

17.03.2022
20th June, 2022

Due to retirement of the Worthy Chairman, the Appellant alongwith his counsel present. Tribunal is defunct, therefore, case is adjourned to

20.06.2022 for full hearing before order of his dismissal dated 06.02.2018 and appellate order passed on 02.04.2019 as well as the order filing revision bearing No. S/1226/19 dated 18.04.2019 communicated to the appellant vide endorsement No. 1021/EC dated 26.06.2019 by the District Police Officer, Charsadda and he filed appeal within next thirty days which apparently seems to be within time and is admitted to full hearing subject to all just and legal objections by the other side. The appellant is directed to deposit security and process fee and security within 10 days. Thereafter, notices be issued to the respondents. The appellant is also directed to place on file the order filing revision petition passed by the IGP. To come up for written reply/comments on 09.08.2022 before S.B.

As per
Appellant Deposited
Security & Process Fee
As per
28/6/22

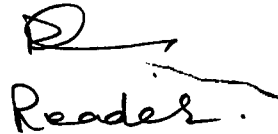


(Kalim Arshad Khan)
Chairman

9.8.2022

Due to the public Holiday the

Case is Adjourned to 29-9-2022


Reader

28.09.2021

Learned counsel for the appellant present.

Learned counsel for the appellant requested for adjournment on the ground that he has not prepared the brief. Adjourned. To come up for preliminary hearing before the S.B on 22.11.2021.



(MIAN MUHAMMAD)
MEMBER (E)

22.11.2021

Junior of learned counsel for the appellant present.

Former requests for adjournment on the ground that learned senior counsel is not available today. Adjourned. To come up for preliminary hearing on 20.01.2022 before S.B.



(MIAN MUHAMMAD)
MEMBER (E)

20.01.2022

Clerk of learned counsel for the appellant present.

Due to general strike of the bar, the case is adjourned. To come up for preliminary hearing on 17.03.2022 before S.B.



(Mian Muhammad)
Member(E)

DFA

20th June, 2022

Appellant alongwith his counsel present.

The appellant has impugned order of his dismissal dated 06.02.2018 and appellate order passed on 02.04.2019 as well as the order filing revision bearing No. S/1226/19 dated 18.04.2019 communicated to the appellant on vide endorsement No. 1021/EC dated 26.06.2019 by the District Police Officer, Charsadda and he filed appeal within next thirty days which apparently seems to be within time and is admitted to full hearing subject to all just and legal objections by the other side. The appellant is directed to deposit security and process fee and security within 10 days. Thereafter, notices be issued to the respondents. The appellant is also directed to place on file the order filing revision petition passed by the IGP To come up for written reply/comments on 09.08.2022 before S.B.

(Kalim Arshad Khan)
Chairman

must be given effect w.e.f date of her deferment.

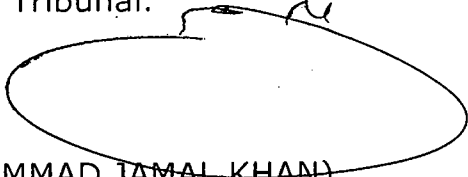
- d) That respondents department has led the appellant to the place which is utterly unknown to the principles of jurisprudence natural justice, good governance and fair play. Respondent department during the PSB meeting has miserably failed to appreciate the law on the subject and caused irreparable loss to the appellant in terms of pay and allowances in BPS-19.
- e) That it is worth mentioning here that respondent department without any reason has estopped salary of appellant w.e.f Jan, 2019 to till date. It is further submitted that the salary of Civil Servant can not be stopped by the whims and wishes of the high-ups. Non payment of salary against the services rendered by a Civil Servant is the negation of fundamental rights. Law demands that the appellant may be paid salary for services rendered by her towards the department.

01.12.2020

Counsel for appellant is present.

Learned counsel requests for adjournment to a date after the decision of proposition regarding retrospective punishment by a Larger Bench of this Tribunal.

Adjourned to 16.02.2021 before S.B.


(MUHAMMAD JAMAL KHAN)
MEMBER (JUDICIAL)

16.02.2021

The learned Member Judicial Mr. Muhammad Jamal Khan is under transfer, therefore, the case is adjourned. To come up for the same before S.B on 28.06.2021.



Reader

28.06.2021

Junior to counsel for appellant present.

Former states that some appeals involving punishment with retrospective effect are pending adjudication before Larger Bench of this Tribunal. He, therefore, requests for adjournment of the instant matter to a date after the decision by the Larger Bench.

Adjourned to 28.09.2021 for hearing before S.B.


(Rozina Rehman)
Member(J)


06.04.2020

Due to public holiday on account of COVID-19, the case is adjourned to 30.06.2020 for the same. To come up for the same as before S.B.


Reader

30.06.2020

Learned counsel for the appellant present and seeks adjournment. Adjourned to 22.09.2020 before S.B in order to avail the outcome of cases pending before Larger Bench of this Tribunal, regarding retrospective punishment.


