BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,PESHAWAR

Appeal No. 1373/2017

Date of Institution ... 28.11.2017

Date of Decision ... 06.05.2019

Kafoor Khan, Inspector Police, Presently working and posted as Inspector, Finger Print Bureau (FPB), Forensic Science Laboratory (FSL), Investigation, Khyber Pakhtunkhwa, Hayatabad, Peshawar. ... (Appellant)

VERSUS

Provincial Police Officer (PPO)/IGP Khyber Pakhtunkhwa Province, Central Police Office (CPO) Peshawar and three others. ... (Respondents)

MR. M. USMAN KHAN TURLANDI, Advocate --- For appellant.

MR. MUHAMMAD JAN, Deputy District Attorney --- For respondents.

MR. AHMAD HASSAN, --- MEMBER(Executive)

MR. HAMID FAROOQ DURRANI --- CHAIRMAN

JUDGMENT

AHMAD HASSAN, MEMBER.- Arguments of the learned counsel for the parties heard and record perused.

ARGUMENTS

2. Learned counsel for the appellant argued that he joined the Crime Laboratory, Finger Print Bureau (FPB) Police Department as Constable on 15.11.1978. By dint of hard work, he was promoted to the rank of Officiating Sub-Inspector (BPS-14) vide order dated 18.10.1992. There was only one post of Inspector in the said Organization. On 01.02.2015. Mr. Zakir Khan, Inspector got retired from service, therefore, a post fell vacant for promotion as Inspector. As a sequel to the approval of Departmental Selection Committee in its meeting held on 25.11.2016, the appellant was recommended for promotion as Officiating

Inspector vide order dated 25.11.2016. As post of Inspector was lying vacant since 01.02.2015, so he filed a departmental appeal for grant of promotion from the said date. His departmental appeal was dismissed vide order dated 29.08.2017, hence, the instant service appeal. Appellant had to wait for 24 years to be elevated to the rank of Inspector. He deserved to be given ante-dated promotion. Reliance was placed on case law reported as 2006 SCMR 1938, 2010 PLC (CS) 760 and judgment of this Tribunal dated 16.04.2009 rendered in appeal no. 1101/2008.

3. On the other hand learned Deputy District Attorney argued that a post of Inspector became available due to retirement of Inspector Mr. Zakir Khan. Case of the appellant was placed before DPC and recommended for promotion to the post of Officiating Inspector which was notified on 25.11.2016. Promotion is not a vested right of a civil servant. It is always granted with immediate effect. The appellant had not quoted any rules under which retrospective promotion could be granted. He was treated according to law and rules.

CONCLUSION

4. The appellant joined the Police Department as Constable on 15.11.1978. He was elevated to the rank of Officiating Sub-Inspector vide order dated 18.10.1992. On reaching the age of superannuation Mr. Zakir Khan, Inspector retired from government service on 01.02.2015 and a post become available for promotion. The case of the appellant was considered by the DPC in its meeting held on 15.11.2016 and recommended his name for promotion to the Officiating rank of Inspector. His promotion was notified vide order dated 25.11.2016. He preferred departmental appeal for grant of promotion from the date of availability of

vacancy i.e (01.02.2015). His departmental appeal was rejected vide order dated 29.10.2017. In support of his claim, learned counsel for the appellant was unable to produce relevant rules where-under his case could be considered. Promotion is not a vested right of a civil servant and is always granted with immediate effect. It would not be out of place to mention here that he was granted Officiating promotion to the rank of Inspector. It could be equated to temporary promotion/acting charge appointment permissible to the civil servants of the Provincial Government under Rule-9 of Khyber Pakhtunkhwa Government Servants(Appointment, Promotion and Transfer) Rules 1989. The appellant is yet to be promoted as Inspector on regular basis. The judgments of the superior courts relied upon by the learned counsel for the appellant cannot be attracted to the case in hand.

5. As a sequel to above, the appeal is dismissed. Parties are left to bear their own costs. File be consigned to the record room.

(AHMAD HASSAN)
MEMBER

(HAMID FAROOQ DURRANI)
CHAIRMAN

ANNOUNCED
06.05.2019

Order

06.05.2019 Appellant with counsel present. Mr. Muhammad Jan, Deputy District Attorney for respondents present. Arguments heard and record perused.

Vide our detailed judgment of today of this Tribunal placed on file, the appeal is dismissed. Parties are left to bear their own cost. File be consigned to the record room.

Announced:
06.05.2019

(Ahmad Hassan)
Member

(HAMID FAROOQ DURRANI)
Chairman

13.11.2018 Due to retirement of Hon'able Chairman, the Tribunal is defunct. Therefore, the case is adjourned for the same on 04.02.2019 before D.B.

Reader

04.02.2019 None present on behalf of the appellant. Mr. Riaz Ahmad Paindakheil, Assistant AG alongwith Mr. Umer Bashir, Inspector for the respondents present. Notice be issued to appellant and his counsel for attendance and arguments for 22.04.2019 before D.B.

(AHMAD HASSAN)
MEMBER

(MUHAMMAD AMIN KHAN KUNDI)
MEMBER

22.04.2019 Appellant present in person and Mr. Ziaullah, DDA alongwith Mr. Hasan Khan Inspector Legal for the respondents present. Due to none availability of D.B, therefore the case is adjourned for the same on 06.05.2019 before D.B.

Reader

09.05.2018 The Tribunal is non functional due to retirement of the Honorable Chairman. Therefore, the case is adjourned. To come up for the same on *02.07.2018* before S.B.

Reader

02.07.2018 Appellant in person and Addl: AG alongwith Mr. Shiraz Khan, H.C for the respondents present. Written reply submitted. Cost of Rs. 1000/- also paid and receipt thereof obtained from the learned counsel for the appellant. The appeal is assigned to D.B for rejoinder and final hearing on 16.08.2018

Member

16.08.2018 Learned counsel for the appellant and Mr. Kabir Ullah Khattak, learned Additional Advocate General present. Learned counsel for the appellant seeks adjournment. Adjourned. To come up for arguments on 25.09.2018 before D.B.

(Muhammad Amin Kundi)
Member

(Muhammad Hamid Mughal)
Member

25.09.2018 Appellant absent. Learned counsel for the appellant is also absent. However, Mr. Daud Khan, junior counsel for the appellant present and submitted rejoinder. Mr. Ziaullah, Deputy District Attorney alongwith Mr. Sher Alam, S.I for the respondents present. Adjourned. To come up for arguments on 13.11.2018 before D.B.

