


05.03.2019

Petitioner with counsel present. Mian Amer Qadir, District Attorney alongwith Mr. Zewer Khan, S.I (Legal) for respondents present.

Learned counsel for the appellant invited attention to para-6 of the judgment of this Tribunal dated 29.01.2018. As regards the grievance of the petitioner regarding granted of seniority, the respondents vide order dated 01.11.2018 grant him seniority on provisional basis and subject to the final outcome of the CPLA filed in the august Supreme Court of Pakistan. Learned counsel for the petitioner expressed satisfaction over the order referred to above. Case to come up for further proceedings on 02.04.2019 before S.B at camp court Swat.

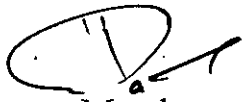

Member
Camp Court Swat

MS,

I want to write down my present EP because seniority has been given, but present's got to be made by respondents.

02.04.2019

Petitioner in person present and seeks withdrawal of the present execution petition in view of the office order dated 01.11.2018. Consequently the present execution petition be consigned to the record room without any further proceedings. The petitioner may apply for the restoration of the present execution petition or file fresh execution petition upon the decision of CPLA before the august Supreme Court of Pakistan against the judgment under implementation. No order as to costs.



Member
Camp Court, Swat

ANNOUNCED.
02.04.2019

MS


06.12.2018

Petitioner in person and Mr. Usman Ghani learned District Attorney alongwith Mr.Zewar Khan SI legal present. Learned District Attorney furnished office order dated 01.11.2018 and stated that on the basis of the said order, seniority has been assigned to the petitioner conditionally and provisionally subject to the outcome of CPLA. Learned counsel for the petitioner is not available. Adjourn. To come up for arguments on 09.01.2019 before S.B at Camp Court Swat.


Member
Camp Court, Swat

09.01.2019

Petitioner in person present. Mr. Mian Ameer Qadir, District Attorney for the respondents present. Implementation report dated 01.11.2018 has already been submitted. Petitioner requested for adjournment on the ground that his counsel is not available today. Adjourned. To come up for arguments/further proceedings on 06.02.2019 before S.B at Camp Court Swat.


(Muhammad Amin Khan Kundi)
Member
Camp Court Swat

06.02.2019

Petitioner in person present. Mian Amir Qadar learned Deputy District Attorney present. Due to general strike of the bar the case is adjourned. To come up for further proceedings on 05.03.2019 before S.B at camp Court Swat.


Member
Camp Court Swat.

96/18

05.03.2019

DFA

Petitioner with counsel present. Mian Amer Qadir, District Attorney alongwith Mr. Zewer Khan, S.I (Legal) for respondents present.

Learned counsel for the appellant invited attention to para-6 of the judgment of this Tribunal dated 29.01.2018. As regards the grievance of the petitioner regarding grant of seniority, the respondents vide order dated 01.11.2018 grant^{ed} him seniority on provisional basis and subject to the final outcome of the CPLA/^{filed} in the august Supreme Court of Pakistan. Learned counsel for the petitioner expressed satisfaction over the order referred to above. Case to come up for further proceedings on 02.04.2019 before S.B at camp court Swat.

Member
Camp Court Swat

dy NO: S/1167/18
dt: 3.5.2018

Annexure

13



Registration C.P.O
Please process
as per rule

برخواستہ کے لئے کیٹیبل نمونہ خانہ 1680
مقامہ شاہی ٹوٹی کابل ہوائی ... سائل / اپیلز

نیام

1. DIQ کے لئے اندر بیچ کے مقام سے روٹس فراہم کرنا
2. DPO کے لئے خارجہ کے مقام سے روٹس فراہم کرنا
سوال رقم ریپبلکیشن

APSO
03/5
18

AS
Feb. 07. act

مقامہ شاہی ٹوٹی کابل ہوائی دوبارہ کالی ٹوری

3/5

اپیل نمبر 3990-08: 24-4-18
ریپبلکیشن کے لئے روٹس فراہم کرنا
مقامہ شاہی ٹوٹی کابل ہوائی کے بارے میں
27-08-18: بلا جواز کے لئے
15-02-18
توجہ دینا کہ روٹس فراہم کرنا
مقامہ شاہی ٹوٹی کابل ہوائی کے بارے میں
اپیل سائل داخل دفتر کرنا

