

15.03.2021

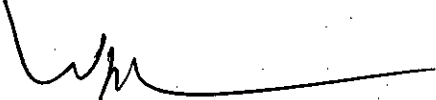
Counsel for appellant present.

Riaz Khan Paindakheil learned Assistant Advocate General alongwith Mujahid Shah Head Constable for respondents present.

Learned counsel for the appellant requested for withdrawal of instant service appeal on the ground that grievance of the appellant has been redressed. In this regard, signature of the learned counsel for the appellant was also obtained on the margin of order sheet.

In view of the above, the present service appeal is dismissed as withdrawn. No order as to costs. File be consigned to the record room.

Announced
15.03.2021


(Atiq ur Rehman Wazir)
Member (E)
Camp Court, A/Abad

*I withdraw my appeal being redressed by appellate forum.
M. Aslam
15-3-2021*

BEFORE HONOURABLE KHYBER PAKHTUNKHWA
SERVICE TRIBUNAL PESHAWAR

Appeal No.1339/19.

Shahzad Hussain Kazmi.....V/S.....PPO/IGP Etc.
(Appellant) **(Respondents)**

SERVICE APPEAL

PETITION FOR DISPOSAL OF TITLED SERVICE APPEAL AS
WITHDRAWN

Respectfully Sheweth:

1. That the titled SERVICE APPEAL is pending adjudication before this Honourable Service Tribunal for today.
2. That in a MERCY APPEAL filed by the present appellant before the Inspector General of Police KPK Peshawar the orders of the departmental authorities which were made impugned here in the titled appeal have been set aside and relief request has been extended to the appellant vide order dated 27-07-2020 thus appellant now requests withdrawal of the titled service without further proceeding. **(Copy of order is attached).**

It is, therefore humbly prayed that the titled service appeal may graciously be allowed to be withdrawn.

Applicant/Appellant

THROUGH


(MOHAMMAD ASLAM TANOLI)
ADVOCATE HIGH COURT
HARIPUR

Dated: ~~15-07-2020~~

15-03-2021



Office of the Inspector General of Police
 By No. 15502
 Dated: 03/08/20
 Hazara Klon, Abbottabad
 No. 2957

OFFICE OF THE
 INSPECTOR GENERAL OF POLICE,
 KHYBER PAKHTUNKHWA
 PESHAWAR.
 /20, dated Peshawar the 27/08/2020.

ORDER

This order is hereby passed to dispose of Revision Petition under Rule 11-A of Khyber Pakhtunkhwa Police Rule-1975 (amended 2014) submitted by Constable Shahzad Hussain No. 605. The petitioner was awarded penalty of forfeiture of approved service for six months by District Police Officer, Haripur vide OIB No. 299, dated 30.04.2019 on the allegations that he while posted as DFC PS Hattar, Distt: Haripur, it came to the notice of DPO/Haripur through preliminary enquiry No. 54, dated 11.02.2019, conducted by Addl: SP, Haripur that Constable Shahzad Hussain No. 605 and his family was involved in pelting stones on Khurshid Hashim s/o Zaman Hashim s/o Chai, Haripur as he was constructing building on his plot No. 269. He was summoned alongwith his father to appear before Addl: SP Haripur to record his statement in defence of a complaint against him. On 07.02.2019, his father did not appear before Addl: SP Haripur while Constable Shahzad Hussain appeared without uniform. On query he told that his father had gone to MIH Hospital Rawalpindi but after enquiry it came to light that his father was produced before the learned JM-I Haripur on 07.02.2019 u/s 107/151 CrPC. His appeal was rejected by Regional Police Officer, Hazara vide order Indst. No. 3313/PA, dated 18.09.2019.

Meeting of Appellate Board was held on 09.07.2020 wherein petitioner was heard in person. During hearing petitioner contended that complaint against him is false, fabricated and baseless.

The petitioner has long service of 12 years, 10 months & 05 days at his credit. Keeping in view his long service, the Board taken a lenient view decided that penalty of forfeiture of approved service for six months is hereby set aside.

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

4061
 03/08/20
 D. 605

Sd/-
 DR. ISHTIAQ AHMED, PSP/PPM
 Additional Inspector General of Police,
 HQs: Khyber Pakhtunkhwa, Peshawar.

No. St. 2957/PA

Copies of the above is forwarded to the

1. Regional Police Officer, Hazara at Abbottabad. One Service Roll and one Fauji Misal containing enquiry file of the above named PC received vide your office Memo: No. 32157-58/PA, dated 05.12.2019 is returned herewith for your office record.
2. District Police Officer, Haripur.
3. PSO to IGP/Khyber Pakhtunkhwa, CPO Peshawar.
4. PA to Addl: IG/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

SR/CHC

For information
 & action

DPO Haripur
 Ec

No. 18403/PA
 dt. 05.08.2020

(KASHIF ZULFIQAR) PSP
 AIG Establishment,
 For Inspector General of Police,
 Khyber Pakhtunkhwa, Peshawar.

[Signature]

DPO HR
 06-08-2020

[Signature]
 318

19.10.2020

Representative of appellant on behalf of appellant present.

Usman Ghani learned District Attorney alongwith Mujahid Shah Reader for respondents present.

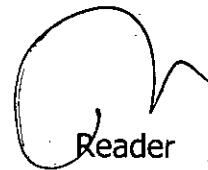
Latter made a request for adjournment for submission of written reply/comments. Granted; To come up for written reply/comments on 14.12.2020 before S.B at Camp Court, Abbottabad.



(Rozina Rehman)
Member (J)
Camp Court, A/Abad

14.12.2020

Due to Covid-19, case is adjourned to 15.03.2021 for the same as before.



Reader

22.01.2020

Clerk to counsel for the appellant present. Written reply not submitted. Misal Khan ASI representative of respondent department present and seeks time to furnish reply. Granted. To come up for reply on 19.02.2020 before S.B at Camp Court Abbottabad.

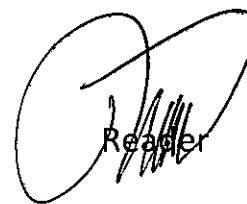


Member
Camp Court, A/Abad

Due to covid ,19 case to come up for the same on / /
at camp court abbottabad.

Reader

Due to summer vacation case to come up for the same on 119
10 / 20 at camp court abbottabad.



Reader

18.11.2019


Learned counsel for the appellant present. Preliminary arguments heard.

The appellant (Constable) has filed the present service appeal against the order dated 30.04.2019 whereby he was awarded minor punishment of forfeiture of approved service for six (06) months on the charges of misconduct. The appellant has also assailed the order dated 18.09.2019 of the appellate authority through which the departmental appeal of the appellant was filed.

Points urged consideration. The present service appeal is admitted for regular hearing subject to all just legal objections including issue of limitation. The appellant is directed to deposit security and process fee within 10 days. Thereafter notices be issued to the respondents for written reply/comments. To come up for written reply/comments on 19.12.2019 before S.B at Camp Court, Abbottabad.


Appellant Deposited
Security & Process Fee

26/11/19


Member
Camp Court, A/Abad

19.12.2019

None present on behalf of the appellant. Mr. Zia Ullah, Deputy District Attorney alongwith Mr. Misal Khan, ASI for the respondents present. Written reply on behalf of respondents not submitted. Representative of the department requested for further time for submission of written reply/comments Adjournd to 22.01.2020 for written reply/comments before S.B at Camp Court Abbottabad.