(Hussain Shah)
Member

(Muhammad Hamid Mughal)
Member

06.03.2018 Appellant in person present. Mr. Riaz Painda Khel, Assistant AG for the respondent present. Written reply not submitted. Learned Assistant AG requested for further time adjournment. Request accepted. To come up for written reply/comments on 19.03.2018 before S.B.

(Gul Zeb Khan)
Member

19.03.2018 Appellant in person present. Mr. Kabir Ullah Khattak Additional AG present. Representative of the respondent department is absent. Therefore, fresh notice be issued to the respondent department for attendance. Written reply not submitted. Learned Additional AG requested for adjournment. Adjourned. Last opportunity granted. To come up for written reply/comments on 19.04.2018 before S.B.

(Muhammad Amin Khan Kundi)
Member

19.04.2018 Appellant in person and Addl: AG present. Representative of the respondents department is absent. Therefore, fresh notices be issued to the respondents department to attend the court positively. Written reply not submitted despite last opportunities. Requested for further adjournment. Last opportunity is further extended subject to payment of cost of Rs. 1000/- which shall be borne by respondents from their own pockets. To come up for written reply/comments on 09.05.2018 before S.B.

Member

01.01.2018 Learned counsel for the appellant present. Preliminary arguments heard and case file perused.

Learned counsel for the appellant argued that the appellant was appointed in Police Department for Crime Laboratory in Finger Print Bureau (FPB) as Constable on 15.11.1978 and as a token of his hard working, devotion, honesty, he was gradually promoted to the rank of Sub-Inspector vide order dated 18.10.1992. That on 01.02.2015, one Mr. Zakir Khan, Inspector retired on attaining the age of superannuation and resultantly a vacancy occurred, which created a chance of promotion to the rank of Inspector. That the appellant being senior most Sub-Inspector was the only eligible candidate to be promoted as such. Further argued that latter on, the DPC was constituted dated 15.11.2016 and as a result thereof, the appellant was promoted as Inspector with immediate effect vide original impugned order dated 25.11.2016. That it was followed by a departmental appeal for antedate/retrospective promotion w.e.f 01.02.2015 i.e the date of occurrence vacancy, which was filed and hence the instant service appeal.

Points raised need consideration. Admitted for regular hearing subject to all legal objections including limitation. The appellant is also directed to deposit security and process fee within (10) days, whereafter notice be issued to the respondents department for written reply/comments on 19.02.2018 before S.B.

Appellant Deposited
Security & Process Fee

(Gul Zeb Khan)
Member (Executive)

19.02.2018 Appellant in person and Assistant AG for the respondents present. Written reply not submitted. Learned Assistant AG requested for further time adjournment. Request accepted. To come up for written reply/comments on 06.03.2018 before S.B.

(Gul Zeb Khan)
Member

Form-A

FORMOF ORDERSHEET

Court of _____

Case No. 1373/2017

S.No.	Date of order proceedings	Order or other proceedings with **signature** of judge
1	2	3
1	13/12/2017	The appeal of Mr. Kafoor Khan resubmitted today Mr. Muhammad Usman Khan Turlandi Advocate may be entered in the Institution Register and put up to Worthy Chairman for proper order please. REGISTRAR 13/12/17
2-	15/12/17.	This case is entrusted to S. Bench for preliminary hearing to be put up there on 01/01/18. CHAIRMAN

The appeal of Mr. Kafoor Khan Inspector Police FSL Hayatabad received today i.e. on 28.11.2017 is incomplete on the following score which is returned to the counsel for the appellant for completion and resubmission within 15 days.

Original impugned order was passed on 25.11.2016 and departmental appeal was made on 9.8.2015 much before passing the impugned order meaning thereby the appellant has not preferred the departmental appeal against the impugned order dated 25.11.2016 appellant is directed to place a departmental appeal on file if any.

No. 2572 /S.T,

Dt. 29/11 /2017

REGISTRAR 29/11/17
SERVICE TRIBUNAL
KHYBER PAKHTUNKHWA
PESHAWAR.

Mr. M.Usman Khan Turlandi Adv. Pesh.

13-12-2017 R/Sir,

Resubmitted after necessary Completion and removal of objections as desired/directed. May be placed before the honourable Bench for awarding proceeding please.

Advocate
13/12/17

BEFORE THE KPK SERVICE TRIBUNAL PESHAWAR.

In Ref: to SA No. 1373 of 2017.

Kafoor Khan, Inspector Police, ...Versus.....PPO & others.

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APPELLANT

Through;

Muhammad Usman Khan
Turlandi
Advocate Peshawar.

Dated; 24/11/2017.

OFFICE: Flate # C-1 Haji Murad Plaza,Dalazak Road, Peshawar City.
Cell# 0333915-3699 03005895841

(9)

BEFORE THE KPK SERVICE TRIBUNAL, PESHAWAR.

Khyber Pakhtukhwa Service Tribunal
Diary No. 1358
Dated 28-11-2017

In Ref: to SA No. 1373 of 2017.

Kafoor Khan, Inspector Police, presently working and posted as Inspector, Finger Print Bureau (FPB), Forensic Science Laboratory (FSL), Investigation, Khyber Pakhtunkhwa, Hayatabad, Peshawar.....**APPELLANT.**

VERSUS

1) Provincial Police Officer (PPO)/IGP Khyber Pakhtunkhwa Province, Central Police Office (CPO) Peshawar.
2) Additional Inspector General of Police, Headquarter, Khyber Pakhtunkhwa, Police Line, Peshawar.
3) Additional Inspector General of Police, Investigation, Khyber Pakhtunkhwa, Police Line, Peshawar.
4) Director, Forensic Science Laboratory, Investigation, Khyber Pakhtunkhwa, Hayatabad, Peshawar.....**RESPONDENTS.**

service appeal u/s 4 of the Khyber Pakhtunkhwa Service Tribunal Act. against the final impugned order dated 29-08-2017 passed by the respondent No. 1, communicated to the appellant on 29-10-2017 whereas the departmental appeal dated 10-08-2015, regarding antedate/retrospective promotion w.e.f existing of vacancy (dated 01-02-2015) was filed and hence the first/original impugned order No. 4414/e-III dated 25-11-2016 whereby the appellant was promoted as Inspector with immediate effect was upheld.

Filedto-day
Registrar
28/11/17

Re-submitted to-day and filed.
Registrar
13/12/17

PRAYERS IN APPEAL.