ATTESTED
To be:
True Copy

Shahar
03/5/18


مقامہ شاہی ٹوٹی کابل ہوائی کے بارے میں
3990-08: 24-4-18
موصوفیہ کے حقوق اپیلز میں غیر موثر کا اہتمام
وہ موقع قرار دیا جائے گا اس لئے کہ دوبارہ ملازمت
پر کالی کرنے کے احکامات کے مطابق

مقامہ شاہی ٹوٹی کابل ہوائی کے بارے میں

05.07.2018


Petitioner Hussain Ali in person present. Mr. Fazle Mabood, Inspector (Legal) on behalf of the respondents alongwith Mr. Muhammad Jan, Deputy District Attorney present.

The above named representative stated that CPLA has been filed against the judgment of this Tribunal, decision of which is still pending. Hence case to come up for further proceedings on 06.09.2018 before S.B at camp court, Swat.


Chairman
Camp court, Swat

06.09.2018

Petitioner in person present. Mr. Fazal Mabood, Inspector alongwith Mr. Usman Ghani, District Attorney for respondents present. Today again provisional implementation order as directed vide order sheet dated 05.07.2016 was not produced. Respondents are afforded last opportunity to produce provisional implementation order failing which coercive measure in the shape of attachment of salary would be initiated against them. Case to come up for further proceedings/implementation report on 07.11.2018 before S.B at camp court Swat.


Member
Camp Court Swat




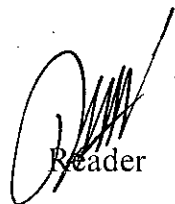
07.11.2018

Due to retirement of the Hon'ble Chairman Service Tribunal is incomplete. Tour to Camp Court Swat has been cancelled. To come up for the same on 06.12.2018 at camp court Swat.


Reader

FORM OF ORDER SHEET

Execution Petition No. 96/2018

S.No.	Date of order Proceedings	Order or other proceedings with signature of Judge
1	2	3
1	28.03.2018	<p>The Execution Petition of Mr. Hussain Ali submitted to-day by Mr. Muhammad Javaid Khan Advocate may be entered in the relevant Register and put up to the Court for proper order please.</p> <p style="text-align: right;"> REGISTRAR 28/3/18</p>
2	29-3-18	<p>This Execution Petition be put up before Touring S. Bench at Swat on <u>04-04-2018</u></p> <p style="text-align: right;"> CHAIRMAN</p>
04.04.2018		<p>Counsel for the petitioner present. Notice be issued to the respondents for implementation report for 10.05.2018 before S.B at Camp Court, Swat.</p> <p style="text-align: center;"> Chairman Camp court, Swat</p>
09.05.2018		<p>The Tribunal is non-functional due to retirement of the Worthy Chairman. To come up for the same on 05.07.2018 before the S.B at camp court, Swat.</p> <p style="text-align: right;"> Reader</p>

BEFORE THE SERVICE TRIBUNAL KHYBER
PAKHTUNKHWA, PESHAWAR

Execution petition No. 96/2018

Hussain Ali S/o Farzand Ali R/o Gunbat Maira Mingora, Tehsil Babozai District Swat (Senior Clerk Police Department, Presently at DPO Office Dir Lower)Appellant

VERSUS

Provincial Police Officer Government of Khyber Pakhtunkhwa and others Respondents Judgment debtors

INDEX

S. #	Description of Documents	Annexures	Pages
1.	Application		1-3
2	Copy of the service appeal	"A"	4-12
3	Copy of the order and judgment Dated: 29/01/2018	"B"	13-19
4	Copy of the application Dated: 20/02/2018 along with the forwarding letters Dated: 20/02/2018 and 27/02/2018	"C"	20-22
5	Wakalat Nama		