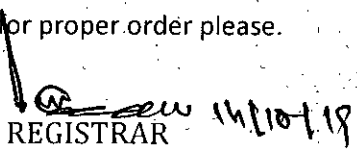
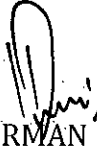

(Muhammad Amin Khan Kundi)
Member
Camp Court Abbottabad

Form- A

FORM OF ORDER SHEET

Court of _____

Case No.- 1339/2019

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	14/10/2019	<p>The appeal of Mr. Shahzad Hussain Hashmai presented today by Mr. Muhammad Aslam Tanoli 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> <p>This case is entrusted to touring S. Bench A.Abad for preliminary hearing to be put up there on <u>18-11-2019</u></p> <p style="text-align: right;"> CHAIRMAN</p>

BEFORE HONOURABLE KHYBER PAKHTUNKHWA
SERVICE TRIBUNAL PESHAWAR

Appeal No... 1339/19

Shahzad Hussain ^{Hasnain} ~~Kazmi~~, Constable No. 605, District Police
Haripur.

Appellant

VERSUS

1. Provincial Police Officer, Khyber Paktunkhwa, Peshawar.
2. Regional Police Officer, Hazara Region, Abbottabad.
3. District Police Officer, Haripur

Respondents

SERVICE APPEAL

INDEX

S/No	Description of Document	Ann- exure	Page No.
1.	Memo of Appeal.		01-09
2.	Charge Sheet dated 19-02-2019	"A"	10-11
3.	Reply to Charge Sheet dated 28-02-2019	"B"	12-15
4.	Mutation of Inheritance & fard-jamabandi of Khasra No. 269 .	"C&D"	16-17
5.	Inquiry Report dated 08-04-2019	"E"	18-19
6.	Order dated 30-04-2019 of DPO Haripur	"F"	20
7.	Departmental Appeal dated 17-06-2019	"G"	21-23
8.	Order dated 18-09-2019 of RPO A/Abad	"H"	24
9.	Wakalatnama		25

Sajad
Appellant

M. Aslam

Through

(Mohammad Aslam Tanoli)
Advocate High Court
at Haripur

Dated: 14-10-2019

1

BEFORE HONOURABLE KHYBER PAKHTUNKHWA
SERVICE TRIBUNAL PESHAWAR

Appeal No.....1339 / 19

Shahzad Hussain ^{Hashmi} Kazmi, Constable No. 605, District Police Haripur.

Khyber Pakhtunkhwa
Service Tribunal

Diary No. 1446 **Appellant**

VERSUS

Dated 14/10/2019

1. Provincial Police Officer, Khyber Paktunkhwa, Peshawar.
2. Regional Police Officer, Hazara Region, Abbottabad.
3. District Police Officer, Haripur

Respondents

SERVICE APPEAL UNDER SECTION-4 OF KPK SERVICE TRIBUNAL ACT 1974 AGAINST THE ORDER DATED 30-04-2019 PASSED BY DISTRICT POLICE OFFICER HARIPUR WHEREBY APPELLANT HAS BEEN AWARDED PENALTY OF "FORFEITURE OF APPROVED SERVICE FOR 06 MONTHS" AND REGIONAL POLICE OFFICER HAZARA REGION ABBOTTABAD ORDER DATED 18-09-2019 WHEREBY HIS DEPARTMENTAL APPEAL HAS BEEN FILED".

PRAYER: ON ACCEPTANCE OF INSTANT SERVICE APPEAL BOTH THE IMPUGNED ORDERS DATED 30-04-2019 AND 18-09-2019 OF THE RESPONDENTS MAY GRACIOUSLY BE SET ASIDE AND THE APPELLANT BE RESTORED HIS VERY FORFEITED APPROVED SERVICE WITH ALL CONSEQUENTIAL SERVICE BACK BENEFITS.

Filed to-day Respectfully sheweth,

Registrar
14/10/19

1. That appellant while posted as DFC at PS Hattar (District Haripur) was served upon with a Charge Sheet dated 19-02-2019 by the District Police Officer Haripur. (Copy of Charge Sheet dated 19-02-2019 is attached as annexure- "A").

②

2. That aforementioned Charge Sheet was replied on 28-02-2019 in detail by explaining all material facts of the matter and the allegations leveled therein against appellant were flatly denied being incorrect and baseless. **(Copy of reply dated 28-02-2019 to Charge Sheet is attached as annexure- "B")**.

3. That in fact appellant's forefathers were inhabitants of village Choi (Khanpur) District Haripur and they had property over there which devolved upon appellant's father (Mehboob Hussain) as inheritance. As appellant's father is owner-in-possession in land Khasra No. 269 of village Choi. Similarly Khursheed Hashmi etc are also co-sharers in the same property. But they being influential always forcibly grabbed possession of appellant's father's share by encroaching upon it. Civil litigation between appellant's father and complainant party over said joint land is still pending adjudication before the courts of law. But despite court decision in favour of appellant's father, the complainant party still makes encroachment in the share of appellant's father. A false complaint against appellant has been filed just to bring him under pressure so that due to fear of loss in his service the appellant could compel his father to give-up complainant's illegal possession over land in their favour. Otherwise, the appellant has never got involved himself in litigation or any type of quarrel with the complainant. **(Copies of Mutation of Inheritance and fard-jamabandi of Khasra No. 269 showing**

3

appellant's father Mehboob Hussain as owners in the said land are attached as Annex-"C & D").

4. That during the days of alleged occurrence the appellant was posted at PS Hattar while his house (alleged place of dispute) is situated in village Choi at a considerable distance of about 25 Kilo meters from place of posting where he was performing his duties. In reply to the charge sheet appellant has mentioned that during the days when alleged quarrel between the parties took place, the appellant was present on duty at PS Hattar which fact could be verified from record. But despite that no heed was given to his request and he has been penalized. The complaint upon which action has been taken against the appellant is totally false, fabricated and baseless filed with malafide intention to cause loss in service to appellant and pressurize him to keep off his father from civil litigation. Therefore, the charges leveled against appellant were mere allegations and have no nexus with the truth and remained unproved.
5. That through out his long service of about 12 years in the police department, the appellant always performed his assigned duties with devotion, dedication and honesty to the entire satisfaction of his superiors and never provided a chance of reprimand and even on occasions for his tremendous services he has been awarded with the Commendation Certificates and cash rewards by his High-Ups.

6. That no proper departmental inquiry was conducted, no show cause notice was issued to him. Neither any witness was produced before the inquiry officer in presence of appellant, nor was he provided with a chance of cross examination. Appellant was not confronted with any documentary evidence nor was afforded chance to rebut such document, if any. Appellant was condemned unheard. Even then Inquiry Officer was satisfied with reply to the Charge Sheet in defense submitted by appellant and verbal stance advanced by him; hence Inquiry Officer vide report dated 08-04-2019 proposed issuing of "warning" to the appellant. **(Copy of inquiry report dated 08-04-2019 is attached as Annexure-"E")**.
7. That thereafter the District Police Officer Haripur without giving any heed to the defense advanced in the shape of reply to the Charge Sheet by appellant and awarded the penalty of "Forfeiture of approved service for 06 months" vide order OB No. 299 dated 30-04-2019 without any reason, proof and justification. **(Copy of order dated 30-04-2019 is attached as Annexure-F")**.
8. That on receipt of impugned order the appellant preferred a department appeal dated 17-06-2019 before the Regional Police Officer, Hazara Region, Abbottabad explaining all material facts of the matter as well as his innocence in detail. **(Copy of the Departmental Appeal dated 17-06-2019 is attached as annexure- "G")**.