On acceptance of this appeal, the respondents may be directed to rectify and amend the first impugned order to the extent of antedating/retrospective promotion of the appellant as Inspector on the bases of seniority cum fitness ***w.e.f existing of vacancy dated 01-02-2015 instead of promotion with immediate effect dated 15-11-2016*** and the legitimate valuable right of the appellant be restored.

RESPECTFULLY SHEWITH:

1. That the Appellant was enlisted in Police Department for Crime Laboratory in Finger Print Bureau (FPB) as Constable on 15-11-1978 and as a token of his hard working, devotion, honesty, dedication, integrity, regularity and co-ordination, he was gradually promoted to the rank of Sub-Inspector vide order dated 18-10-1992. (Copy of the promotion order as Sub-Inspector is annexure "A").
2. That unfortunately, there is a single post of Inspector in Finger Print Bureau (FPB) and the appellant under compulsion/persuasion had to wait for his promotion to the rank of Inspector whenever the vacancy is existed.
3. That on 01-02-2015, Mr. Zakir Khan, Inspector was got retired on attaining the age of superannuation and thus, on existing of the vacancy, a chance of promotion to the rank of Inspector was created in Finger Print Bureau (FPB) whereas the appellant being senior most Sub-Inspector was the only eligible candidate to be promoted as such. (Copy of the retirement order in r/o Mr. Zakir Khan, Inspector dated 01-02-2015 is annexure "B").
4. That the appellant had to be promoted to the rank of Inspector, in case, had the DPC been constituted well within time just after or before the retirement of Mr. Zakir Khan, Inspector on attaining the age of superannuation dated 01-02-2015.
5. That latter on, the DPC was constituted dated 15-11-2016 and as a result thereof, the appellant was promoted as Inspector **with immediate effect** vide original impugned order dated 25-11-2016.(Copy of the original impugned order dated 25-11-2016 is annexure "C").
6. That in the given scenario, the appellant preferred an appeal which is self-explanatory and duly recommended and supported by forwarding memo seeking therein his antedating and retrospective promotion to the rank of Inspector w.e.f 01-02-2015 when the vacancy was existed on the retirement of Inspector, Mr. Zakir Khan and not with immediate effect. (Copy of the departmental appeal coupled with the recommendation/forwarding memo is annexure "D").
7. That the departmental appeal was however forwarded to DPC, constituted dated 20-07-2017 which was filed and the first original impugned order was

upheld vide final impugned order dated 29-08-2017 but the appellant was kept unaware about the fate of his representation and latter on, on his application dated 25-10-2017, the final impugned order was handed-over to the appellant dated 29-10-2017. (Copy of the application and final impugned order passed by the DPC conveyed/communicated to the appellant on 29-10-2017 is annexure "E" & "F" respectively).

8. That in the given circumstances the appellant prefers this service appeal seeking therein his antedating and retrospective promotion to the rank of Inspector w.e.f 01-02-2015 when the vacancy was existed on the retirement of Inspector, Mr. Zakir Khan and not with immediate effect and for the redressal of his grievances on the following amongst other grounds inter-alia.

Grounds.

a. That the Appellant has a proper recurring cause of action and is suffering from continuous injury and his grievances should have legally been redressed by the Appellate Authority and by not doing so, the impugned order is illegal, unlawful, without lawful authority, without jurisdiction, against the law on the subject and against the norms of natural justice and liable to be declared as such.

b. That it is evident from the record that the appellant was promoted to the rank of Sub-Inspector in the year 1992 and since then was performing his duties as such with great zest, zeal and enthusiasm and till date no adverse remarks whatsoever has ever been assign to him from any quarter.

c. That he served the esteemed department in the rank of Sub-Inspector since the year 1992, almost 24 years, but due to lack of vacancy, he has been waiting very patiently for the last 24 years in hope of his further promotion as Inspector and being senior most Sub-Inspector, was the only eligible candidate for his due promotion on the bases of seniority cum fitness.

d. That the moment, when the post of Inspector is fallen vacant, the DPC should have been convened and soon after, the appellant should have been promoted as Inspector. It was the fault on part of the respondents not to constitute the DPC, had the DPC been constituted well within time just after or before the retirement of Mr. Zakir Khan, Inspector on attaining the age of

his superannuation dated 01-02-2015, the appellant would have been promoted in time and no grievances of the appellant would be left.

e. That it is evident from the record that the DPC was constituted very late so the appellant should never have been penalized for the act/omission on part of the respondents and in such scenario, the appellant should have been promoted with respective effect w.e.f the date of existing of vacancy on the retirement of Mr. Zakir Khan, Inspector and by not doing so, the respondents have encroached the legitimate rights of the appellant embodied in the charter of the fundamental rights guaranteed by the constitution.

f. That the respondents have enjoyed their own innovation and monopoly while passing the original impugned order and subsequently to file the representation by upholding the previous orders.

g. That there is no legal bar as to the correction/rectification and to amend the impugned order to the extent of promoting the appellant w.e.f the date of existing of vacancy on the retirement of Mr. Zakir Khan, Inspector and this august Tribunal has the jurisdiction to adjudicate upon the matter.

h. That valuable right was accrued to the appellant whereas his fundamental valuable rights have been encroached by the respondents on their personal whims & wishes and such encroachment is hit by the command of the constitution of the Islamic Republic of Pakistan 1973.

i. That the Appellant has vested valuable right, accrued to him regarding proper correction as prayed for in his service record and violation thereof would hit the command of constitution and such fundamental rights could not be taken away with a single stroke of pen.

j. That it has also been held by the apex supreme court of Pakistan that the judgment of the Supreme Court unless reviewed would have binding force so far such previous judgment of the Supreme Court has remained intact--- appellant could not be knocked out on principle of latches. **(2010 SCMR Page 421).**

k. That promotion of the appellant from the date of existing of vacancy should have been considered and as such the appellant is deemed to be promoted retrospectively.

l. That the act of respondents by not rectifying the discrepancy in the impugned promotion order by illegally keeping and illogically promoting the appellant with immediate effect and not retrospectively which is not only

deplorable but also against the fundamental rights of the appellant guaranteed by the constitution.

m. That discrimination in service as observed by the respondents in the matter of promotion of the appellant with immediate effect and not retrospectively is highly deplorable and condemnable, being unlawful, unconstitutional, without lawful authority, without jurisdiction, against the norms of natural justice and equity hence to be declared as such.

n. That the appellant being deserving and eligible candidate for his due promotion while no adverse remarks whatsoever has ever been assigned to him from any quarter and thus valuable right has been accrued to him and such rights could not be taken away in an arbitrary and fanciful manner.

o. That there is sheer discrimination in the matter of seniority of appellant and the respondents have acted according to their own sweet will, whims, wishes, discretion and innovation.

p. That the appellant has not been dealt with in accordance with law and equity and the appellant has been made as scapegoat who has been penalized for no fault on his part.

q. That Islamic State is under obligation to establish a society, which is free from exploitation wherein social and economic justice is guaranteed to its citizens. {2005 SCMR 100 (c & d)}.

r. That further submission will be advanced at the time of hearing the Appellant at the bar.

