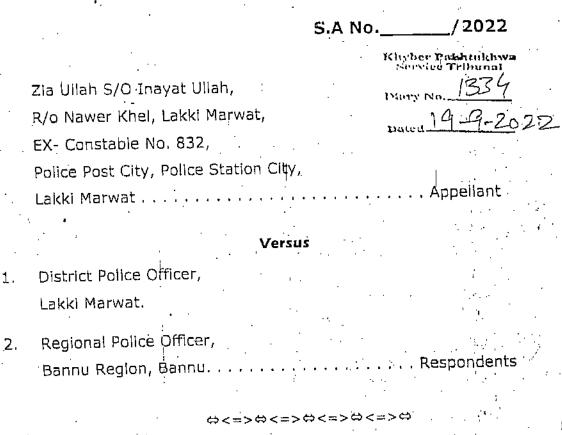
Keeping the above facts and figures in view, all the under re-enquiry 06 police officials are recommended to be exonerated from the charges leveled against them. Submitted please.

Sd/-Additional Superintendent of Police, Bannu

Norefs

1

BEFORE KPK SERVICE TRIBUNAL PESHAWAR



APPEAL U/S 4 OF SERVICE TRIBUNAL ACT, 1974 AGAINST OB NO. 212, DATED 18-05-2022 OF R. NO. 01, WHEREBY APPELLANT WAS DISMISSED FROM SERVICE AND REPRESENTATION OF APPELLANT WAS NOT HONORED TILL DATE:

む<=>な<=>な<=>な<=>な

Respectfully Sheweth;

iledto-day

H 53 17 0- 91

- 1. That appellant was appointed as Constable on 10-06-2014 and served the department to the best of his ability and to the entire satisfaction of the superiors.
- That on 03-10-2021, FIR No. 1327, Police Station Lakki Marwat u/s 302/34 PPC was registered against PASI, Naveed Nawaz for murder of Aleemn Shah. (Copy as annex "A")

3. That on 13-10-2021, appellant was served with Show Cause Notice on the allegation that:- 24

i.

That on the event of full day you followed Naveed Nawaz to the crime scene and now you are hiding facts which shows your confivance with the accused.

 This all speaks gross misconduct on his part and liable to be punished under the Police Rules. (Copy as annex "B")

- 4. That on 14-10-2021, appellant replied to the Show Cause Notice and denied the allegations. (Copy as annex "C")
- 5. That enquiry into the matter was initiated against appellant but the same was not conducted as per the mandate of law because no statement of any witness(s) was recorded in presence of appellant nor he was afforded opportunity of cross examination what to speak of self defense. No punishment for imposition upon him was suggested what to speak of major punishment of dismissal from service. (Copy as annex "D")
- 6. That the authority was not satisfied with the aforesaid enquiry, so on 18-10-2021, subsequent enquiry was initiated not per the mandate of law and in this enquiry too, no punishment was ever suggested for imposition of appellant. (Copy as annex "E")
- 7. That on 11-11-2021, appellant was served with Final Show Cause Notice, without supply of enquiry proceeding to appellant which was also replied on 12-11-2021 and denied the allegations. (Copy as annex "F" & "G")
- 8. That on 18-05-2022, major punishment of dismissal from service was imposed upon appellant without taking into consideration the facts and circumstances of the case by R. No. 01. (Copy as annex "H")
 - 9. That on 18-05-2022, Co-Employee, Fahim Ullah having same role and conduct in the matter was exonerated from the charges, despite the fact that he was equally held responsible in the matter was given minor punishment of stoppage of increment. (Copy as annex "I")

ATTOR



- That on 23-05-2022, appellant submitted representation before R.
 No. 02 for reinstatement in service with all back benefits which met dead response till date. (Copy as annex "J")
- 11. That on the departmental appeal, R. No. 02 passed order for reenquiry in the criminal case with remarks:-

"Please re-enquire into it and find the actual role of the officers in incident vide letter dated 20-06-2022". (Copy as annex "K")

Hence this appeal, Inter Alia, on the following grounds;

GROUNDS

a. That from the FIR dated 03-10-2022, it is very much clear that Naveed Nawaz apprehended one Almeen Shah with pistol and arrested him at the spot. One Johar Muhammad son of Dilawar Shah posing himself to be the leader of PTI of the locality, made hot words with the said PASI for arresting the said culprits.