Member (J)

22.09.2020

Counsel for the appellant present.

Learned counsel requests for adjournment of instant matter to a date after the decision of proposition regarding retrospective punishment by a Larger Bench of this Tribunal.

Adjourned to 01.12.2020 before S.B.


Chairman

08.10.2019

Learned counsel for the appellant requests for adjournment of instant appeal to a date after the decision of proposition regarding retrospective punishment by a Larger Bench.

Adjourned to 25.11.2019 before S.B.



Chairman

25.11.2019

Junior to counsel for the appellant present.

Requests for adjournment on account of general strike of the Bar. Adjourned to 22.01.2020 before S.B.



Chairman

22.01.2020

Junior to counsel for the appellant present.

20.02.2020

Requests for adjournment due to general strike of the Bar. Adjourned to 20.02.2020 in order to avail the outcome of case(s) pending before the Larger Bench regarding retrospective punishment.



Chairman

20.02.2020

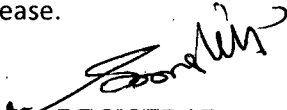


Counsel for the appellant present and seeks adjournment. Adjourned to 06.04.2020 in order to avail the outcome of case (s) pending before the Larger Bench regarding retrospective punishment.


(MUHAMMAD AMIN KHAN KUNDI)
MEMBER

Form- A
FORM OF ORDER SHEET

Court of _____

Case No.- 917/2019

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	12/07/2019	<p>The appeal of Mst. Surraya Begum presented today by Mr. Saif-ur-Rehman Advocate may be entered in the Institution Register and put up to the Worthy Chairman for proper order please.</p> <p style="text-align: right;"> REGISTRAR</p>
2-	15/07/19	<p>This case is entrusted to S. Bench for preliminary hearing to be put up there on <u>26/08/19</u></p> <p style="text-align: right;"> CHAIRMAN</p>
	26.08.2019	<p>Nemo for appellant.</p> <p>Notice be issued to appellant/counsel for preliminary hearing on 08.10.2019 before S.B.</p> <p style="text-align: right;"> Chairman</p>

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

Appeal No - 917/17

Muhammad Usman

VERSUS

R.P.O Mardan & Others

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Through

Petitioner

Saif ur Rehman

Advocate

Supreme Court

0333-9771444

Saif-ur-Rehman
Advocate
High Court Peshawar
Cell: 0333-9771444

①

BEFORE SERVICE TRIBUNAL PESHAWAR

Khyber Pakhtunkhwa
Service Tribunal

Appeal No. 917/2019

Diary No. 911

Dated 02-7-2019

Muhammad Usman (constable) Belt No. 131 S/O Muhammad Ayaz R/O Muhallah
Paynda Khel Charsada Town, Tehsil and District Charsada
(Appellant)

VERSUS

1. The Regional Police Officer (R.P.O) Mardan.
2. District Police Officer Charsadda (D.P.O)
3. Inquiry Officer / D.S.P Charsada
4. Inquiry Officer / D.S.P Tangi

(Respondents)

Filed to-day
Registrar
2/7/19

Appeal under section 4 Khyber Pakhtunkhwa Service Tribunal Act 1974 against the impugned order issued vide No. 2826/ES, dated Mardan the 02.04.2019 passed by respondent No. 1 in a harsh manner and without affording opportunity of hearing under the settle principle of law.

PRAYER

On acceptance of this appeal the impugned order dated 02-04-2019 passed by the Respondent No. 1 may kindly be set aside and reinstated the appellant with all back benefits.

Respectfully Sheweth: -

The appellant submits the following factual and legal grounds of appeal which are as under:-

- A. That the petitioner was recruited on 07-08-2009 in District Police Hangu as Constable and after completion of necessary training and passing the requisite examination was posted in different police stations of District Hangu and performed his duty with great zeal and Zeist to entire satisfaction of his superior. (Copy of appointment order is attached as Annexure-A).
- B. That respondent No. 3 and 4 without giving any opportunity for personal hearing to appellant and initiated disciplinary action and conducted the inquiry and issued final show cause notice. (Copy of show cause notice is attached as Annexure—B)
- C. That respondent No. 4 conducted one sided inquiry in which the appellant was not called for personal hearing and on the bases of said inquiry report the respondents dismissed the appellant due to long absentee from service without any reason, the respondents has imposed a major penalty upon the appellant and dismissed the appellant from service on 18-09-2017.
- D. That the appellant filed a departmental appeal against the order dated 06-02-2018 (Copy of the appeal is attached as Annexure—C)
- E. The respondent No. 1 dismissed the departmental appeal on the bases of technical knockout and without touching the merit of the case. (Copy of order is attached as Annexure—D)
- F. That respondent being aggrieved from the finding of the respondent No. 1 filed a revision petition (Copy of revision petition is attached as Annexure—E while filed order is Annexure—F)

The appellant aggrieved from the order of respondents and want to file an appeal before this Honorable Tribunal on the following grounds amongst others.