Applicant

Through Counsel



Muhammad Javaid Khan
Advocate High Court

Office: Allah-o-Akbar Masjid,
College Colony, Saidu Sharif, swat
Cell: 0343-9607492

BEFORE THE SERVICE TRIBUNAL KHYBER
PAKHTUNKHWA, PESHAWAR

Execution Petition No. 96/2018

0
346
28/03/2018

Hussain Ali S/o Farzand Ali R/o Gunbat Maira Mingora, Tehsil Babozai District Swat (Senior Clerk Police Department, Presently at DPO Office Dir Lower)

VERSUS

- 1) Provincial Police Officer Government of Khyber Pakhtunkhwa at Central Police Office (CPO) Peshawar
- 2) Assistant Inspector General of Police (Establishment) Khyber Pakhtunkhwa at CPO Peshawar
- 3) Deputy Inspector General of Police / Regional Police Officer (RPO) Malakand Region at Swat
- 4) District Police Officer Dir Lower at Temergara
- 5) Superintendent Establishment -V (CPO) Peshawar
- 6) In-charge Career Planning Branch (CPO) Peshawar

..... Respondents/ Judgment Debtors

APPLICATION FOR IMPLEMENTATION OF THE ORDER
AND JUDGMENT OF THIS HONORABLE TRIBUNAL DATED:
29/01/2018 IN SERVICE APPEAL NO. 1067 OF 2017.

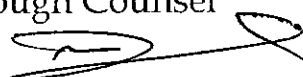
Respectfully Sheweth:

The applicant submits as under:-

6. That the applicant filed a service appeal No. 1067 of 2017 before this Honorable Tribunal. (Copy of the Service appeal is attached herewith as annexure "A").
7. That the service appeal mentioned above was decided in favor of the applicant on 29/01/2018 by this Honorable Tribunal. (Copy of the order and judgment Dated: 29/01/2018 is attached herewith as annexure "B").
8. That the applicant then filed an implementation application Dated: 20/02/2018 to the Respondent / Judgment debtor No. 1. (Copy of the application Dated: 20/02/2018 along with the forwarding letters Dated: 20/02/2018 and 27/02/2018 are attached herewith as annexure "C").
9. That the Respondents are reluctant to implement the order and judgment Dated: 29/01/2018 of this Honorable Tribunal in its true spirit, hence this application is filed.
10. That this Honorable Tribunal has got sufficient powers to implement its order and judgment.

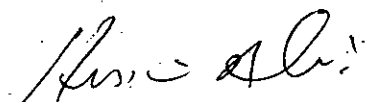
It is therefore respectfully prayed that on acceptance of this application, an order prayed for may be passed, please.

Any other remedy which is just, appropriate and efficacious may also be awarded in favor of the applicant.

Applicant
Through Counsel

Muhammad Javaid Khan
Advocate High Court

Affidavit:

It is stated on oath that contents of this application are true and correct to the best of my knowledge and belief, and nothing has been concealed from this Hon'ble Tribunal.


Deponent



(1) (4) A

BEFORE THE SERVICE TRIBUNAL KHYBER
PAKHTUNKHWA, PESHAWAR

Service Appeal No. 1067 /2017

- 1) Hussain Ali S/o Farzand Ali R/o Gunbat Maira Mingora,
Tehsil Babozai District Swat (Senior Clerk Police
Department, Presently at DPO Office Dir Lower)

.....Appellant

VERSUS

- 1) Provincial Police Officer Government of Khyber
Pakhtunkhwa at Central Police Office (CPO) Peshawar
- 2) Assistant Inspector General of Police (Establishment) Khyber
Pakhtunkhwa at CPO Peshawar
- 3) Deputy Inspector General of Police / Regional Police Officer
(RPO) Malakand Region at Swat
- 4) District Police Officer Dir Lower at Temergara
- 5) Superintendent Establishment -V (CPO) Peshawar
- 6) In-charge Career Planning Branch (CPO) Peshawar

.....Respondents

(2) (5)

Service Appeal Under Section 4 of Service Tribunal Act read with other relevant provisions against the impugned order / seniority list dated: 31/12/2016 issued by respondent No.1, in respect of Senior Clerks BPS-14, whereby the seniority position of the appellant has been lowered illegally and unlawfully from No.57 as it stood in the seniority list No. 263 dated: 31/12/2013.