- b. That the said deceased whirled message on Facebook ID against the said PASI that he is harassing handsome people. The said PASI went to village Dalo Khel and killed the said Almeen Shah at the same time, appellant was at police post, Lakki Marwat.
- c. That appellant never facilitated the said PASI in the commission of offence and it was his own act, if any.
- d. That charges leveled against appellant has no nexus with the same as he never facilitated the said matter.
- e. That the matter was not dealt with as per the mandate of law because neither any statement of any witness(s) was recorded in presence of appellant nor he was afforded opportunity of crossexamination.
- f. That appellant was unaware as to whether the said PASI is going for checking to Hospital or for going to other purpose.



- g. That double enquiries were conducted in the matter but no punishment was ever suggested by the Inquiry Officer to impose the same upon appellant, what to speak of major punishment of dismissal from service.
- h. That the authorities never dealt with the matter as per the record and circumstances and for no obvious reason, appellant was implicated in the same.
 - That in similar circumstances, constable Fahim Ullah was exonerated from the charges by R. No 01 at the recommendation of Political vendetta and appellant was awarded with major punishment of dismissal from service.
- j. That neither original nor appellate order was per the mandate of law, so are liable to set aside. The same are based on malafide and discrimination.
 - It is, therefore, most humbly prayed that on acceptance of the appeal, order dated 18-05-2022 of the R. No. 01 be set aside and appellant be reinstated in service with all consequential benefits.

Through

Appellant

Saadullah Khan Marwat

Dated: 19-09-2022

1

Amjad, Nawaz,

Advocates

Arbab Salful Kamal

ORDER:

This order will dispose of departmental appeals? preferred by six (00) actived ontentish equilibration of the spanner of 238 (2) Ex:FC Wall (Ullah) No.568 (0) Extended to the spanner of 238 (2) Ex:FC Wall (Ullah) No.568 (0) Extended to the spanner of 20 and 20

Lakki on the following allegations noted against each their names.

5.No.	Name & Rank7 No22 Sec	Allegation(s)	Bunishmont Awarded
		That heils facilitating PO/accused	TANK MARKS STREAM STREAM
1.	Ex:HC Rafeeq No.704	Naveed Nawaz. Thus this speaks	
· .		deviant and gross misconduct on	Dismissed from Service
		his part.	
		That he is facilitating PO/accused	· · · · · · · · · · · · · · · · · · ·
2.	Ex:LHC Muhammad Usman	Naveed Nawazt Thus this speaks	
-	No.238	devian and gross misconduction	Dismissed from Service
	ा विकास सम्बद्धाः	his port.	
		That on the event of full day he	
		followed PASI:Naveed Nawaz IU	
		the crime scene and now he hiding facts which show his	Rest Construction
3.	Ex:FC Wali Ullah No.568	hiding facts which show his	Dismissed from Service
		connivance with the faccused	
• • •		Thus this speaks deviant and	
		gross misconduct on his part.	
		followed PASI Naveed Navazito	
		the scrinic scene and snow the	
4	Ex:FC Zin Ullah No.832	hiding focis which show this	
· · · · · · ·		connivance, with the accused	and the second of the second o
		Thus, this speaks adeviant and	
<u> </u>		gross misconduct on his part	
-	n in the state of the state of the	That on the event of full day her	
		followed PASI, Naveed Navyaz to	
·		the crime scene and novy he	
5,	Ex:FC Abdul Bari No.245	hiding lacis which show his	Dismissed from Service
		connivance. with the accused a	
		Thus this speaks deviant and	
		igross misconduction his part.	
		Juatine/is/acilitating PO/accused	
6	a rentheantlinn near	in the second	Stoningeloginetement
		NEW TALL AND A STATE OF THE COMMENCE	
Com	ments from DROP Laris DV arty	Land Lin Line NovinDrider and	
6 NT			CONVERSE OF CONTRACTOR OF CONVERSE OF CONTRACTOR OF CONTRA

for which was perused. On 16.06.2022 the appellants were heard incorderly, r 101114 were marked to Addl: SP Bannu vide this office Memo: No.618/PAtdatede20 direction "plz re-enquire into it and find the actual role of the second ollice Enquiry Officer (E.O) conducted proper departmental enquiry and came to the conducted proper departmen the six accused police officials have not been found guilty of the charges in He submitted his findings vide Memo: No 213/ASP duted 29/07/2022 quoted therein that any one of the accuseds was present on the spot/place of occurrence nor incilitated P.O/ac Naveed Nawaz. Likewise, neither any of the accuseds has been charged to complainant of FIR nor concealed the facts from enquiry officers, The mobile from PP City Lakki, soon after the departure of accused Naveed Navaz from the PP cannot incriminate the under re-enquiry accused police officials with the incident officials FIR No.1329/2021, PS Lakki. Because the movement of police mobile was for routine petroland not. towards the place of occurrence. As per statement of the 1.0 no involvement of the under reenquiry police officials has been found in case FIR No.1329 or in the muder of ofsidecease Aalmeen Shah. Complete Challan has already been submitted in the case agains Live accuse (1) PASI Naveed Nawaz and (2) his brother Umer Gul Had any one of the suider accused police officials been involved in the case he would have been charged/int instant case.