Grounds of Appeal

1. That the impugned order passed by the respondents, dated 06-02-2018 is against law and facts of case and liable to be set-aside.
2. That the respondent has failed to appreciate the legal question involved in the case and on malafide intention and personal garages with appellant not only process one sided inquiry and also without giving an opportunity passed the impugned order and imposed major penalty of dismissal from service.

It is settled principle of law no one should be condemn unheard but the Respondent violated the judgment of August Supreme Court of Pakistan SCMR- 2005.page 678.

3. That the appellant also violated the 24-A of General Clauses Act and passed the impugned judgment, from the face value the impugned order it is apparent that the order is a non-speaking order.
4. That the face values of the impugned order, it is very much clear the appellant was not given a chance for fair trial under the Constitution of Pakistan – 1973, whereby they violated the Fundamental Rights of the appellant.
5. That the impugned order is the result of discriminatory in nature and the appellant is not treated as a respectable citizen as defined by the Constitution of Pakistan.
6. That the value able right and status and character is attached with the instant appeal and the Respondent in hurry and harsh manner and without application of judicial mind passed the impugned order which is liable to be set-aside.
7. That the appellant spent 12 years of golden time of his life and honestly performed his duty and throughout in the 12 years of service no complaint or disciplinary action or any type of adverse remarks on the official file of the appellant is available but the respondent totally ignored the documents available on file.
8. That the appellant has old aged parents and the petitioner is the sole bread earner for the family.
9. That when the appellant relived from the treatment and surgery of his mother and came for duty the officer in charge informed the appellant that he has suspended from service but in fact the appellant filed the application of sick leave and the mother of the petitioner was severe ill and was admitted in the Rehman Medical Institute and Hospital. (Copy of the medical history is attached as Annexure—G)
10. That the appellant also request on humanitarian ground for re-instatement in to his service as the appellant did not absent himself from the duty intentionally rather he had applied for leave and due to severe illness and due to his mother was hospitalized, therefore imposition of harsh punishment of dismissal from service is unjustified and liable to be set aside.

It is, therefore, most humbly prayed that on acceptance of this appeal the impugned order dated 06-02-2018 and order dated 02-04-2019 may kindly be set-aside the service of appellant may kindly be restored/ re-instated along with all back benefits.

Any other relief if this Honorable Court may deem fit in the circumstances of the case may also be granted

Appellant

M. Ullah

Through

Saif ur Rehman

Saif ur Rehman

Advocate

High Court Peshawar

BEFORE THE COURT OF SERVICE TRIBUNAL
PESHAWAR.

Muhammad Usman (Constable) Belit 181

VS

P. P.O. Pesh.

Subject:- APPLICATION FOR THE CONDONATION
OF DELAY IN FILING OF APPEAL
BEFORE SERVICE TRIBUNAL.

P. Sir

That, Subject case is pending
before the court of S.T. Peshawar.

That, some delay is caused
due to illness of the petitioner
appeal could not be filed.

Hence, P.T. is requested that,
delay of 04 days may kindly be condoned
in the best interests of

through
Petitioner
Sufi
Sufi-Ur-Rehman

5

Ammeexure - B



FINAL SHOW CAUSE NOTICE

Whereas, the charge of absence was referred to enquiry officer for General Police Proceedings, contained u/s 5(3) Police Rules 1975.

AND

Whereas, the enquiry officer has submitted his findings, recommending you for Major Penalty.

AND

Whereas, I am satisfied with the recommendation of the enquiry officer that you **Constable Usman No. 131**, while posted at Police lines Charsadda, On 22.09.2017 you were relieved from PS Tarnab to Police Lines vide D.D No. 19 but you did not report your arrival at Police lines Charsadda well in-time and thus absented yourself from your lawful duty w.e from 22.09.2017 till date without any leave or prior permission from your senior officers. Absence report recorded vides D.D No. 28, dated 24.09.2017. This shows your inefficiency, lack of interest in the performance of official duty, thus the act amounts to gross misconduct and renders you liable for punishment, under Police Rules 1975.

Therefore, I, Zahoor Babar Afridi, District Police Officer, Charsadda in exercise of the powers vested in me under rules 5(3) (a) (b) of Police Rules 1975, call upon you to explain as to why the proposed punishment may not be awarded to you.

Your reply should reach the undersigned within 07-days of receipt of this notice, failing which disciplinary action pertaining to your dismissal from service will be taken ex-parte.

You are at liberty to appear in person before the undersigned for personal hearing.

Dated 08/09 / 09 / 2018


District Police Officer,
Charsadda


g/c

C. Zahoor Babar Afridi, District Police Officer Charsadda, as competent authority am of the opinion that Constable Usman No. 131, has rendered himself liable to be proceeded against as he has committed the following acts/omissions within the meaning of section -02 (iii) of KPK Police Rules-1975.