PRAYER:

On acceptance of this service appeal the impugned order / seniority list issued by respondent No.1 dated: 31/12/2016 may kindly be rectified / modified to the extent of appellant, and the appellant may be listed at previous / original position at Serial No. 57 as it stood in the list issued on 31/12/2013. It is further prayed, that name of the appellant be included in the list / letter No. 792 / CPB Dated: 13/09/2017, and may be promoted accordingly.

(3) (6)

Any other relief, deemed fit and necessary in the given circumstances of the case may also be awarded in favor of appellant against respondents.

Respectfully Sheweth:

The appellant submits as under;

1. That the appellant is presently posted as Senior Clerk in the office of District Police Officer Dir Lower at Temergara.
2. That name of the appellant was at Serial No. 57 in the seniority list of the Senior Clerk BPS-14 in the KPK Province issued on 31/12/2013. (Copy of the seniority list dated: 31/12/2013 of the senior clerks BPS-14 is attached herewith as annexure "A").
3. That now in the seniority list of senior clerks BPS-14 issued on 31/12/2016, the appellant has been placed at Serial No.359 wrongly and illegally. (Copy of

(X) (7)

the seniority list dated: 31/12/2016 is attached herewith as annexure "B").

4. That names of the senior clerks mentioned in the seniority list dated: 31/12/2017 from serial No. 28 up to 358 may be considered as an integral part of this appeal and their names may be considered in the list of respondents. In this regard, an application under order 1 rule 10 CPC is also filed with this appeal.
5. That vide letter No. 464-534 / CBP Dated: 04/05/2017 respondent No.1 asked for representations for correction of seniority: (Copy of the letter 464-534 / CBP Dated: 04/05/2017 is attached herewith as annexure "C").
6. That the appellant than filed a representation / application dated: 10/⁰⁵~~08~~/2017 to the respondent No.1 well within time i.e 15 days. (Copy of the

(X) (8)

representation / application dated:

10/08/2017 along with covering letter of

DPO Dir Lower dated: 10/08⁰⁵/2017 is

attached herewith as annexure "D").

7. That the respondent No.1 has not decided the said representation up till now, and on the other hand, has issued letter No. 792 / CPB Dated: 13/09/2017 for processing the promotion cases of senior clerks. In the said letter, the senior clerks mentioned at serial No. 27 and onward up to serial No. 60 are junior to the appellant. (Copy of the letter No. 792 / CPB Dated: 13/09/2017 is attached herewith as annexure "E").
8. That the impugned order / seniority list dated: 31/12/2016 is illegal, unlawful, against facts available, unwarranted inter alia on the following grounds amongst others.

~~8~~ 9

GROUNDS:

- i. That the impugned order / seniority list dated 31/12/2016 is illegal, unlawful, unconstitutional and based on mala-fide which is very much clear from the record on file.
- ii. That the impugned order / seniority list dated 31/12/2016 has been passed in violation of Section 8 of Khyber Pakhtunkhwa Civil Servant Act, 1973 and Rule 17 of Khyber Pakhtunkhwa Civil Servants (Appoint, Promotion and Transfer) Rules, 1989.
- iii. That in the impugned seniority list, the reasons / remarks mentioned against the name of the appellant are incorrect, because the said denovo enquiry has been completed and the appellant was re-instated in service on 04/05/2017 by Regional Police Officer, Malakand at Saidu Sharif, Swat i.e Respondent No.3 (Copy of

decision / order of Respondent No.3 dated 04/05/2017 is attached herewith as annexure "F").

iv. That the impugned order/seniority list is issued in violation of Article-9, 10-A, 25 and 27 of the Constitution of Islamic Republic of Pakistan, 1973.

v. That other grounds not specifically raised will be argued with the permission of this Hon'ble Court at the time of arguments.