It is therefore, humbly prayed, that on acceptance of this appeal, the respondents may be directed to rectify and amend the first impugned order to the extent of antedating/retrospective promotion of the appellant as Inspector on the bases of seniority cum fitness ***w.e.f existing of vacancy dated 01-02-2015 instead of promotion with immediate effect dated 15-11-2016*** and the legitimate valuable right of the appellant be restored.

APPELLANT

Through;

Muhammad Usman Khan
Turlandi
Advocate Peshawar

Dated; 24/11/2017

(7)

BEFORE THE KPK SERVICE TRIBUNAL PESHAWAR.

In Ref: to SA No._____ of 2017.

Kafoor Khan, Inspector Police,.....Versus.....PPO & others.

AFFIDAVIT.

I, Kafoor Khan, Inspector Police, presently working and posted as Inspector, Finger Print Bureau (FPB), Forensic Science Laboratory (FSL), Investigation, Khyber Pakhtunkhwa, Hayatabad, Peshawar, do hereby solemnly affirm and declare on oath that the contents of the accompanying service appeal are true and correct to the best of my knowledge and belief and that nothing has been kept secret or concealed therein from this august Tribunal.

IDENTIFIED BY:

Muhammad Usman Khan
Turlandi
Advocate Peshawar.

DEPONENT:

CNIC No._____

28 NOV 2017

(8)

(15) Annex "A"

POLICE DEPARTMENT. CRIME BRA

FOR PUBLICATION IN THE NWFP POLICE GAZETTE P
ORDERS BY THE DY:INSPECTOR GEN:OF POLICE,CRIME
N.W.F.P.,PESHAWAR.

Dt:Pesh:the 18/10 /92.

NOTIFICATION.

No._____/CRIMES. PROMOTION:- ASI Kafoor Khan of FRB is promoted to the rank of Offg:Sub-Inspector BPS-14 (1530-110-3315) with immediate effect till further orders against an existing vacancy.

(FIAZ AHMAD KHAN TOPU)
Dy:Inspector General of Police.
Crimes Branch NWFP,Peshawar.

No. 3848-52 /Crimes,

Copy of above is forwarded for information and further necessary action to the:-

1. Director Forensic Science Laboratory,Crime Branch NWFP, Peshawar.
2. Accountant Crime Branch,Peshawar.
3. S.R.C. Crime Branch,Peshawar.
4. Steno to DIG/Crime Branch,Peshawar.
5. Gazette Clerk with two spare copies of the Notifical for publication in the NWFP Police Gazette part.II.

(9)

Annex B II

OFFICE OF THE
INSPECTOR GENERAL OF POLICE
KHYBER PAKHTUNKHWA
Central Police Office, Peshawar
No. E/II, dated / /2015

FOR PUBLICATION IN THE KHYBER PAKHTUNKHWA POLICE GAZETTE PART-II, ORDERS BY THE INSP GENERAL OF POLICE KHYBER PAKHTUNKHWA, PESHAWAR.

Science Laboratory
92 /FSL
1372/2015.
STIGATION WING
Pakhtunkhwa, Peshawar.

NOTIFICATION

Dated: 16 / 2 / 2015.

No. 239 /E-II **RETIREMENT ON SUPERANNUATION PENSION**

Inspector Zakir Ullah of FPB/ (FSL) shall stand retired from service on attaining the age of superannuation i.e 60 years w.e from 01.02.2015(A.N). He should deposit all Govt: belonging with the relevant store.

Sd/-
(MIAN MUHAMMAD ASIF)PSP
Addl:IGP/Headquarters
For Inspector General of Police,
Khyber Pakhtunkhwa Peshawar.

No. 240-44 /E-II,

Copy of above is forwarded for information and necessary action to the:-

1. Addl:IGP/Investigation ,KPK, Peshawar w/r to his Memo No.662/EC dated 11.02.2015.
2. Director, FSL, KPK, Peshawar with the request quoted above.
3. Accountant General, KPK, Peshawar
4. Office Supdt: Secret Branch CPO.
5. U.O.P File.

(SYED FIDA HASSAN SHAH)
AIG/Establishment
For Inspector General of Police,
Khyber Pakhtunkhwa Peshawar.

SRC/ Accountant

For action.

Director FSL

17/02

(10)

Annex "C"

FOR PUBLICATION IN THE KHYBER PAKHTUNKHWA POLICE GAZETTE PART-II, ORDERS BY THE INSPECTOR GENERAL OF POLICE, KHYBER PAKHTUNKHWA, PESHAWAR.

NOTIFICATION

No. 4414 /E-III, ADMISSION TO LIST "F" & PROMOTION AS OFFG: INSPECTOR Dated: 25 /11/2016

As per recommendation of the DPC dated 15.11.2016 duly approved by the worthy Inspector General of Police Khyber Pakhtunkhwa, names of the following confirmed Sub-Inspectors are hereby included in List "F" & promotion as Offg: Inspector with immediate effect:-

S.NO	NAME & NO.	REGION	RECOMMENDATION
1.	SI Said Amin Jan No. P/393	CCP, Peshawar	Recommended for promotion as Offg: Inspector. The Committee further recommended for exemption from Standing Order No. 3/2015, because he is retiring on 11.12.2016, after attaining the age of superannuation.
2.	SI Anwar Dad Khan No. MR/115	Mardan	Recommended for promotion as Offg: Inspector. The Committee further recommended for exemption from Standing Order No. 3/2015, because he is retiring on 01.02.2017, after attaining the age of superannuation.
3.	SI Muhammad Zaman No. K/74	Kohat	Recommended for promotion as Offg: Inspector. The Committee further recommended for exemption from Standing Order No. 3/2015, because he is retiring on 31.01.2017, after attaining the age of superannuation.
4.	SI Naeem Khan No. 277/M	Malakand	Recommended for promotion as Offg: Inspector. The Committee further recommended for exemption from Standing Order No. 3/2015, because he is retiring on 01.02.2017, after attaining the age of superannuation.
5.	SI Shoukat Saleem No. K/31	Kohat	Recommended for promotion as Offg: Inspector. The Committee further recommended for exemption from Standing Order No. 3/2015, because he is retiring on 04.02.2017, after attaining the age of superannuation.
6.	SI Diyar Khan No. MR/133	Mardan	Recommended for promotion as Offg: Inspector. The Committee further recommended for exemption from Standing Order No. 3/2015, because he is retiring on 11.02.2017, after attaining the age of superannuation.
7.	SI Muhammad Waris No. 312/M	Malakand	Recommended for promotion as Offg: Inspector. The Committee further recommended for exemption from Standing Order No. 3/2015, because he is retiring on 17.02.2017, after attaining the age of superannuation.
8.	SI Aqleem Khan No. K/37	Kohat	Recommended for promotion as Offg: Inspector. The Committee further recommended for exemption from Standing Order No. 3/2015, because he is retiring on 25.02.2017, after attaining the age of superannuation.