STATEMENT OF ALLEGATIONS

That he Constable Usman No. 131, while posted at Police Lines Charsadda. On 22.09.2017 he was relieved from PS Tarnab to Police Lines vide D.D No. 19, but he did not report his arrival at Police Lines Charsadda well in-time and thus absented himself from his lawful duty w.e from 22.09.2017 till date without any leave or prior permission from his senior officers. Absance report recorded vides D.D No. 28, dated 24.09.2017. This amounts to grave misconduct on his part, warranting Departmental action against him.

For the purpose scrutinizing the conduct of the said official Mr. Sajjad Hussain DSP Tangi is hereby deputed to conduct proper departmental enquiry against the aforesaid official, as contained in section -6 (1) (a) of the afore mentioned rules. The enquiry officer after completing all proceedings shall submit his verdict to this office within stipulated period of (10) days. Constable Usman No. 131 is directed to appear before the enquiry officer on the date, time and place fixed by the later (enquiry officer) a statement of charge sheet is attached herewith.


District Police Officer,
Charsadda
g/c

No. 673839/MC, dated Charsadda the 06/12 2017.

Copies for information to the:

1. Mr. Sajjad Hussain DSP Tangi
2. R.I Lines

7

AMM-B/1

NO. 907 /ST

DT: 28/10 /2017

Subject

DEPARTMENTAL ENQUIRY REPORT AGAINST CONSTABLE USMAN
NO.131 POLICE LINES CHARSAKDA

REFERENCE ATTACHED

ALLEGATIONS

Constable Usman No.131 while posted at Police Lines Charsakda, absented himself from duty w-e-from 22-09-2017 till date without any permission or leave which shows his inefficiency and lack of interest in his official duty.

Upon which he was served with charge sheet and summary of allegations by the W/DPO Charsakda as a competent authority and the enquiry was marked to the undersigned for the purpose to scrutinize the conduct of defaulter constable.

PROCEEDINGS

The defaulter constable was summoned time and again but he did not appear before the undersigned. Moreover, RI Police Lines Charsakda submitted another report vide DD No.15 dated 13-12-2017 (attached) which shows that the alleged constable is still absent from his duty, which transpired that the accused official is no more interested to discharge his official duties.

Keeping in view the above facts, the defaulter constable is hereby recommended for 'MAJOR PUNISHMENT' if approved please.

Submitted please

Worthy DPO/Charsakda

Dy: Superintendent of Police
Tangi

ISSUE P.S.O.-N

8

ORDER

This order will dispose off the departmental enquiry against Constable Usman No. 131, while posted at Police Station Tarnab. On 18.09.2017 he left his duty point while deputed for polio duty at Tarnab and thus absented himself from his lawful duty w.e from 18.09.2017 to 22.09.2017 (04-days) without any leave or prior permission from his senior officers. In the meanwhile he was transferred from PS Tarnab to Police Lines and was relieved vide D.D No. 19 dated 22.09.2017 but he did not report his arrival at Police lines Charsadda well in-time and also absented himself from 22.09.2017 to 23.01.2018 (04 Months). On 24.01.2018 he was relieved to PS Khanmai vide D.D No. 07 of Police Lines Charsadda but he did not report his arrival at PS Khanmai and again absented himself w.e from 24.01.2018 till date. Being a member of discipline force his act is highly objectionable and against the rules and regulations of the discipline force. This shows his inefficiency; lack of interest in the performance of his official duty.

In the above allegation he was issued Charge Sheet together with statement of allegation under Section 6(I) (a) of KPK Police Rules 1975. Enquiry Officer Mr. Iflikhar Shah Khan DSP Charsadda was nominated for conducting departmental enquiry against him. The enquiry officer after conducting proper departmental enquiry submitted his findings and recommended him for Ex-Parte action. While another enquiry had also been initiated against him and Mr. Sajjad Hussain Khan the then DSP Tangi was nominated as Enquiry Officer, but after his transfer from the district the enquiry was marked to Mr. Taj Muhammad Khan DSP Tangi and he after conducting departmental enquiry submitted his findings and recommends him for major punishment.

Subsequently Constable Usman No. 131, was issued Final Show Cause Notices, replies to which were not received so far.

نہیں معام وقوع

جرم

تاریخ معدومت

جس پر کارروائی کی گئی

To

(10)

Amendment - C

The Regional Police Officer,
Mardan Region, Mardan

Subject: Appeal against the office order No. OB. No. 107 dated 06-02-2018 of District Police Officer, Charsadda, whereby Major Punishment of dismissal from service was awarded to the appellant in disregard of law and justice

Prayers: On acceptance of this departmental appeal, the impugned order of dismissal from service dated 06-02-2018 may please be set aside and the appellant be reinstated to his service with all back benefits.