9. That this appeal is being filed against the order / seniority list dated 31/12/2016, hence this Honorable Tribunal has got the jurisdiction and after letter dated 04/05/2017 of the respondent No.1 the representation dated 10/05/2017 by appellant, this appeal is bared by few days for which a separate condonation

(8) (11)

application is submitted along with this
appeal.

It is therefore humbly prayed;-

Firstly, that on acceptance of this
service appeal, the impugned order /
seniority list issued by respondent
No.1 dated: 31/12/2016 may kindly
be rectified / modified to the extent
of the appellant and the appellant
may be placed at Serial No. 57 as he
is stood in the seniority list issued
on 31/12/2013.

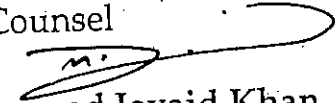
Secondly, that the name of the
appellant be included in the letter
No. 792 CPB dated: 13/09/2017 for
onward promotion as assistant
grade clerks.

~~(9)~~

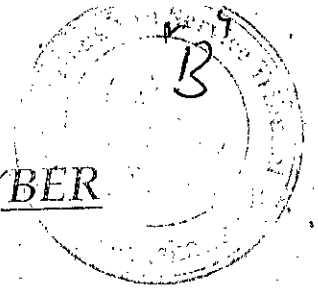
(12)

Any other remedy which is just, appropriate and efficacious may also be awarded in favor of the appellant please.

Appellant
Through Counsel


Muhammad Javaid Khan
Advocate High Court

(1) (13)



BEFORE THE SERVICE TRIBUNAL KHYBER
PAKHTUNKHWA, PESHAWAR

Khyber Pakhtunkhwa
Service Tribunal

Service Appeal No. 1067 /2017

Diary No. 1096
Date: 25/9/2017

1) Hussain Ali S/o Farzand Ali R/o Gunbat Maira Mingora,
Tehsil Babozai District Swat (Senior Clerk Police
Department, Presently at DPO Office Dir Lower)

.....Appellant


VERSUS

- 1) Provincial Police Officer Government of Khyber
Pakhtunkhwa at Central Police Office (CPO) Peshawar
- 2) Assistant Inspector General of Police (Establishment) Khyber
Pakhtunkhwa at CPO Peshawar
- 3) Deputy Inspector General of Police / Regional Police Officer
(RPO) Malakand Region at Swat
- 4) District Police Officer Dir Lower at Temergara
- 5) Superintendent Establishment -V (CPO) Peshawar
- 6) In-charge Career Planning Branch (CPO) Peshawar

.....Respondents

Filed today

Registrar
25/9/17

ATTESTED

Registrar

(14)

(74)

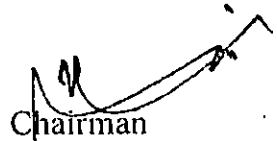
06.10.2017

Appellant alongwith counsel present. Preliminary arguments heard. The learned counsel for the appellant argued that the appellant was not given his due seniority in the seniority list of 2015 for the reason that after departmental proceedings a major penalty was imposed against him. That against this seniority list the Provincial Police Officer invited objections/representations which the appellant filed on 10.05.2017 but that representation has not been responded to and thereafter, the present appeal has been filed by the appellant on 25.09.2017.

The grounds of appeal are that relegation of the appellant in seniority position was due to imposition of major penalty. That the major penalty has been converted into minor penalty. That minor penalty is also subjudice before this Tribunal which is fixed for 06.11.2017 at camp court Swat.

Appellant Deposited
Security & Process Fee

The points raised need consideration. The appeal is admitted to regular hearing. The appellant is directed to deposit security and process fee within 10 days. Thereafter notices be issued to the respondents. To come up for written reply/comments on 06.11.2017 before S.B at camp court, Swat. Counsel for the appellant also brought attention of the Tribunal to misc. application filed with the memo of appeal for inclusion of his name in the upcoming promotion. Notice of application shall also be issued to the respondents for the date fixed.