5

9. That the appellate authority without taking into consideration appellant's departmental went on to file it without giving any reason and justification vide his order dated 18-09-2019. **(Copy of order dated 18-09-2019 is attached as annexure-"H")**. Hence instant service appeal, inter alia, on the following:-

GROUND:

- a) That both the impugned orders dated 30-04-2019 and 18-09-2019 of respondents are illegal, unlawful against the facts and circumstances passed in violation of departmental rules, regulations, superficially, arbitrary and whimsical in manner; hence both the orders of respondents are liable to be set aside.
- b) That no proper departmental inquiry was conducted, no show cause notice was issued to him. Neither any witness was produced before the inquiry officer in presence of appellant, nor was he provided with a chance of cross examination. Appellant was not confronted with any documentary evidence nor was afforded chance to rebut such document, if any. Appellant was condemned unheard. Even then Inquiry Officer was satisfied with reply to the Charge Sheet in defense submitted by appellant and verbal stance advanced by him; **hence Inquiry Officer proposed issuing of "warning"**

6

- c) That the respondents have not treated the appellant in accordance with law, departmental rules & regulations and policy on the subject and have acted in violation of Article-4 of the constitution of Islamic Republic of Pakistan 1973 and unlawfully issued the impugned orders, which are unjust, unfair hence not sustainable in the eyes of law.
- d) That the appellate authority has also failed to abide by the law and even did not take into consideration the grounds taken in the memo of appeal. Thus the impugned order of respondent is contrary to the law as laid down in the KPK Police Rules 1934, other departmental rules regulations read with section 24-A of General Clause Act 1897 read with Article 10A of the Constitution of Islamic Republic of Pakistan 1973.
- e) That appellant was also not provided the opportunity of personal hearing before awarding penalty which was mandatory under law thus he has been condemned unheard.
- f) That instant appeal is well within time and this honorable Service Tribunal has got every jurisdiction to entertain and adjudication upon the same.

7

PRAYER:

It is, therefore, humbly prayed that on acceptance of instant Service Appeal both the orders dated 30-04-2019 and 18-09-2019 of respondents may graciously be set aside and appellant be resorted his forfeited 06 months approved service with all consequential service back benefits. In circumstances of the case any other relief which this Honourable Tribunal deems fit may also be granted.

Sayed. M. M.

Appellant

Through:

M. Aslam

(Mohammad Aslam Tanoli)
Advocate High Court
At Haripur

Dated 14-10-2019

VERIFICATION

It is verified that the contents of instant Service Appeal are true and correct to the best of my knowledge and belief and nothing has been concealed thereof.

Dated 14-10-2019

Sayed. M. M.
Appellant

8

BEFORE HONOURABLE KHYBER PAKHTUNKHWA
SERVICE TRIBUNAL PESHAWAR

Hashmi
Shahzad Hussain ~~Kazmi~~, Constable No. 605, District Police
Haripur.

Appellant

VERSUS

1. Provincial Police Officer, Khyber Paktunkhwa, Peshawar.
2. Regional Police Officer, Hazara Region, Abbottabad.
3. District Police Officer, Haripur

Respondents

SERVICE APPEAL

CERTIFICATE

It is certified that no such Appeal on the subject has ever been filed in this Honourable Service Tribunal or any other court prior to the instant one.

Shahzad Hussain

APPELLANT

Dated: / 4-10-2019

9

BEFORE HONOURABLE KHYBER PAKHTUNKHWA
SERVICE TRIBUNAL PESHAWAR

Shahzad Hussain ^{Hashmi} Kazmi, Constable No. 605, District Police
Haripur.

Appellant

VERSUS

1. Provincial Police Officer, Khyber Paktunkhwa, Peshawar.
2. Regional Police Officer, Hazara Region, Abbottabad.
3. District Police Officer, Haripur

Respondents

SERVICE APPEAL

AFFIDAVIT:

I, Shahzad Hussain Hashmi appellant do hereby solemnly declare and affirm on oath that the contents of the instant Service Appeal are true and correct to the best of my knowledge and belief and nothing has been suppressed from this Honourable Service Tribunal.

Dated: 14-10-2019

Identified By:

M. Aslam

Mohammad Aslam Tanoli
Advocate High Court
At Haripur
Dated 14-10-2019



Shahzad Hussain
Deponent/Appellant

Appellant

10

CHARGE SHEET

Annex-A


(1) I, Dr. Zahid Ullah, (PSP) District Police Officer, Haripur as competent authority hereby charge you FC Shaluzad Hashmi No. 605 as enclosed statement of allegations.

(2) You appear to be guilty of misconduct under Police Efficiency & Discipline Rules 1975 and have rendered yourself liable to all or any of the penalties specified in the said Rules.

(3) You are, therefore, required to submit your written defense within 07 days of the receipt of this charge sheet and statement of allegation to the Committee/Enquiry Officer as the case may be.

(4) Your written defense, if any, should reach the Enquiry Officer/Committee 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 follow against you.

(5) Intimate whether you desire to be heard in person or otherwise.
(6) A statement of allegations is enclosed.


Dr. Zahid Ullah, (PSP)
District Police Officer
Haripur

Attested
Sajad ul

(11)

DISCIPLINARY ACTION

1. Dr. Zahid Ullah, (PSP), District Police Officer, Haripur as competent authority of the opinion that you FC Shahzad Hashmi No. 605 have rendered yourself liable to be proceeded against as you committed the following acts/omissions within the meaning of Police Efficiency & Discipline Rules 1975.

STATEMENT OF ALLEGATION

"That while you posted as DFC PS Hattar, it has come to the notice of the undersigned through Preliminary Enquiry No. 54 dated 11.02.2019, conducted by Additional SP Haripur, that you and your family is involved in pelting stones on Khursheed Hashmi s/o Zaman Hashmi r/o Choi Haripur as he was constructing building on his plot No. 269. You were summoned along with your father to appear before Additional SP Haripur to record your statements in an application against you. On 07.02.2019 your father did not appear before Additional SP Haripur and you appeared without uniform. On query you told Additional SP Haripur that your father went to MH Hospital Rawalpindi but after enquiry it came to light that your father was produced before the learned JM-1 Haripur, on-07.02.2019 u/s 107/151 CrPC.

Your above mentioned acts highly objectionable, severe violation of discipline and is gross misconduct on your part in terms of Police Rules 1975, hence charge sheeted"

(2) For the purpose of scrutinizing the conduct of the said accused officer with reference to the above allegations, an Enquiry Committee consisting of the following is constituted.

[Handwritten signature]

(3) The Enquiry Officer/Committee shall in accordance with the provision of this Ordinance, provide reasonable opportunity of hearing to the accused, record finding and make within 25 days of the receipt of this order, recommendation as to punishment or the appropriate action against the accused.

(4) The accused and a well conversant representative of departmental shall in the proceedings on the date, time and place fixed by the Enquiry Officer/Committee.

[Handwritten signature]
Dr. Zahid Ullah, (PSP)
District Police Officer
Haripur

No: 146-618

/PA, dated Haripur the 19-02-2019.

Copy of above is submitted to the: -

- 1) Regional Police Officer, Hazara Region, Abbottabad, for favor of information, please.
- 2) Enquiry Officer for initiating proceedings against the said accused under Police Efficiency & Discipline Rules 1975.