Respected Sir,

The appellant submits as under:-

- 1- That the impugned order of dismissal from service is illegal against facts of the case therefore, liable to be set aside.
- 2- That the appellant never absented intentionally from duty but the mother of appellant was suffering from abdominal problem, she was required surgery and admitted in Rehman Medical Institute (RMI) and appellant applied for leave through his concerned in charge by whom saying that the application for leave has been sent to the competent authority. (Copy of Medical treatment is attached).
- 3- That the appellant was marked absent instead of leave without intimating to the appellant.
- 4- That no shows cause notice has issued to the appellant regarding the alleged absentia.
- 5- That the appellant mother was in critical condition and the father of appellant is also old person and suffering from different diseases and unable to look after the appellants mother.
- 6- That the appellant was sole family member who could look after his ill mother and despite the fact that appellant have leave on his credit but even then the appellant was marked absent instead of proper leave.
- 7- That the alleged charge sheet along with statement of allegation are false proceeding and no departmental proceeding were initiated against the

appellant even the dismissal order was not conveyed to the appellant, which too is against the law and justice.

- 8- That the appellant has long service at his credit and the dismissal order is very much harsh and also on the back of appellant and the absentee does not entail major punishment of dismissal from service.
- 9- That from the perusal of the order it does not clarify that on which of the charge the appellant has been dismissed from service.
- 10- That the alleged guilt/so called misconduct is not of the nature which entails Major punishment of dismissal from service.
- 11- That the appellant is sole bread earner for his old ill mother and father, therefore the appellant request for his reinstatement in to service.

It is requested that on acceptance of this departmental appeal the order No. OB No. 107 dated 06-02-2018 of District Police Officer, Charsadda may kindly be set aside and the appellant be reinstated in to his service.

Appellant



Usman Ex-Constable No. 131 s/o
Muhammad Ayaz
District Police Charsadda
R/O Mohallah Painsa Khel
Charsadda Town, Tehsil & District
Charsadda.

(12) Annexure - D

ORDER.

This order will dispose-off the departmental appeal preferred by **Ex-Constable Usman No. 131** of Charsadda District Police against the order of the District Police Officer, Charsadda, wherein he was awarded Major Punishment of dismissal from Service by the District Police Officer, Charsadda vide his office OB: No. 107 dated 06.02.2018.

Brief facts of the case are that the appellant while posted at Police Station Tarnab on 18.09.2017 he left his duty point while deputed for Polio Duty at Tarnab and thus absented himself from his lawful duty with effect from 18.09.2017 to 22.09.2017 (04 days) without any leave or prior permission from his senior Officers. In the meanwhile he was transferred from PS Tarnab to Police Lines and was relieved vide daily diary No. 19 dated 22.09.2017 but he did not report his arrival at Police Lines, Charsadda well in time and also absented himself from 22.09.2017 to 23.01.2018 (04 months). On 24.01.2018 he was relieved to PS Khanmai vide daily diary No. 07 of Police Lines Charsadda but he did not report his arrival at PS Khanmai and again absented himself with effect from 24.01.2018 till date of his dismissal. Being a member of discipline force his act is highly objectionable and against the rules and regulations of the discipline force. This shows his inefficiency, lack of interest in the performance of his official duty.

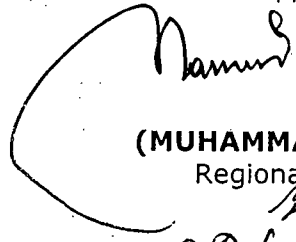
In the above allegation he was issued charge sheet together with statement of allegation and Mr. Iftikhar Shah Khan the then DSP Charsadda was nominated for conducting departmental enquiry against him. The Enquiry Officer after conducting proper departmental enquiry submitted his findings and recommended him for Ex-parte action. While another enquiry had also been initiated against him and Mr. Sajjad Hussain Khan the then DSP Tangi was nominated as Enquiry Officer, but after his transfer from the District the Enquiry was marked to Mr. Taj Muhammad Khan DSP/Tangi and he after conducting departmental enquiry submitted his findings and recommends him for Major Punishment. Subsequently he was Issued Final Show Cause Notice replies to which were not received.

After going through the enquiry papers & recommendations of the Enquiry Officer the District Police Officer, Charsadda reached to the conclusion that the delinquent Constable not interested to continue his job, therefore awarded Major Punishment of dismissal from service from the date of his absence i.e 18.09.2017.

He was called in orderly room held in this office on **28.03.2019** and heard in person. The appellant did not produce any cogent reason for his prolong absence. On perusal of previous service record it was noticed that he is habitual absentee and prior to this, the appellant was also dismissed from service for his disinterest in the official duty Therefore, I find no grounds to intervene into the order passed by the District Police Officer, Charsadda. His appeal is also time barred.