Chairman
Camp Court, Swat.

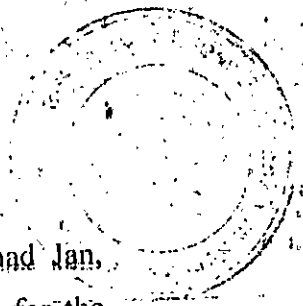
Form-A
FORM OF ORDERSHEET

Court of _____

Case No. 1067/2017

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1	25/09/2017	<p>The appeal of Mr. Hussain Ali presented today by Mr. Muhammad Javaid Khan Advocate, may be entered in the Institution Register and put up to Worthy Chairman for proper order please.</p> <p style="text-align: right;"><i>[Signature]</i> REGISTRAR 25/9/17</p>
2	26-9-17	<p>This case is entrusted to Touring S. Bench at Swat for preliminary hearing to be put up there on <u>06-10-2017</u></p> <p style="text-align: right;"><i>[Signature]</i> CHAIRMAN</p>

15



29.01.2018

Appellant alongwith counsel present and Mr. Muhammad Jan, Deputy-District Attorney alongwith Mr. Zewar Khan, S.I (Legal) for the respondents present. Arguments heard and record perused.

This appeal is also disposed of as per our detailed judgment of today in service appeal No. 508/2017 titled "Hussain Ali Versus Provincial Police Officer Khyber Pakhtunkhwa & others". Parties are left to bear their own costs. File be consigned to the record room.

Member

Chairman
Camp Court, Swat

ANNOUNCED
29.01.2018

Certified to be true copy
[Signature]

Date of Presentation
Number of Pages
Copy Fee
Urgency
Total
Name of
Date of
Presented

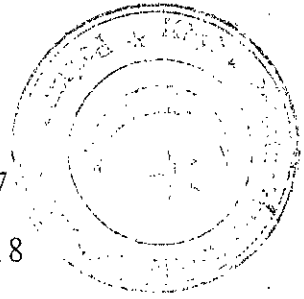
[Handwritten notes and signatures]
11-2-18
11-2-18

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,
CAMP COURT SWAT

Service Appeal No. 508/2017

Date of Institution... 23.05.2017

Date of decision... 29.01.2018



Hussain Ali son of Farzand Ali R/O Gunibat Maira Mingora Tehsil Babozai,
District Swat (Ex-Senor Clerk Police Department). ... (Appellant)

Versus

1. Provincial Police Officer, Khyber Pakhtunkhwa, Peshawar and four others.
... (Respondents)

MR. MUHAMAD JAVAID KHAN,
Advocate ... For appellant.

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

MR. NIAZ MUHAMMAD KHAN, ... CHAIRMAN
MR. GUL ZEB KHAN, ... MEMBER

JUDGMENT

NIAZ MUHAMMAD KHAN, CHAIRMAN: - Arguments of the learned
counsel for the parties heard and record perused.

FACTS

2. The appellant was compulsorily retired on 21.4.2015 by the Inspector
General of Police, Khyber Pakhtunkhwa, Peshawar. The appellant then filed
service appeal bearing No. 874/2014 before this Tribunal which was decided on
03.05.2016. In the said judgment, this Tribunal issued the direction for denovo

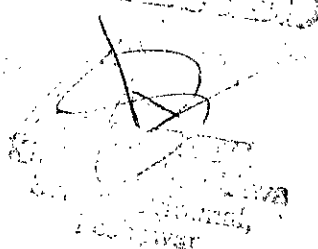
ATTESTED

(Signature)
Khyber Pakhtunkhwa
Service Tribunal,
Peshawar

proceedings within a period of two months of the receipt of that judgment. The department however, initiated denovo proceedings and then dismissed the appellant on 29.03.2017. Against this order, the appellant filed departmental appeal on 3.4.2017 which was partially accepted on 4.5.2017 and thereafter, he filed the present service appeal on 23.05.2017.