9.	SI Arif-ur-Rahman No. 376/M	Malakand	Recommended for inclusion of his name in List with his colleagues.
10.	SI Muhammad Adnan No. D/37	D.I.Khan	Recommended for inclusion of his name in List
11.	SI Naqeeb Ullah No. D/42	D.I.Khan	Recommended for inclusion of his name in List
12.	SI Muhammad Ramzan No. D/44	D.I.Khan	Recommended for inclusion of his name in List
13.	SI Saleem Pervez No. D/06	D.I.Khan	Recommended for inclusion of his name in List
14.	SI Said Marjan No. D/43	D.I.Khan	Recommended for inclusion of his name in List
15.	SI Kashif Sattar No. D/15	D.I.Khan	Recommended for inclusion of his name in List
FSL CASES			
16.	SI Maqbali Khan of Fire Arm Section	FSL	Recommended for promotion as Offg: Inspector
17.	SI Kafoor Khan of Finger Print Bureau Section	FSL	Recommended for promotion as Offg: Inspector

Sd/-
MIAN MUHAMMAD ASIF
Addl: IGP/HQrs:
For Inspector General of Police,
Khyber Pakhtunkhwa,
Peshawar.

No. 4415-29 /E-III

Copy of above is forwarded for information to the:-

i. Addl: Inspector General of Police, HQrs: Khyber Pakhtunkhwa Peshawar.
ii. Addl: Inspector General of Police, Investigation, Khyber Pakhtunkhwa Peshawar.
iii. Deputy Inspector General of Police, HQrs: Khyber Pakhtunkhwa Peshawar.
iv. Capital City Police Officer, Peshawar.
v. Regional Police Officers, Mardan, Malakand, Kohat & D.I.Khan Regions.
vi. PSO to worthy Inspector General of Police, Khyber Pakhtunkhwa.
vii. PRO to worthy Inspector General of Police, Khyber Pakhtunkhwa.
viii. Director, FSL, Khyber Pakhtunkhwa Peshawar.
ix. Registrar, CPO, Peshawar.
x. Office Supdt: Secret CPO, Peshawar.
xi. Office Supdt: E-II CPO Peshawar.
xii. Office Supdt: CP Branch CPO, Peshawar.

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

23/11

(12)

Annex "D"

Forensic Science Laboratory
29, Sector B-1 Phase5 Hayatabad
Khyber Pakhtunkhwa Peshawar
Tel. 091-9217394/Fax 091-589

No 1400 **Date** 10/12/16

The Addl: Inspector General of Police,
Investigation, Khyber Pakhtunkhwa, Peshawar.

SUBJECT: **APPLICATION FOR PROMOTION AS INSPECTOR**

Memo:

An application submitted by Sub Inspector Kafoor Khan of Finger Print Bureau, FSL for promotion to the rank of Inspector is forwarded herewith for onward submission to CPO. It is communicated that Mr. Zakir Ullah Inspector of Finger Print Bureau FSL has recently been retired on superannuation, therefore his slot is lying vacant.

(Muhammad Quraish Khan)PSP
Director FSL Peshawar
10/12

(13)

To

The Inspector General of Police,
Khyber Pakhtunkhwa,
Peshawar

Subject: **Departmental Appeal for the Promotion of Petitioner Dated 01.02.2015 or From Recommendation Dated 10.08.2015**

Respected Sir,

The Petitioner submits as under:

1) That on 15.11.1992 the petitioner was promoted to the post of Sub Inspector and is performing his duties since his promotion.

2) That on 25.11.2016, the petitioner was promoted to the rank of Inspector. (Copy of order is attached)

3) That Mr. Zakir Khan (Inspector) on 01.02.2015 was retired and the petitioner was eligible for the said post being a senior most.

4) That soon after the retirement of Mr. Zakir Khan (Inspector) the petitioner had submitted an application for promotion to the Director FSL, Peshawar. (Copy of application is attached)

5) That the Director FSL, Peshawar on 10.08.2015 had sent recommendation of the petitioner for promotion of the petitioner as (Inspector) to the Additional Inspector General of Police, KPK Peshawar. (Copy of recommendation is attached)

6) That the petitioner being most senior and having good experience in the relevant field and is eligible for the post of Inspector.

(14)

7) That the petitioner is entitled to be promoted as Inspector from 01-02-2015 or from the date of his recommendation dated 10-08-2015 for the said post.

It is therefore, most humbly prayed that on acceptance of departmental appeal, the petitioner may kindly be promoted to the post of Inspector from 01-02-2015 or from the recommendation dated 01-08-2015 please.

Yours obediently,

9/12/2016

Kafoor Khan (Inspector)
Finger Print Bureau,
FSL Peshawar.

Dated; 09-12-2016.

(15)

Annex "E"

Sir,

It is submitted that I had applied for revival of seniority in the KPK Peshawar now I come to know that my request has been rejected by the CPO.

It is requested that attested copy of decision may very kindly be provided to me.

Dt. 25-10-2017

Yours obediently,

(Kaboor Khan)
Inspector FPB
KP K. Pesh.

Sir,
Submitted for please.

SRC/FSL
25/10/17

GRC

Photo copy
Delivered on 29/10/2017
SRC/FSL
29/10/2017

Received
Photo copy of
decision on 29.10.2017
29-10-017

Forensic Science Laboratory

Diary No: 874 /FSL

Date: 7/9/17

Annex F II 3454 30-8-2017

INVESTIGATION WING
Khyber Pakhtunkhwa, Peshawar

OFFICE OF THE
INSPECTOR GENERAL OF POLICE
KHYBER PAKHTUNKHWA
CENTRAL POLICE OFFICE, PESHAWAR
Ph# 091 - 9210239/ 091 - 9210345

No. —— /E-II, dt: 29/8/2017.