Hence field.

ORDER ANNOUNCED.


(MUHAMMAD ALI KHAN)PSP
Regional Police Officer,
Mardan.

No. 2826 /ES,

Dated Mardan the 02/04 /2019.

Copy to District Police Officer, Charsadda for information and necessary action w/r to his office Memo: No. 538/EC dated 18.03.2019. His Service Record is returned herewith.

Annexure - E (13)

BEFORE THE PROVINCIAL POLICE OFFICER KHYBER PAKHTUNKHWA,
PESHAWAR



Muhammad Usman Belt No.131 S/o Muhammad Ayaz R/o Mohallah Panda Khel Charsadda Town,-Tehsil & District Charsadda

.....PETITIONER

VERSUS

1. Regional Police Officer (RPO) Mardan
2. District Police Officer (DPO) Charsadda

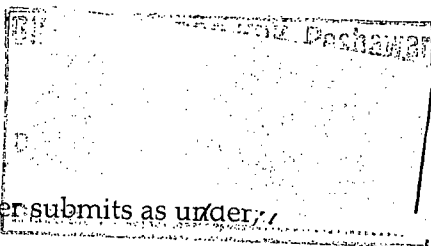


.....RESPONDENTS

REVISION PETITION UNDER RULE 11 OF THE
POLICE E&D RULES 1975 AGAINST THE ORDER
OF RESPONDENT NO.1 DATED 2/4/2019,
WHEREBY THE APPEAL OF THE PETITIONER
AGAINST THE ORDER OF THE RESPONDENT
NO.2 DATED 6/2/2018 WAS FILED

Attested

RESPECTFULLY:-



The petitioner submits as under:-

[Handwritten signature]
17/5

C.K

1. That the petitioner was recruited on 7/8/2009 in district Police ~~Charsadda~~ ^{Hangu} as constable and after completion of necessary training and passing the requisite examination was posted in different police stations of district ~~Charsadda~~ ^{Hangu} and performed his duty with great zeal and Zeist to the entire satisfaction of his superiors.
2. That the petitioner has old aged parents and the petitioner is the sole bread earner for his family.
3. That the petitioner was posted at the relevant time at police station Tarnab and performing his duty and suddenly the mother of petitioner who is old and have weak physique felt started abdominal hysterectomy problem who was admitted in the hospital Rehman Medical Institute for treatment.

4/19

[Handwritten signature]
17/5

[Handwritten signature]
17/5

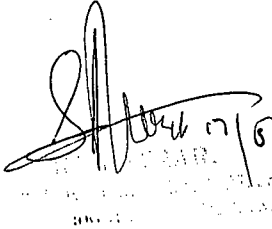
4. That the petitioner being the only male member of his family and keep looking after his ailing mother in the hospital made an application for urgent leave to his in-charge of police station who insured the petitioner for obtaining/sanctioning leave from competent authority therefore the petitioner left his duty and started look after of his ailing mother in the hospital(Copy of treatment record is attach).
5. That when the petitioner relieved from the treatment and surgery of his mother and came for duty the officer in charge informed the petitioner that he has been suspended from service, therefore the petitioner was pursuing his case but none of official of the department disclosed or handed over any sort of documents regarding his enquiry proceeding.
6. That the petitioner time and again approached to the office of DPO concerned and after great struggle the petitioner found his dismissal order dated 6/2/2018 before a few days back of filing an appeal before the RPO Mardan.
7. That after perusal of the order the petitioner came to know that the petitioner has been dismissed from service without considering his application for leave as well as the illness of his mother, treatment and her look after in the hospital.
8. That no show cause notice has been served on the petitioner regarding the alleged absence from duty nor the alleged enquiry officer has been summoned the petitioner for appearance and all the alleged proceeding has been conducted exparte in disregard of law, justice and police efficiency and disciplinary Rules, 1975.
9. That even the order of dismissal has not been conveyed to the petitioner as evident from the order dated 6/2/2018 though it is mandatory provision of law that any official against whom any sort of adverse order is passed that shall be conveyed to the concerned official but all the disciplinary proceeding including the dismissal order has been passed against the petitioner on his back without intimating the same to the petitioner.

Attested

[Handwritten signature]
17/5

10. That the petitioner has been condemned unheard without providing any opportunity of hearing by dismissing from his service without adopting the legal process and following the relevant law and deprived from his livelihood in disregard of law and justice.
11. That both the orders of respondents are not only illegal but also void order and very harsh as the petitioner has more than 9 years spotless service and in matter of compulsion of petitioner by looking after his ailing mother such harsh penalty of dismissal and that too from retrospective date is not warranted, justified and commensurate with the charge leveled against the petitioner.
12. That the respondent No.1 while filing the appeal of petitioner has not adverted to important aspect of the case that the impugned order was not conveyed to the petitioner for information, therefore the observation and finding of the respondent No.1 regarding timebarredness of appeal is illegal, unwarranted and unjustified and liable to be condoned.
13. That the petitioner also request on humanitarian ground for reinstatement into his service as the petitioner did not absent himself from duty intentionally rather he had applied for leave and due to severe illness and admission of his mother in the hospital, moreover, the petitioner has also a lot of earned leave on his credit therefore imposition of harsh punishment of dismissal from service is unjustified and liable to be set aside.