Shahzad Hashmi No. 605 with the direction to submit his defense 7 days of the receipt of this statement of allegations and also to appear before the Enquiry Officer on the date, time and place fixed for purpose of departmental proceedings.

[Handwritten signature]

District Police Officer
Haripur

[Handwritten signature]

گورنمنٹ آف پاکستان اسلام آباد (انڈیا ری آفس)۔

عنوان :- گورنمنٹ آف پاکستان

ضابطہ عالی

خود نامہ نمبر 19/2/19
مختار نمبر 26/2/19

1- گورنمنٹ آف پاکستان دہلیہ کا قیام کے لئے درخواست کی گئی ہے۔ اس کا الزام ہے۔ یہاں تک کہ بنیاد ذاتی عماد اور منی گورنمنٹ ہے۔ جس سے قطعاً القاری ہے۔

2- گورنمنٹ آف پاکستان کے پاس اس وقت سے لے کر آج تک اور اس کا قیام کے لئے درخواست کی گئی ہے۔ جس سے قطعاً القاری ہے۔

3- گورنمنٹ آف پاکستان کے پاس اس وقت سے لے کر آج تک اور اس کا قیام کے لئے درخواست کی گئی ہے۔ جس سے قطعاً القاری ہے۔

گورنمنٹ آف پاکستان کے پاس اس وقت سے لے کر آج تک اور اس کا قیام کے لئے درخواست کی گئی ہے۔ جس سے قطعاً القاری ہے۔

گورنمنٹ آف پاکستان کے پاس اس وقت سے لے کر آج تک اور اس کا قیام کے لئے درخواست کی گئی ہے۔ جس سے قطعاً القاری ہے۔

4- گورنمنٹ آف پاکستان کے پاس اس وقت سے لے کر آج تک اور اس کا قیام کے لئے درخواست کی گئی ہے۔ جس سے قطعاً القاری ہے۔

Attested

Gazetted M.A.

کھانہ قطار زلمہ دفعہ 2022 کا اس کے دارالافتاء سے سوال کے ذریعہ مندرجہ ذیل ہے۔
اسے زور دے کر کہیں اور تو جی۔ لہذا یہی ہے وہاں سے کہہ رہی کہ اس کے اہلکاروں کے نام
میں سے کسی کو بھی علم نہیں لگایا جائے۔

5۔ کہ میں مذکورہ سے لڑائی میں سے کسی کو بھی خبر ہے جو جو دیکھا۔ ہم اس کے بارے میں
A کے اطلاع دی۔ یہ شکایت لکھنے والی کا پتہ بھی نہیں ہے۔ اور میں نے اس کے بارے میں بھی پتہ
بلدیہ فوراً لکھ کر جانوں۔ صبح کی نقل کرتے ہیں کہ وہیں سے فوراً اپنے کنبہ کے پاس
دفتر لکھا۔ جو اس وقت میں وردی میں نہ تھا۔ مگر وہیں سے فوراً اپنے کنبہ کے پاس
صرف پوچھا۔ لہذا وہیں سے اس کے بارے میں بھی نہ جانتا تھا کہ وہ قطار کا وردی لکھنے میں رہتا
سے فوراً اس کے پتہ لکھا۔ تاکہ وہیں سے اس کے بارے میں جانتا ہو۔

6۔ کہ یہ شکایت لکھنے والی انتہائی پریشاں اور حال میں ہے۔ اور یہ ہے آپریشن (عمل) کے
میں لکھنے سے اس کے بارے میں پتہ نہیں لگا سکتا۔ اس کے لئے لکھنے والوں سے گفتگو کر کے پتہ
اور یہ ہے کہ اس کے بارے میں پتہ نہیں لگا سکتا۔ اور شکایت لکھنے والی کا پتہ انتہائی سخت
الفاظ لکھے۔ جو میں نے اس کے لئے لکھنے والوں کو فرار لکھنے سے روک دیا ہے اور اس کے
اختیار کر رہی ہے۔ اور میں اس سے پتہ نہیں لگا سکتا۔ اور اس کے بارے میں جاننا اور اس کے بارے میں
اور اس کے بارے میں جاننا ہے۔ اس کے بارے میں پتہ نہیں لگا سکتا۔

7۔ کہ خارج شہر میں اس کے والد کو سے رابطہ کر کے جاننا اور تنہا جاننا بارے میں تفصیل لکھی ہے۔
انہوں نے بتایا کہ یہ تنہا جاننا مابین فریقین طہاری کے ساتھ ہے۔ اور یہ ہے کہ
انہوں نے کوئی خبر نہیں لکھی ہے جو سال 1998 میں خبر ہوئی۔ اور یہ ہے کہ اس کے بارے میں
اور اس کے بارے میں جاننا ہے۔ اور اس کے بارے میں پتہ نہیں لگا سکتا۔ اور اس کے بارے میں
دیا۔ جس کے بارے میں پتہ نہیں لگا سکتا۔ اور اس کے بارے میں پتہ نہیں لگا سکتا۔

8۔ کہ یہ شکایت لکھنے والی کوئی خبر نہیں لکھی ہے۔ اور اس کے بارے میں پتہ نہیں لگا سکتا۔
بازنہ شہر لکھی ہے۔ اور اس کے بارے میں پتہ نہیں لگا سکتا۔ اور اس کے بارے میں پتہ نہیں لگا سکتا۔
جس کے بارے میں پتہ نہیں لگا سکتا۔ اور اس کے بارے میں پتہ نہیں لگا سکتا۔ اور اس کے بارے میں پتہ نہیں لگا سکتا۔
کی ہے۔ اور اس کے بارے میں پتہ نہیں لگا سکتا۔ اور اس کے بارے میں پتہ نہیں لگا سکتا۔

Attested
Sayed. u. u.

حق میں مبتلا ہے۔ بلکہ عدالت میں ملے جاوے۔ جو نہ جاننا دشمن ہے۔
اس لیے جاننا اور جاننے والے عدالت میں ملے جاوے۔ جاننا اور جاننے والے

۹۔ کہہ لو کہ میں نے اپنے باپ سے ملویش دیکھنے سے پہلے اپنے باپ کو جاننا
والد ام کو جاننا ہے۔ کہ یہ خود دیکھو نہیں ہیں۔ اور میری عدالت
کے خلاف نہیں ہے۔ اس لیے اس کے ساتھ جاننا ہے۔ کہ یہ جاننا ہے۔ کہ وہ
جاننا ہے۔ کہ وہ نہیں ہے۔ کہ وہ نہیں ہے۔ کہ وہ نہیں ہے۔

10۔ کہ میں نے اپنے باپ کو جاننا ہے۔ کہ وہ نہیں ہے۔ کہ وہ نہیں ہے۔ کہ وہ نہیں ہے۔
کہ وہ نہیں ہے۔ کہ وہ نہیں ہے۔ کہ وہ نہیں ہے۔ کہ وہ نہیں ہے۔
کہ وہ نہیں ہے۔ کہ وہ نہیں ہے۔ کہ وہ نہیں ہے۔ کہ وہ نہیں ہے۔