ORDER.

Inspector Kafoor Khan FPB (FSL) in his application stated that on 15.11.1992, he was promoted to the rank of Sub Inspector and is performing his duties since his promotion. Mr. Zakir Khan (Inspector) on 01.02.2015 was retired and he was eligible for the said post being a senior most but he was promoted on 15.11.2016 as Offg: Inspector. He requested that he may be promoted to the rank of Inspector with effect from 01.02.2015.There is no Rule for antedating and retrospective promotion. The DPC agreed with the report of Sub-Committee and recommend to file his case.

As per recommendation of DPC dated 20.07.2017 his application is hereby filed because there is no provision in any rule for retrospective promotion.

Sd/-
(MUHAMMAD ASHRAF NOOR)PSP
Addl: IGP/ Headquarters,
For Inspector General of Police,
Khyber Pakhtunkhwa Peshawar.

No. 1854-59 /E-II.

Copy of above is forwarded for information and necessary action to the:-

1. Addl: Inspector General of Police, HQ Khyber Pakhtunkhwa, Peshawar.
2. Addl: Inspector General of Police, Investigation Khyber Pakhtunkhwa, Peshawar with reference to his letter No.551/EC, dated 19.01.2017.
3. Director, FSL KPK Peshawar.
4. Office Supdt: Secret Branch and CBP CPO.
5. U.O.P file.

E.C

DSP/Investigation
FSL Peshawar
Khyber Pakhtunkhwa
29/8/2017

Addl: Inspector General of Police,
Investigation
Khyber Pakhtunkhwa, Peshawar.
30/8

(ARIF SHAHBAZ KHAN)PSP
AIG/Establishment
For Inspector General of Police,
Khyber Pakhtunkhwa Peshawar.

Spem file.

بعدالت خیبر پختونخوا سروس ٹریبونل پشاور

Service Appeal No. ——— /2017

مورخہ ـــــ 2017ء منجانب

مقدمہ ـــــ بنام

دعویٰ

جرم

FIR NO.......................

DATE ....

U/S.......................

P/S.......................

باعث تحریر آنکہ

مقدمہ مندرجہ عنوان بالا میں اپنی طرف سے واسطے پیروی و جواب دہی و کل کاروائی متعلقہ

آن مقام ـــــ کیلئے

M. Usman Khan Turlandi
M, A. LL. B Advocate
Peshawar,

مقرر کر کے اقرار کیا جاتا ہے۔ کہ صاحب موصوف کو مقدمہ کی کل کاروائی کا کامل اختیار ہوگا۔ نیز وکیل صاحب کو راضی نامہ کرنے وتقرر ثالث وفیصلہ پر حلف دیئے جواب دہی اور اقبال دعویٰ اور بصورت ڈگری کرنے اجراء اور وصولی چیک وروپیہ ارعرضی دعویٰ اور درخواست ہر قسم کی تصدیق زرایں پر دستخط کرانے کا اختیار ہوگا۔ نیز صورت عدم پیروی یا ڈگری یکطرفہ یا اپیل کی برامدگی اور منسوخی نیز دائر کرنے اپیل نگرانی ونظر ثانی وپیروی کرنے کا مختار ہوگا۔ از بصورت ضرورت مقدمہ مذکور کے کل یا جزوی کاروائی کے واسطے اور وکیل یا مختار قانونی کو اپنے ہمراہ یا اپنے بجائے تقرر کا اختیار ہوگا۔ اور صاحب مقرر شدہ کو بھی وہی جملہ مذکورہ با اختیارات حاصل ہوں گے اور اس کا ساختہ پرداختہ منظور وقبول ہوگا دوران مقدمہ میں جو خرچہ ہرجانہ التوائے مقدمہ کے سبب سے وہوگا۔ کوئی تاریخ پیشی مقام دورہ پر ہو یا حد سے باہر ہو تو وکیل صاحب پابند ہوں گے۔ کہ پیروی مذکور کریں۔ لہٰذا وکالت نامہ لکھدیا کہ سندرہے۔

المرقوم ـــــ ماہ ـــــ 2017ء

Appellant

العبـــــد گـــــواہ العبـــــد

ATTESTED & ACCEPTED

مقام ـــــ کے لئے منظور ہے۔

محمد عثمان خان ترلاندی
ایڈووکیٹ پشاور ھائی کورٹ
عدنان سٹیشنری مارٹ
چوک شتگری پشاور سٹی فون: 2220193
Mob: 0345-9223239

BEFORE THE HONORABEL KPK SERVICE TRIBUANL

PESHAWAR

Service Appeal No.1373/2017

Kafoor Khan Inspector ..... (Petitioner)

Versus

PPO and others.....(Respondents)

Subject:- PARAWISE COMMENTS ON BEHALF OF RESPONDENTS ARE AS UNDER

PRELIMINARY OBJECTIONS:-

1. That the appeal has not been based on facts.
2. That the appellant has got no cause of action and locus standi to file the appeal.
3. That the appeal is not maintainable in the present form.
4. That the appeal is bad for miss -joinder and non -joinder of necessary parties.
5. That the appellant is stopped by his own conduct to file the appeal.
6. That the appeal is barred by law and limitation.
7. That the appellant has not come to this Honorable Tribunal with clean hands.

FACTS:-

1. Correct and Pertains to record.
2. Pertains to record and need no comments.
3. Correct to the extent that Inspector Muhammad Zakir of finger print bureau/FSL was got retired on attaining the age of superannuation.
4. Incorrect. The appellant was included in seniority list "F" and promoted as officiating Inspector on creation of vacancy in FSL/FPB on the recommendation of departmental promotion committee at his due seniority vide notification No. 4414/E-III dated, 25.11.2016.
5. Incorrect. Infact on creation of vacancies a Departmental Promotion committee meeting was held to consider the cases of promotion of eligible sub- Inspector according to their seniority cumfitness and the appellant was promoted as officiating Inspector against the vacant post of FPB/FSL on the recommendation of DPC vide notification No.4414/E-III dated, 25.11.2016.
6. Correct to the extent that appellant preferred an appeal for seeking a antedated and retrospective promotion the departmental appeal of the appellant was examined by DPC and his appeal was filed by the

Authority that there is no rule for antedating and retrospective promotions.

7. Incorrect. The decision of DPC and Authority on the appeal/representation of the appellant was conveyed to him through office.