Therefore, I, Syed Ashfaq Anwar, Regional Police. Officer, Bannu Region Bannu, et al. in exercise of the powers vested in me under Khyber Pakhtunkhwa Police. Rules 11975 (amended 2 in 2014) hereby set aside the orders of DPO/Lakki-Marwat quoted above 1 herappeals to mentioned officials in the cited joint enquiry are hereby accepted and they are reinstated into a service with immediate effect. Moreover, their periods of dismissal 7, out of duty in the instant service are treated as leave without pay.

ORDER ANNOUNCED OB No. 3 8 4 Dated: 30 / 12 /2022.

> Regional Police Officer Bannu Region 3

No. 5032 /EC, dated Bannu the 30/12/2020

DPO-Lakki Marwat for information and incoessary faction w/r+to/justoffice/letterseNoquoted above along with complete enquiry files and Service Rolls of above numed officials flor record in your office which may be acknowledged, pleases

AS AO

Region gollee one and Balance Region

A-No-1430/202 Zianllab is Gri

12.01.2023

Mr. Arbab Saiful Kamal, Advocate for the appellant present-Mr. Asif Masood Ali Shah, Deputy District Attorney for the respondents present.

02: Learned counsel for the appellant submitted office order OB No. 384 dated 30.12.2022 whereby the appellant has been reinstated into service with immediate effect and the period of dismissal from service treated as leave without pay. In this respect he also submitted an application for withdrawal of the instant service appeal with the permission to file a fresh. Application is allowed subject to all just and legal objections. Consign.

03. Pronounced in open court at Peshawar and given under my hand and seal of the Tribunal this 12th January, 2023.

(Mian Muhammad) Member (E)

Sunk?

Cuertisien ature com Marte of Presentation of Analtantion Au-0/1 Number of Part 1-P Service Tribunal with war Pashawar Copping Person 5/ Urgent 5/ Tots!_____ [6]_ Compar D: Bate of Deliver Jul Copy_ 200-colr

للمالية في المساسية المسالية المرينة المرينة المرينة المسالية المسالية المسالية المسالية المسالية الم متحاب <u>المالين</u> (م ع الماري منام متحاب <u>المالين</u> - Jul 15083 while the man of the second of مت يدمند ويعزوان بالابين ابنى المرضيسين واسط يترجى وجواب دمي وكل كاروا كم متعلقة أل مقام لتنادير مسيط استحل أمأس خان سودت الذوكيط بالى كور كم كوكس مقرر كرا فالرك جا استدر كرما عل تموضوف كويرة مصرك كمل كالروائي كاكابل اينة بالرميجيجا ينبير ويمل طباحب كويمية لاحنى للمرو تغزية للنه وتشيدا ويتابن مین جوار می اوراد بال دعوی اور بعدور داری کرنے اجراء اور وصول بیک، وروب اور برطی دیموی اور ررخوان بیت · مرقبته می تقارین اور آن بیستر تخط که بین کا اختیار ترجی این که وزنه عدم بیرچری یا دلگری مکیطرفهریا ایل کی برآیو یک اويتسبيني لمبير فأجرسته اينل تكمران ولنظراني وميرفري ترسف كالفاتيات بوتكا المدلهم ورت هرورية متعدمه منكور ڪي يا بُروين بارواڻي ڪي داريندي اور قرمين ۽ تورار قانون کو ڪينه بُراه يا اپني بجائے تفرير ما ارتب ري ا إورماس مقريت يركونني وي جمله مذكورة بالا اختباطين عامل بون تشير أدراس كاساخته برواخته متفادر تبول بيسكا ووران مقديس جويز جربه وتزجانه التوا, متعديه سير سبب سيترا أل مستحق وكرل فساحب ترينكوف مجدل مسم فسير بلغايا وخرشيه كما وصولى كرينة كالمعنى المعاليات تجريحا أكركوني فامدخ بليتي متفام مريره بر بر المد المر المرابو الووكيل صاحب با مدر مردل مح كم بيروى مذكور كرين -لمنز وكالت نامه دكمه دياكه سندست م الرقي 23-1-23 singly. التر _____ 1 the state مع المالي المال مراجعة المال Zif الأوليك ?ia ullet