Attested


17/6

It is therefore, prayed that on acceptance of this revision petition the impugned orders of respondents dated 2/4/2019 and 6/2/2018 respectively be set aside and the petitioners be reinstated into his service with all back benefits.

Petitioner



Muhammad Usman S/o Muhammad Ayaz
Belt No.131 Ex-Constable District Police Charsadda
R/o Mohallah Panda Khel Charsadda Town,
Tehsil District Charsadda

Cell No. 0333-9334324

(16)

Amendment - F



GOVERNMENT OF KHYBER PAKHTUNKHWA

OFFICE OF THE

DISTRICT POLICE OFFICER, CHARSADDA

No. 1021 /EC, dated Charsadda the 29/6 /2019

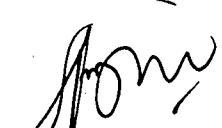
To: **Ex-Constable Usman No.131.**

Subject: **Revision Petition.**

Memo:

In reference to Worthy Inspector General of Police, Khyber Pakhtunkhwa, letter No.S/1226/19 dated 18.04.2019.

It is to inform you that your revision petition has been filed by the competent authority.


District Police Officer,
Charsadda

RM

29/8/17

Annexure-G

(17)

Dr. Fazia Raza - Associate Professor
MD, FCPS, FMAS, MPH, Diploma HPE (Gold Medalist)
Consultant Gynaecologist | PMDC No. 8867 N
ART Consultant & Infertility Specialist
fazia.raza@rmi.edu.pk | Direct Tel: +92-91-5838333
Clinic Timing: 9:00 am - 5:00 pm (Monday - Friday)
9:00 am - 1:00 pm (Saturday)

Fauzia 50yrs

PS - All NUDS

Alc - lower abd pain - 2 wks

Plv bleedng - 2 wks

Plv clots - "

U/S - 29/8/17

Heterogenous uterus

Known HTN - 2 yrs
DM - 4 yrs

on glimepiride 500 BD
& sitagliptin OD

BP = 160/100 - tp

Taken prenatal
transmission

appendectomy - 1 yr back

Top Cervix

2 + 2

2 + 1 + 1 + 1
2 + 1

Cap Cervix

2 + 1

OS Cervix
with mucus
2 + NAT

Top Cervix
2 + 1

Adrenal Dx on CUP smears / TAH



5/B-2 Phase - 5 Mayatabad Peshawar Pakistan
Tel: +92-91-5838000 (Ext. 3633) | Fax: +92-91-5838333 | Appointments: +92-91-5838666
healthcare@rmi.edu.pk

HEALTHCARE
www.rmi.edu.pk

Discharge Sheet

RMI Patients

Patient Information

PR No: 17-08-139245
 Name: Mrs Fauzia Wife Mr Muhammad Ayaz Blood Group:
 Gender: Female Age: 50 Years Weight: kg
 Phone: +923149039632 Height: ft
 Address: kandi penda charsada chowk kpk

Admission Information

Admission No: 17-08-002306
 Admission Date: 29/8/2017 4:57PM
 Ward: Ward D
 Room / Bed: 305 / B
 Discharge Date: 31/9/17
 Discharge Type: New

Consultant

Primary: Dr. Fazia Raza
 Secondary: Dr. Fazia Raza

Package

o Abdominal Hysterectomy

Department

(Gynaecology)

Diagnosis

Presenting Complaints

UNKNOWN DIABETIC, HTN PRESENTED WITH DUB

Investigations

RBS: 110 md/dl
 KIDNEY PROFILE... NORMAL
 URIC ACID... 5.5 mg/dl
 LFTS... NORMAL
 HB: 10 g/dl
 V... N/R
 BG... B+VE

Clinical Status

STABLE

Risk Factors

EXPLAINED

Treatment At Hospital

Operation Notes

Under all aseptic procedures. Abdomen C/D. Abdomen opened by Pfannenstiel incision.