11۔ کہ میں نے اپنے باپ کو جاننا ہے۔ کہ وہ نہیں ہے۔ کہ وہ نہیں ہے۔ کہ وہ نہیں ہے۔
کہ وہ نہیں ہے۔ کہ وہ نہیں ہے۔ کہ وہ نہیں ہے۔ کہ وہ نہیں ہے۔
کہ وہ نہیں ہے۔ کہ وہ نہیں ہے۔ کہ وہ نہیں ہے۔ کہ وہ نہیں ہے۔
کہ وہ نہیں ہے۔ کہ وہ نہیں ہے۔ کہ وہ نہیں ہے۔ کہ وہ نہیں ہے۔

12۔ کہ میں نے اپنے باپ کو جاننا ہے۔ کہ وہ نہیں ہے۔ کہ وہ نہیں ہے۔ کہ وہ نہیں ہے۔
کہ وہ نہیں ہے۔ کہ وہ نہیں ہے۔ کہ وہ نہیں ہے۔ کہ وہ نہیں ہے۔
کہ وہ نہیں ہے۔ کہ وہ نہیں ہے۔ کہ وہ نہیں ہے۔ کہ وہ نہیں ہے۔
کہ وہ نہیں ہے۔ کہ وہ نہیں ہے۔ کہ وہ نہیں ہے۔ کہ وہ نہیں ہے۔

13۔ کہ میں نے اپنے باپ کو جاننا ہے۔ کہ وہ نہیں ہے۔ کہ وہ نہیں ہے۔ کہ وہ نہیں ہے۔
کہ وہ نہیں ہے۔ کہ وہ نہیں ہے۔ کہ وہ نہیں ہے۔ کہ وہ نہیں ہے۔

Attested
Jagad. n. n.

سید محمد علی سے - اسی وقت پر صحت سے ہمیں کام کی
 مشکلات سے تارتر سے نہ - ہم نے سزا نہیں دی تھی
 ہے - کہ اس میں کارکردگی / افزائے جان سے متعلق
 ہے - اور اس کے لئے - اور اس کے لئے -

14 - ہم نے اس کے لئے فرزند کی شادی کا موقع دیا ہے تو اس
 کے لئے اس وقت تک نہیں ہے -

اس کا مقصد ہے کہ ہم نے اس کے لئے
 سزا دی ہے اس لئے کہ اس نے اس کے لئے
 اس کے لئے اس کے لئے -

98
 28
 19

محمد علی کا لکھنؤ 605 حال صحت سے بہتر ہے

Sajeeh. h. h

Attested
 Sajeeh. h. h

Annex-C

(16)

No	135
Date of Presentation of Applicant	13-6-19
Sealing Fee	
Urgent Fee	
Total	

حصید
بر حسب
دولتی
اندرج جمعندی گذشتہ یا آخری واقعہ اشغال جسکی ترمیم مطلوب ہے

زمرہ	نام ملک و احوال	نام کاشتکار و احوال	نمبر نام کھیت و رقبہ و قسم زمین	معاملہ و لگان	نام ملک و احوال	نام کاشتکار و احوال	نام ملک و احوال	نام کاشتکار و احوال
3272								
4-12	بکھور	محمد عباس صاحبی	2-17	بکھور	محمد عاشق زمان ولد	بکھور	محمد اشرف ولد	بکھور
4-12	بکھور	محمد فتح محمد صاحبی	2-17	بکھور	محمد اشرف ولد	بکھور	محمد اشرف ولد	بکھور
4-12	بکھور	محمد فتح محمد صاحبی	2-17	بکھور	محمد اشرف ولد	بکھور	محمد اشرف ولد	بکھور
4-12	بکھور	محمد فتح محمد صاحبی	2-17	بکھور	محمد اشرف ولد	بکھور	محمد اشرف ولد	بکھور

2222

Attested

Signature

Attested to be true Copy

Witnessing Office

Date: 17-6-19

Authorized U/S 75 PAK Evidence

نمبر کسبه نمبر کثونی	نام مالک معا حوال	نام کاشکار معا حوال	نمبر جزو	نمبر زمین رقم معد	تکون	مالیه	کیفیت
۲۲۴ ۲۲۲	مکل (۱۲۶۲۵) جو نریل زمان پاشی و لنگر کور در (۱۲۶۲۵) معا کسبیت پاشی (۱۲۶۲۵) او دفتد	مشرف خدایان ۱۶-۲ خیابان دره کور معا کسبیت پاشی و لنگر کور نالیقن ۱۵-۱۱ فرم کور کربادی	۲۹۹	۴-۱۲			
	محمد الیوب پاشی (۱۱۹۲۵) جو در معا فریا پاشی (۱۵۵۲۵) او دفتد محمد کسبیت پاشی (۱۱۹۲۵) او دفتد	محمد الیوب پاشی (۱۱۹۲۵) او دفتد فریا پاشی (۱۵۵۲۵) او دفتد محمد کسبیت پاشی (۱۱۹۲۵) او دفتد		۴-۱۲			
	محمد کسبیت پاشی (۱۱۹۲۵) او دفتد محمد کسبیت پاشی (۱۱۹۲۵) او دفتد	محمد کسبیت پاشی (۱۱۹۲۵) او دفتد محمد کسبیت پاشی (۱۱۹۲۵) او دفتد		۴-۱۲			
	محمد کسبیت پاشی (۱۱۹۲۵) او دفتد محمد کسبیت پاشی (۱۱۹۲۵) او دفتد	محمد کسبیت پاشی (۱۱۹۲۵) او دفتد محمد کسبیت پاشی (۱۱۹۲۵) او دفتد		۴-۱۲			
	محمد کسبیت پاشی (۱۱۹۲۵) او دفتد محمد کسبیت پاشی (۱۱۹۲۵) او دفتد	محمد کسبیت پاشی (۱۱۹۲۵) او دفتد محمد کسبیت پاشی (۱۱۹۲۵) او دفتد		۴-۱۲			
	محمد کسبیت پاشی (۱۱۹۲۵) او دفتد محمد کسبیت پاشی (۱۱۹۲۵) او دفتد	محمد کسبیت پاشی (۱۱۹۲۵) او دفتد محمد کسبیت پاشی (۱۱۹۲۵) او دفتد		۴-۱۲			
	محمد کسبیت پاشی (۱۱۹۲۵) او دفتد محمد کسبیت پاشی (۱۱۹۲۵) او دفتد	محمد کسبیت پاشی (۱۱۹۲۵) او دفتد محمد کسبیت پاشی (۱۱۹۲۵) او دفتد		۴-۱۲			

۱۶/۵
۱۹

Attested
Gazetted

اسٹنٹ پرنسٹنٹ آف پولیس سرکل صدر ہری پور

ضلعی پولیس آفیسر صاحب ہری پور

نورخ: 08/04/2019

محکمہ انکوائری بر خلاف کنشیل شہزاد ہاشمی بیلٹ نمبر 605

بحوالہ چارج شیٹ نمبر 48-146 مورخہ 19.02.2019 بر خلاف شہزاد ہاشمی نمبر 605 برائے انکوائری

موصول ہوئی۔

الزام:

آپ بدوران تعیناتی DFC تھانہ حطار ابتدائی انکوائری نمبر 54 مورخہ 11.02.2019 منجانب ایڈیشنل پرنسٹنٹ آف پولیس ہری پور سے یہ بات واضح ہوئی کہ آپ اور آپ کی فیملی نے مسی خورشید ہاشمی سکنہ چھوٹی پرسنگ باری کی جب وہ اپنے پلاٹ نمبر 296 پر تعمیرات کر رہا تھا دوران ابتدائی انکوائری بغیر یونیفارم کے انکوائری آفیسر پر پیش ہوئے۔ اور اپنے والد کی نسبت جھوٹ بتلایا کہ وہ MH ہسپتال راولپنڈی گیا ہے جبکہ اسی روز اس نے استغناش زید دفعہ 107/151 ضف JM-1 ہری پور کی عدالت میں پیش کیا۔ آپ کا یہ فعل انتہائی قابل اعتراض اور ڈسپلن کی صریح خلاف ورزی پایا جاتا ہے۔