8. The appellant has not come to this Honorable Tribunal with clean hands nor there is any rule for antedating/retrospective Promotion.

GROUNDS:-

a) Incorrect. The orders were passed by the Authority in accordance with law and rules, thus are sustainable.

b) Pertains to record.

c) The appellant was promoted to the rank of officiating Inspector on creation of vacancy in FPB/FSL according to his seniority on the recommendation of Department promotion committee.

d) Incorrect. The Departmental promotion committee meeting was convened on creation of vacancy and the appellant being senior was considered from promotion on his turn.

e) Incorrect. The DPC was constituted soon on creation of vacancies and no delays has been caused.

f) Incorrect. The impugned orders were passed by the Authority in accordance with law and Rules, thus are sustainable.

g) Incorrect. There is no rule for antedating and retrospective promotion, while the appellant was promoted as officiating Inspector according to seniority and on creation of vacancy on the recommendation of DPC

h) Incorrect. No fundamental rights of the appellant were encroached nor any provision of constitution of Islamia Republic of Pakistan violated.

i) Incorrect. There no provision of antedating and retrospective promotion in the law and rules.

j) That the appellant was promoted on creation of vacancy on the recommendation of DPC at his own turn of seniority.

k) Incorrect. The appellant was promoted as officiating Inspector on creation of vacancy and on the recommendation of DPC Constituted for the purpose.

l) Incorrect. Neither the rights of appellant have been violated nor any provision of constitution of Islami Republic of Pakistan. The

appellant was promoted as officiating inspector according to his due seniority and on creation of vacancy.

m) Incorrect. That there is no provision of antedating and retrospective promotion in law and rules. The appellant was given promotion on creation of vacancy on the recommendation of DPC.

n) Incorrect. Infact on creating of vacancy the case of appellant was considered by the DPC for promotion according to his due seniority and on recommendation of DPC he was promoted to the rank of officiating Inspector at his own turn.

o) Incorrect. The appellant was given promotion according to his seniority. Furthermore, no fundamental rights guaranteed by the constitution have been violated.

p) Incorrect. There is no provision of antedating and retrospective promotion in the law and rules.

q) The appellant being deserving and eligible candidate for due promotion was considered for promotion as officiating Inspector by the DPC on creation of vacancy.

r) Incorrect. No discrimination was done, the appellant was given promotion according to his seniority and on creation of vacancy.

s) That respondents may also be allowed to advance additional grounds at the time of hearing.

Provincial Police office,
Khyber Pukhtunkhwa,
Peshawar.
(Respondents No.01)

Additional Inspector General of Police,
HQrs:Khyber Pakhtunkhwa,
Peshawar.
(Respondents No.02)

Additional Inspector General of Police,
Investigation Khyber Pakhtunkhwa,
Peshawar.
(Respondents No.03)

Director FSL,
Laboratory, Investigation,
Khyber Pakhtunkhwa Peshawar
(Respondents No.04)

BEFORE THE HONORABLE SERVICE TRIBUNAL KHYBER PAKHTUNKHWA PESHAWAR

Service Appeal No. 1373/2017

Kafoor Khan Inspector.....(Petitioner)

Versus

PPO Khyber Pakhtunkhwa & others ..... (Respondents)

AFFIDAVIT

I, Ghulam Hussain SP Legal Investigation CPO, Peshawar do hereby solemnly affirm on oath that the contents of accompanying comments on behalf of Respondents are correct to the best my knowledge and belief. Nothing has been concealed from this Honorable Service Tribunal.

DEPONENT

Ghulam Hussain,
SP/Legal Invs:
12101-1342532-7

Before the Khyber Pakhtunkhwa Service Tribunal Peshawar.

In Service Appeal No. 1373/2017.

Kafoor Khan Inspector.....Versus.....PPO & others.

Rejoinder on behalf of the Appellant to the comments of respondents No. 1,2, 3 & 4 in Service Appeal No. 1373/2017.

Respectfully Sheweth;

Reply to the preliminary objections;

1) Incorrect. All the documentary and admitted facts have been brought before this august Tribunal and a single/slightest fact has never ever been concealed therein.

2) Incorrect. The appellant has got legal/good cause of action and locus-standi to bring the instant appeal and thus no such question could be arising.

3) Incorrect. The appeal is well within time and fully maintainable.

4) Incorrect. All the necessary parties have properly been arrayed as respondents.

5). Incorrect. Rule of estoppels doesn't apply. Hence, refuted.

6) Incorrect. The appeal does not hit by the bar, contained in limitation Act. Even otherwise, limitation does not run against void order and especially, when an appellant is suffering from continuous injury in a continuous wrong of such financial impediments.

7) Incorrect. The appellant after exhausting his departmental remedy has properly approached this august Tribunal with quite clean hands.

FACTS:-

1. Incorrect. Service record is self explanatory which has properly been given/narrated in the instant service appeal.
2. Incorrect. Proper reply has been given in Para-1 above. Thus the appellant should not be discriminated which is against the canon of law and would hit the command of the Constitution of the Country.
3. Incorrect. Detailed reply has been given in Para-2 above.
4. Incorrect. The reply/comments to Para-4 are totally ambiguous one and the respondents have escaped from the real actual and factual issue. The appellant has never sought his seniority or Confirmation but straight away has impugned the discriminative treatment whereas a vacancy on retirement of one Inspector Muhammad Zakir in FSL/FPB is admitted and the appellant is the only eligible candidate for his due promotion on the bases of seniority cum fitness. Had the DPS&C constituted well within time, the appellant would have been promoted earlier.
5. Incorrect. Detailed reply has been given in Para-4 above.
6. Incorrect. Detailed reply has been given in Para-4 above.
7. Incorrect. The fate of the departmental appeal has never been conveyed by the DPS&C nor the authority to the appellant well within time but the appellant succeeded to get it on his personal approach and continuous struggle and thereafter, filed the service appeal well within time.
8. Incorrect. The appellant after exhausting his departmental remedy has properly approached this august Tribunal with quite clean hands and his due, legitimate and fundamental right can never be withheld even retrospectively under no canon of law. All the documentary and admitted facts have been brought before this august Tribunal which is more than sufficient to prove the case of the appellant.