FINDING:

Uterus: 5 weeks size
 Tubes normal
 ovaries atrophic

TAH with BSO done by clamping, cutting and ligating the round, ovarian and cardinal ligament. Vault closed and peritonized. Haemostasis secured. Abdomen closed in reverse order. ASD done. Vagina cleaned

Medicines

INF R/L
 INF N/S
 INF D/S
 INF NEXUM
 INF PROVAS
 INF ROCEPHIN
 INF FLAGYL
 INJ TORADOL
 INJ CAMPEX
 INJ GRAVINATE
 TAB LEXOTINIL

Post Operative Complication

NIL

Precautions

مدیریات

Care At Home

MARITAL RELATIONS AVOID CLIMBING
 STAIRS FOR 6 WEEKS
 AVOID AVOID CONSTIPATION
 FOR 6 WEEKS
 FOLLOW UP VISIT AFTER
 TAKE ALL MEDICINES ON TIME

Diet

TAKE PLENTY OF JUICES, VEGETABLES, FRUITS, MEAT AND DAIRY PRODUCTS

Medicines

CAP SANGOBION

SYP DUPHALAC

TAB D CAM

ایک کیپسول دوپہر (۲ ہفتہ)

ایک جمج حسب ضرورت

ایک گولی صبح (۲ ہفتہ)

91

Discharge Sheet

RMI Patients

TAB LEVOCIL 500MG

TAB LOPRIN 75MG

TAB MITS 7.5MG

TAB NEZKIL 600MG

TAB TOPDOM

ایک گولی صبح (۵ دن) کھانے کے بعد

ایک گولی صبح (جاری)

ایک گولی صبح شام (۵ دن)

ایک گولی صبح شام (۵ دن)

ایک گولی صبح (۲ ہفتہ)

Follow Up

Visit your Consultant (Dr.Fazia Raza) on 08/09/2017.

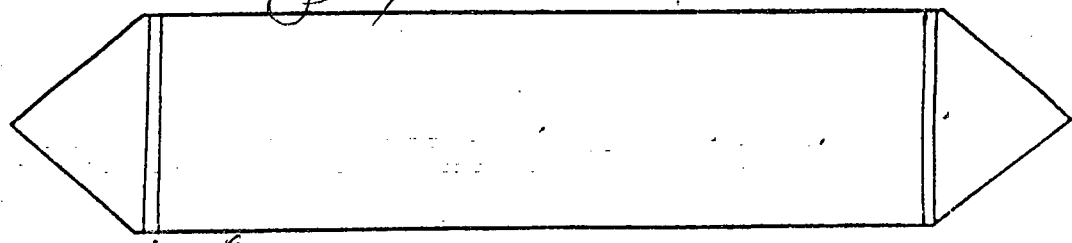
Please ensure that you have booked an appointment prior to your visit by calling on the following telephone number: (92-91) 5825501-07 lines

Discharged By: Farishta Majeed

Medical Officer

ایک ہفتہ بعد مٹائے گئے ہونے پر OPD ڈسٹریکٹ ہسپتال -
فوری طور پر مٹائے گئے ہونے پر

بعدالت صا - سرسہ ٹریڈنگ کمپنی



2019ء منجانب

محمد شہزاد بنام 2.P.O mairat

موزخہ -----
 مقدمہ -----
 دعویٰ -----
 جرم -----

باعث تحریر آنکھ

مقدمہ مندرجہ عنوان بالا میں اپنی طرف سے واسطے پیروی و جواب دہی و کل کارروائی متعلقہ آن مقام لکھی گئی۔ کیلئے سفارحہ جسے اردو کے

مقرر کر کے اقرار کیا جاتا ہے۔ کہ صاحب موصوف کو مقدمہ کی کل کارروائی کا کامل اختیار ہوگا۔ نیز وکیل صاحب کو راضی نامہ کرنے و تقرر ثالثتہ فیصلہ بر حلف دیئے جواب دہی اور اقبال دعویٰ اور بصورت ڈگری کرنے اجراء اور صولی چیک و روپیہ ارضی دعویٰ اور درخواست ہر قسم کی تصدیق زرائیں پر دستخط کرانے کا اختیار ہوگا۔ نیز صورت عدم پیروی یا ڈگری یکطرفہ یا اپیل کی براندگی اور منسوخی نیز دائر کرنے اپیل نگرانی و نظر ثانی و پیروی کرنے کا اختیار ہوگا۔ از بصورت ضرورت مقدمہ مذکور کے کل یا جزوی کارروائی کے واسطے اور وکیل یا مختار قانونی کو اپنے ہمراہ یا اپنے بجائے تقرر کا اختیار ہوگا۔ اور صاحب مقرر شدہ کو بھی وہی جملہ مذکورہ باختیارات حاصل ہوں گے اور اس کا ساختہ پرواختہ منظور قبول ہوگا۔ دوران مقدمہ میں جو خرچہ دہر جاندا التوائے مقدمہ کے سبب سے دہوگا۔ کوئی تاریخ پیشی مقام دورہ پر ہو یا حد سے باہر ہو تو وکیل صاحب پابند ہوں گے۔ کہ پیروی مذکور کریں۔ لہذا وکالت نامہ لکھ دیا کہ سندر ہے۔

المرقوم 02 ماہ جولائی 2019ء

وہ العبد

کے لئے منظور ہے۔

بمقام
 محمد شہزاد
 محمد شہزاد