کارروائی:

انکوائری کا آغاز کرتے ہوئے الزام علیہ کنشیل شہزاد ہاشمی نمبر 605 کو دفتر طلب کر کے سنا گیا۔ جس نے تحریری بیان دیا اور بتلایا کہ اسکے والد اور ایک رشتہ دار خورشید ہاشمی کا اراضی خسرو نمبر 269 پر تنازعہ جائیداد ہے جو اس سلسلہ میں خورشید ہاشمی کیساتھ اسکے مقدمات زیر سماعت عدالت ہیں۔ مورخہ 07.12.2018 کو وہ حدود تھانہ حطار اور ہری پور عدالت میں سن وارنٹ کی تعمیل کے سلسلہ میں موجود تھا۔ اس دن میں اپنے گھر گاؤں نہیں گیا ہوں۔ خورشید ہاشمی نے اس کے خلاف جھگڑا کرنے کا جھوٹا الزام لگایا ہے۔ البتہ اس دن اسکے والد اور دیگر اہل خانہ کا خورشید ہاشمی وغیرہ سے اسی تنازعہ اراضی پر صرف توں تکرار ہوئی تھی اور خورشید ہاشمی نے اس کے خلاف جو گواہان جمعہ خان اور محمد داؤد پیش کئے۔ انکے ساتھ بھی اس کا تنازعہ راستہ ہے جس وجہ سے انھوں نے جھوٹی گواہی دی ہے اسی پلاٹ کے تنازعہ کا اسکے والد محبوب ہاشمی نے تقسیم کا دعویٰ سول کورٹ ہری پور میں دائر کیا ہوا ہے۔ عدالت کا جو بھی حکم ہو اس پر عمل درآمد کریں گے۔ اس نے نہ ہی اس سے قبل خورشید ہاشمی وغیرہ کے ساتھ کوئی جھگڑا کیا ہے اور نہ ہی آئندہ جھگڑا کرے گا۔ اسی طرح جہاں تک اسکے والد صاحب کو SP صاحب کے دفتر میں پیش کرنے کا الزام ہے اسکے والد صاحب مورخہ 07.02.2019 کو علاج معالجہ کیلئے راولپنڈی MH ہسپتال گئے تھے جس وجہ سے وہاں پیش نہ ہو سکے۔ مگر والد صاحب کے MH ہسپتال سے علاج معالجہ کے کاغذات پیش نہ کر سکا۔

اسی طرح خورشید ہاشمی درخواست دہندہ اور گواہان جمعہ خان، محمد داؤد کو بھی طلب کر کے سنا گیا اور بیانات بھی لیے گئے جنہوں نے ابتدائی انکوائری میں دیئے گئے بیانات کی تائید کی۔ درخواست دہندہ خورشید ہاشمی نے مزید بتلایا کہ ہمارے جوزین کے تنازعات چل رہے ہیں اس میں عدالت یا دیگر مجاز حکام جو بھی فیصلہ کرے مجھے منظور ہے شہزاد حسین ہاشمی کو ہدایت کی جائے کہ وہ ان

Attested
Sazad

دوران انکوائری حالات واقعات سے اس نتیجہ پر پہنچا ہوں کہ اراہی پلاٹ خسرہ نمبر 269 جسکی نسبت عاشق زمان ولد محمد اکرم سکند کو ٹیڑہ نے عدالت میں بذریعہ مختیار خاص محبوب ہاشمی جو کہ الزام علیہ کنشیل کا والد ہے اپیل دائر کی تھی جو مورخہ 04.12.2018 کو خوردید ہاشمی کے حق میں خارج ہو چکی ہے اور اپیل خارج ہونے کے بعد درخواست دہندہ خوردید ہاشمی نے مورخہ 07.12.2018 کو متحدہ پلاٹ پر تعمیراتی کام شروع کیا۔ جس پر الزام علیہ کنشیل شہزاد حسین ہاشمی، اسکے والد اور دیگر فیملی نے خوردید ہاشمی کو تعمیراتی کام سے روکنے کے لئے اس سے لڑائی جھگڑا کیا جو ابتدائی انکوائری میں بھی مفصل واضح ہے۔ اسی طرح محبوب حسین ہاشمی جو الزام علیہ کنشیل کا والد ہے بھی بسلسلہ انکوائری باوجود طلبی کے دفتر SP صاحب حاضر نہ ہوا۔ الزام علیہ کان کنشیل شہزاد حسین ہاشمی، والد اش کو چاہیے تھا کہ وہ تنازعہ پلاٹ کی ملکیت، قبضہ کی نسبت فیصلہ عدالت کی پیروی کرتے جسکی روشنی میں یہ بات واضح ہے کہ الزام علیہ کنشیل، اسکی فیملی کا اس پلاٹ کی عدالتی فیصلہ کی روشنی میں کوئی حق نہیں بننا تھا کہ وہ اس پر کی جانے والی تعمیرات سے درخواست کنندہ کو روکتے تاہم الزام علیہ کنشیل نے آئندہ زمین کے تنازعات میں کسی قسم کی مداخلت نہ کرنے کی یقین دہانی کروائی ہے اور اسی طرح درخواست دہندہ نے بھی موقف ظاہر کیا ہے کہ اگر الزام علیہ کنشیل زمین کے تنازعات میں مداخلت نہ کرے اور عدالتی حکم کی پیروی کرے تو اسے مزید کوئی شکایت نہ ہے۔ اندریں بالا حالات کی روشنی میں الزام علیہ کنشیل شہزاد حسین ہاشمی کو سختی سے تنبیہ کی جائے کہ وہ آئندہ کوئی غیر قانونی مداخلت نہ کرنے کے ساتھ آخری وارننگ دینے جانے کی سفارش کی جاتی ہے۔ انکوائری رپورٹ مرتب ہو کر گزارش ہے۔

اسٹنٹ پرنٹنڈنٹ آف پولیس،

سرکل صدر ہری پور

Keeply the finding / one
of E.O in view, OR
analyzed the said 9/605
led number
- forfeiture of service for
with.

24.4.19

OB No 299
30-04-2019

Alleted
Sazad, m.

(20)

Annex-F

OFFICE OF THE DISTRICT POLICE OFFICER, HARIPUR

Ph. # 0995-614712 / 0995-611291

Fax # 0995-

614714

E-Mail: dpoharipur1@gmail.com

No: 299 Dated 30/4/2019

ORDER

Constable Shahzad Hussain Hashmi No.605, while posted as DFC PS Hattar, District Haripur, It came to the notice of undersigned through preliminary enquiry No.54 dated 11.02.2019, conducted by Additional SP Haripur. That Constable Shahzad Hussain Hashmi No.605, and his family found involved in pelting stones on Khurshid Hashmi s/o Zaman Hashmi r/o Choi, Haripur, when he was constructing building on his plot. Constable Shahzad Hashmi was directed to appear along with his father before Additional SP, Haripur, for their statements in defense of complaint as lying in complaint cell. His father did not appear, and constable Sheraz appeared without uniform. He told that his father went to MH Hospital Rawalpindi, after enquiry, it came to light that his father was produced before the learned JM-1 Haripur on 07.02.2019 u/s 107/151 Crpc. The acts and omissions of defaulter police official were misconduct under Khyber Pakhtunkhwa, police efficiency and discipline rules 1975. Therefore, He was served with charge sheet and statements of allegations, vide this office Endst No.201-03/PA dated 11.03.2019.