GROUNDS:

a). Incorrect. As per documentary proof, the appellant has deliberately been deprived of his due and legitimate right

of promotion and thus highly discriminated which is against the canon of law and would hit the command of the Constitution of the Country.

b). Incorrect. All the documentary and admitted facts have been brought before this august Tribunal and a single/slightest fact has never ever been concealed therein.

c). Incorrect. The reply is totally ambiguous one. The respondents admit the promotion of the appellant as officiating Inspector on creation of vacancy and regret his due promotion to the rank of Inspector against the vacancy on retirement of one Inspector Muhammad Zakir in FSL/FPB and the appellant being legally entitled, should have been promoted immediately.

d). Incorrect. Detailed reply has been given in Para-c above.

e). Incorrect. Detailed reply has been given in Para-c above.

f). Incorrect. Detailed reply has been given in Para-a above.

g). Incorrect. The reply/comments to Para-g are totally ambiguous one and the respondents have escaped from the real, actual and factual issue. The appellant has never sought his seniority or Confirmation but straight away has impugned the discriminative treatment whereas a vacancy on retirement of one Inspector Muhammad Zakir in FSL/FPB is admitted and the appellant is the only eligible candidate for his due promotion on the bases of seniority cum fitness. Had the DPS&C constituted well within time, the appellant would have been promoted earlier. The impugned action/inaction observed by the respondents by giving discriminative treatment is hit by the command of the constitution and is against the norms of natural justice. Reliance: 2010-PLC (CS) 760 (Supreme Court).

h). Incorrect. Detailed reply is given in Para-g above.

i). Incorrect. Detailed reply is given in Para-g above.

j). Incorrect. Detailed reply is given in preceding Para-g above.

k). Incorrect. Detailed reply is given in preceding Para-g above.

l). Incorrect. Detailed reply is given in preceding Para-g above.

m). Incorrect. Detailed reply is given in preceding Para-g above.

n. Incorrect. Detailed reply is given in preceding Para-g above.

o). Incorrect. Detailed reply is given in preceding Para-g above.

p). Incorrect. Detailed reply is given in preceding Para-g above.
q). Incorrect. Detailed reply is given in preceding Para-g above.
r). Incorrect. Detailed reply is given in preceding Para-g above.
s). Admitted as legal one.

In view of the foregoing facts and grounds in shape of the rejoinder on behalf of the appellant, it is therefore humbly prayed that the comments put forth by the respondents be rejected and the appeal of the appellant may graciously be allowed enabling the appellant to get the legal redressal of his grievances as prayed for.

APPELLANT.

Signature_____

(Kafoor Khan Inspector)

(Appellant)

Through;

25/9/18

Muhammad Usman Khan
Turlandi
Advocate Peshawar.

Dated;- 25/09/2018.

COUNTER AFFIDAVIT.

I, **Kafoor Khan Inspector FSL/FPB**, the appellant, do hereby solemnly affirm and declare on oath that contents of the accompanying rejoinder on behalf of the appellant are true and correct to the best of my knowledge and belief and nothing has been kept secret or concealed therein.

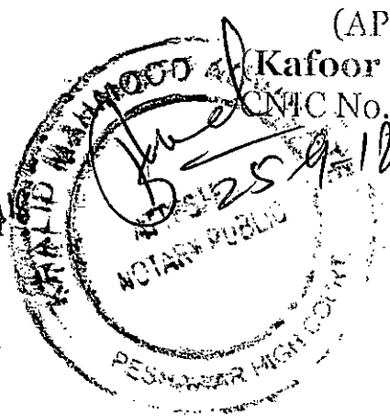
DEPONENT

(APPELLANT)
(Kafoor Khan Inspector)
CNIC No._____

IDENTIFIED BY

25/9/18

Muhammad Usman Khan
Turlandi
Advocate Peshawar



for the KPK Service Tribunal.
Peshawar.

Appeal NO. 1373/2013
Kafoor Khan V/S Police Deptt.

R. Sheweth:

I have received Rs 1000/-
in instant appeal.

AT 2nd
02-07-018

Forensic Science Laboratory
29, Sector B-1 Phase-V Hayatabad
Khyber Pakhtunkhwa Peshawar
Tel. 091-9217394/Fax. 091-9217251

No 288-89 Date 28/2/18

Khyber Pakhtunkhwa Service Tribunal
Diary No. 254
Dated 05/03/2018

The Addl: Inspector General of Police,
Investigation, Khyber Pakhtunkhwa, Peshawar.

SUBJECT: APPEAL NO. 1373 OF 2017 KAFOOR KHAN APPELLANT/PETITIONER VS PPO KP

Memo:

Comments in the above subject appeal on behalf of respondent No.4 are as follows.

1. All matters related to promotions are dealt in Central Police Office Peshawar. The said case was forwarded timely on 10-08-2015 for promotion and there is no pendency on our behalf.
2. It is pertinent to mention that the copy of the above letter conveyed by Khyber Pakhtunkhwa Service Tribunal Peshawar for promotion of the appellant is not genuine. In the said tenure written on application dtc 10-12-2016 Muhammad Quraish Khan PSP was not even serving in FSL Peshawar (photocopies of both letters are enclosed).

Submitted for necessary action as per rules please.

(RAB NAWAZ KHAN)
Director
Forensic Science Laboratory
KP, Peshawar.

✓ Copy to Registrar, Khyber Pakhtunkhwa Service Tribunal, Peshawar.

Put up to the Court with relevant appl.
5/3/18

Forensic Science Laboratory
29, Sector B-1 Phase-V Hayatabad
Khyber Pakhtunkhwa Peshawar
Tel. 091-9217394/Fax. 091-9217251

No--288-89------ **Date**--28/2/18---

Khyber Pakhtunkhwa Service Tribunal
No. 254
Dated 05/03/2018

The Addl: Inspector General of Police,
Investigation, Khyber Pakhtunkhwa, Peshawar.

SUBJECT: **APPEAL NO. 1373 OF 2017 KAFOOR KHAN APPELLANT/PETITIONER VS PPO KP**

Memo:

Comments in the above subject appeal on behalf of respondent No.4 are as follows.

1. All matters related to promotions are dealt in Central Police Office Peshawar. The said case was forwarded timely on 10-08-2015 for promotion and there is no pendency on our behalf.
2. It is pertinent to mention that the copy of the above letter conveyed by Khyber Pakhtunkhwa Service Tribunal Peshawar for promotion of the appellant is not genuine. In the said tenure written on application i.e 10-12-2016 Muhammad Quraish Khan PSP was not even serving in FSL Peshawar (photocopies of both letters are enclosed).

Submitted for necessary action as per rules please.

(RAB NAWAZ KHAN)
Director
Forensic Science Laboratory
KP, Peshawar.

✓ Copy to Registrar, Khyber Pakhtunkhwa Service Tribunal, Peshawar.

Put up to the Court with relevant appl.
5/3/18