To probe the allegations, Mr. Muhammad Qais Khan, ASP/Saddar, District Haripur, was appointed as enquiry officer, who conducted proper departmental enquiry and submitted his finding, vide his office Memo No.156 dated 08.04.2019. In which he held the charges of misconduct proved against defaulter police official, and enquiry officer recommended him for appropriate punishment.

Having gone through enquiry papers recommendation of enquiry officer and personal hearing of accused Constable Shahzad Hussain Hashmi No.605. He could not produce any plausible ground in his defense. Based on the above facts & finding, the charges of misconduct against the defaulter police official stands proved, I am fully satisfied that Constable Shahzad Hussain Hashmi committed gross misconduct. Therefore, I, Dr. Zahid Ullah District Police Officer, Haripur being competent authority under Khyber Pakhtunkhwa police efficiency and discipline rules 1975, awarded minor punishment of "Deprivation of approved service for 06 month" with immediate effect.

Order announced.

OB No. 299 dated 30.04.2019

Attested
Sayed

[Signature]
District Police Officer
Haripur

(21)

Annex-G

BEFORE HONOURABLE REGIONAL POLICE OFFICER,
HAZARA REGION, ABBOTTABAD.

(Departmental Appeal by Constable Shahzad Hussain Hashmi No.605 District Police Haripur).

(THROUGH PROPER CHANNEL)

DEPARTMENTAL APPEAL AGAINST ORDER OB NO. 299 DATED 30-04-2019 DELIVERED ON 11-06-2019 PASSED BY THE DISTRICT POLICE OFFICER HARIPUR WHEREBY APPELLANT HAS BEEN AWARDED WITH THE PENALTY OF "FORFEITURE OF APPROVED SERVICE FOR 06 MONTHS".

PRAYER: ON ACCEPTANCE OF INSTANT DEPARTMENTAL APPEAL IMPUGNED ORDER DATED 30-04-2019 MAY KINDLY BE SET ASID AND APPELLANT'S FORFEITED SERVICE OF 06 MONTHS BE RESTORED TO HIM WITH GRANT OF ALL CONSEQUENTIAL SERVICE BACK BENEFITS.

Respected Sir,

1. That appellant while posted as DFC, PS, Hattar Haripur was issued with a Charge Sheet alongwith a statement of allegations No.146-48/PA dated 19-02-2019 by the District Police Officer Haripur alleging therein:

"that while posted as DFC at PS KTS Haripur, it has come to the notice of the undersigned through preliminary enquiry No. 54 dated 11-02-2019 conducted by Additional SP, Haripur that you and your family is involved in pelling stones on Khursheed Hashmi s/o Zaman Hashmi r/o Choi Haripur as he was constructing building on his plot No.269. You were summoned alongwith your father to appear before Additional SP Haripur to record your statements in an application against you. On 07-02-2019 you father did not appear before Additional SP Haripur and you appeared without uniform. On query you told Additional SP Haripur that your father went to MH Hospital Rawalpindi but after enquiry it came to light that your father was produced before the learned JM-I Haripur, on 07-02-2019 u/s-107/151 Cr.PC. Your above mentioned acts highly objectionable, severe violation of discipline and is gross misconduct on your part in terms of Police Rue 1975, hence charge sheeted". (Copy of the Charge Sheet dated 19-02-2019 is attached as "A").

Attested
Sajeed I. M. M.

2. That the aforementioned Charge Sheet was duly replied on 28-02-2019 explaining all facts and circumstances of the matter in detail, and appellant flatly denied the allegations incorporated therein being incorrect and baseless. **(Copy of reply to Charge Sheet dated 28-02-2019 is attached as "B")**.
3. That thereafter the District Police Officer Haripur without giving any heed to the averments made in shape of defense in his reply to the Charge Sheet awarded the appellant with the penalty of "Forfeiture of approved service for 06 months" through impugned order OB No. 299 dated 30-04-2019 without any reason, proof and justification. But copy of the said order was not issued to him. However on his specific request the same was given to him on 11-06-2019, hence instant departmental appeal. **(Copies of application dated 11-06-2019 and order dated 30-04-2019 is attached as "C & D")**.
4. That in fact appellant's forefathers were inhabitants of village Choi (Khanpur) Haripur and they had property over there which devolved upon appellant's father (Mehboob Hussain). As appellant's father is owner in land Khasra No. 269 of village Choi. Similarly Khursheed Hashmi etc are also co-sharers in the same property. But being influential persons complainants always forcibly grab possession of appellant's father's share by encroaching upon it. Civil litigation between appellant's father and complainant party over said joint land is still pending adjudication before the courts of law. But despite court decision in appellant's father's favour, complainant party still makes encroachment in share of appellant's father. A false complaint against appellant has been filed just to bring him under pressure so that due to fear of loss in his service the appellant to compel his father to give-up complainants illegal possession over land in their favour. Otherwise, the appellant has never involved himself in litigation or any type of quarrel with the complainant. Appellant is posted in PS Hattar while his house (place of dispute) is situated in village Choi at a considerable distance. Appellant was on duty in PS Hattar on the day as reported by complainant that appellant was present at the place where some quarrel between appellant's father and complainant party took place. In reply to the charge sheet appellant has mentioned that during the alleged days when quarrel between the parties the was reported, the appellant was present on duty at PS Hattar which fact could be verified from record. But despite that no heed was given to his request and he has been penalized. The instant complaint against appellant is totally false, fabricated, baseless and has been filed with malafide intention to cause loss in service to appellant and pressurize him to keep off his father from civil litigation. Therefore, the charges leveled against appellant were mere allegations and have no nexus with the facts. **(Copies of Mutation of Inheritance and fard-jamabandi of Khasra No. 269 showing appellant's father Mehboob Hussain as owners in the said land)**.

Attested
Sazae n.w.

23

5. That no proper departmental inquiry was conducted; no show cause notice was issued to him. Neither any witness was produced before the inquiry officer in presence of appellant, nor was he provided with a chance to cross examine him. Appellant was not confronted with any documentary evidence nor was afforded to rebut such document. Appellant was condemned unheard. Even then Inquiry Officer was satisfied with reply to the Charge Sheet in his defense submitted appellant and verbal stance advanced by him and did not recommended any penalty but only warning. **(Copy of inquiry report is attached as "G")**.
6. That through out his long service of 11/12 years in the police department the appellant always performed his assigned duties with devotion, dedication and honesty to the entire satisfaction of his superiors and never indulged himself in such type matters or quarrels. Due to his tremendous services even on occasions he has been awarded with the commendation certificates and cash rewards by his High-Ups.
6. That in view of the facts narrated here above by no stretch of imagination the appellant can be held responsible for the allegation as has been incorporated in the Charge Sheet due to which the appellant has been awarded with the punishment without any reason.
7. That if the appellant is afforded with the opportunity of personal hearing he will really prove him as innocent by adducing credible facts of the matter.

Sir, in view of the facts and circumstances narrated here above, it is earnestly prayed that impugned order dated 30-04-2019 passed by the District Police Officer Haripur may kindly be set aside and the appellant be restored his forfeited approved service of 06 months with grant of all consequential service back benefits. Thanking you sir in anticipation.

You're obedient Servant

Shahzad Hussain Hashmi
(Shahzad Hussain Hashmi)

Constable No. 605

District Police Haripur

Dated: 17-06-2019

Attested
Shahzad Hussain Hashmi

24
ORDER

Annex-H

This order is hereby passed to dispose off departmental appeal under Rule 11-A of Khyber Pakhtunkhwa Police Rules 1975 submitted by Constable Shahzad Hussain No.605 Haripur against the order of punishment i.e. *Forfeiture of 06 years approved service* awarded to him by the District Police Officer, Haripur vide his OB No: 299, dated 30.04.2019.

Facts leading to punishment awarded to him are that he while posted as DFC PS Hattar, District Haripur. It came to the notice of DPO Haripur through preliminary enquiry No.54 dated 11.02.2019, conducted by Additional SP Haripur that Constable Shahzad Hussain Hashmi No. 605 and his family was involved in pelting stones on Khurshid Hashmi s/o Zaman Hashmi r/o Choi, Haripur as he was constructing building on his plot No. 269. He was summoned along with his father to appear before Additional SP, Haripur to record his statement in an application against him. On 07.02.2019 his father did not appear before Addl: SP Haripur while Constable Shahzad Hashmi appeared without uniform. On query he told that his father had gone to MH Hospital Rawalpindi but after enquiry it came to light that his father was produced before the learned JM-I Haripur on 07.02.2019 u/s 107/151 CrPC.

After receiving his appeal, comments of DPO Haripur were obtained and examined/ perused. The undersigned called him in O.R on 16.09.2019, heard him in person and discussed with DPO. His appeal is not based on fact hence his appeal is filed.

REGIONAL POLICE OFFICER
† Hazara Region Abbottabad

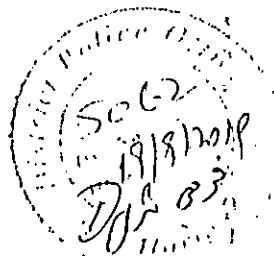
No. 3313 /PA, dated Abbottabad the 18/9 /2019.

Copy of above is forwarded to the District Police Officer, Haripur to his office letter No: 5308, dated 17-08-2019 for information and necessary action. Service Roll & Fauji Missal containing enquiry file are returned for your office record.

DHC/SR
Fix information

REGIONAL POLICE OFFICER
† Hazara Region Abbottabad

LHR-112
17-09-19



Received on
30/09/2019

Attested
Sazid M M



62111

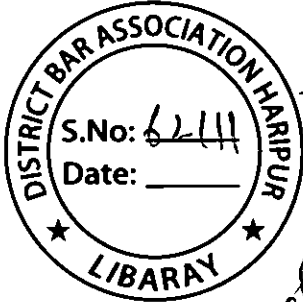
DBA.No: 205

S.No: _____

BC No: _____

Name of Advocate: محمد عیوب

وکالت نامہ



بعدالت: جناب محترم جج صاحب ہونور
 عنوان: شہزاد سید عظیم
 منجانب: اسالانٹ
 نوعیت مقدمہ: سرکاری
 باعث تحریر آنکھ: _____

مقدمہ مندرجہ بالا عنوان میں اپنی طرف سے واسطے پیروی و جوابدہی برائے پیشی یا تصدیقہ مقدمہ بمقام اسٹاٹوٹریٹ کے لیے
 گورنمنٹ لائبریری کے ذریعے

کو حسب ذیل شرائط پر وکیل مقرر کیا ہے کہ میں ہر پیشی پر خود یا بذریعہ مختار خاص رو برو عدالت حاضر ہوتا ہوں گا اور بروقت
 پکارے جانے مقدمہ وکیل صاحب موصوف کو اطلاع دے کر حاضر عدالت کروں گا۔ اگر پیشی پر مظہر حاضر نہ ہو اور مقدمہ میری
 غیرحاضری کی وجہ سے کسی طور پر میرے خلاف ہو گیا تو صاحب موصوف اس کے کسی طور پر ذمہ دار نہ ہوں گے نیز وکیل صاحب
 موصوف صدر مقام پچھری کے علاوہ کسی جگہ یا پچھری کے اوقات سے پہلے یا پیچھے یا بروز تعطیل پیروی کرنے کے ذمہ دار نہ
 ہوں گے اور مقدمہ پچھری کے علاوہ کسی اور جگہ سماعت ہونے پر یا بروز تعطیل یا پچھری کے اوقات کے آگے پیچھے پیش ہونے
 پر مظہر کو کوئی نقصان پہنچے تو اس کے ذمہ دار یا اس کے واسطے کسی معاوضہ کے ادا کرنے یا محفانہ کے واپس کرنے کے بھی صاحب
 موصوف ذمہ دار نہ ہوں گے۔ مجھ کو کل ساختہ پر ساختہ صاحب موصوف مثل کردہ ذات منظور و مقبول ہوگا اور صاحب موصوف کو
 عرض دعویٰ یا جواب دعویٰ اور درخواست اجراء کے ڈگری و نظر ثانی اپیل نگرانی و ہر قسم درخواست پر دستخط و تصدیق کرنے کا بھی
 اختیار ہوگا اور اور کسی حکم یا ڈگری کرانے اور سرتم کار و پیہ وصول کرنے اور رسید دینے اور داخل کرنے اور ہر قسم کے بیان دینے اور
 اس کے تاشی و راضی نامہ و فیصلہ برحلف کرنے اقبال دعویٰ دینے کا بھی اختیار ہوگا اور بصورت جانے بیرونجات از پچھری صدر
 اپیل و برآمدگی مقدمہ یا منسوخی ڈگری یا طر فہ درخواست حکم اتنا ہی یا قریبی یا گرفتاری قبل از گرفتاری و اجراء ڈگری بھی صاحب
 موصوف کو بشرط ادا نیگی علیحدہ محفانہ پیروی کا اختیار ہوگا۔ اور بصورت ضرورت صاحب موصوف کو یہ بھی اختیار ہوگا کہ مقدمہ
 مزکور یا اس کے کسی جزو کی کاروائی کے یا بصورت اپیل کسی دوسرے وکیل کو اپنے بجائے یا اپنے ہمراہ مقرر کریں اور ایسے وکیل کو
 بھی ہر امر میں وہی اور ویسے اختیارات حاصل ہوں گے جیسے صاحب موصوف کو حاصل ہیں اور دوران مقدمہ جو کچھ ہر جانہ
 التوا پڑے گا وہ صاحب موصوف کا حق ہوگا۔ اگر وکیل صاحب موصوف کو پوری فیس تاریخ پیشی سے پہلے ادا نہ کروں گا تو صاحب
 موصوف کو پورا اختیار ہوگا کہ وہ مقدمہ کی پیروی نہ کریں اور ایسی صورت میں میرا کوئی مطالبہ کسی قسم کا صاحب موصوف کے
 برخلاف نہیں ہوگا۔

Accepted by
 M. Aslam

مضمون وکالت نامہ سن لیا ہے اور اچھی طرح سمجھ لیا ہے اور منظور ہے۔ مورخہ: 20.19.10 دن 10 ماہ سال

محمد عیوب