ARGUMENTS

3. The learned counsel for the appellant argued that the department failed to conclude the departmental proceedings within given time hence the order of dismissal was illegal. That the department failed to issue fresh charge sheet after denovo proceedings. That in the denovo proceedings, the enquiry officer was appointed who exonerated the appellant on 25.7.2016. Thereafter another enquiry officer was appointed who also not recommended any penalty as per her report of 24.10.2016. That on 28.11.2016, the authority again directed the enquiry officer to conduct the enquiry afresh. That after that final show cause notice was issued to the appellant by the District Police Officer on 06.03.2017 and then the order of dismissal was passed on 29.3.2017. The learned counsel for the appellant further argued that proper procedure was not followed as no charge sheet was issued after the denovo proceedings nor the time given by the Tribunal was honored. That the majority of the proceedings were ordered by the incompetent authority. The learned counsel for the appellant also relied upon the judgment of the Worthy Peshawar High Court in Writ Petition No. 1541-P/2015 decided on 22.09.2016. He also relied upon a judgment reported as 2007-PLC(C.S)959.

ATTESTED

[Signature]
[Stamp]

4. On the other hand, the learned Deputy District Attorney argued that in the order of this Tribunal ordering denovo proceedings, the Tribunal did not make it conditional whereas the judgment of the august Supreme Court of Pakistan relied upon by the learned counsel for the appellant was a conditional order. He further argued that there was no need of any fresh charge sheet as the charge sheet was already issued to the appellant in the earlier proceedings That all the formalities were fulfilled. That the appellate authority had already taken a lenient view.

CONCLUSION

5. This Tribunal is first to decide whether the proceedings were initiated and concluded by a competent authority or not. There is an order of delegation of powers issued by the Inspector General of Police in exercise of the powers under Article 31 of the Police Order, 2002 on 28.12.2015 wherein the powers of competent authority for disciplinary proceedings have been delegated to DPO. But except the final show cause notice and the order of dismissal, the whole proceedings were initiated by the I.G.P despite the above mentioned delegation of powers. This Tribunal is therefore, of the view that the proceedings before the final show cause notice were *coram non judice* and had no legal value. There is also no charge sheet issued to the appellant by any authority whether by the I.G.P or by the DPO. The departmental representative pressed into service a charge sheet issued to the other civil servants who ^{ere} was also involved in the present disciplinary proceedings but the said charge sheet was issued by the AIG. That charge sheet had not been issued by the AIG on behalf of IGP but by AIG himself. It is not understandable that how AIG could issue charge sheet as he was neither

APPROVED
[Signature]

the original appointing authority nor he was delegated any disciplinary powers by the IGP.

6. As a sequel to the above discussion, this Tribunal is of the view that the whole proceedings are illegal. The appellate order to the extent of back benefits etc. is set aside. Back benefits are allowed to the appellant subject to fulfillment of codal formalities regarding gainful employment etc. during the period he remained out of service. The appellant is also allowed seniority for the said period. Parties are left to bear their own costs. File be consigned to the record room.

Announced
29.01.2018

Sd/- Muz Muhammad Khan
Chairman
Appellate Court

Sd/- Gulzar Khan
A. Member

Certified to be true copy

Date of Disposal	14-2-18
Number	1600
Copies	1000
Urgent	200
Total	1200
Name of	
Date of	14-2-18
Date of	14-2-18

20

BEFORE WORTHY PROVINCIAL POLICE OFFICER, KHYBER PAKHTUNKHWA,
PESHAWAR

Through **PROPER CHANNEL**

Subject: **APPLICATION FOR PROMOTION AS ASSISTANT IN LIGHT OF COURT**
JUDGMENT

Respected Sir,

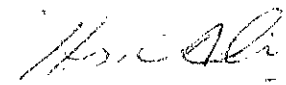
It is submitted that August Service Tribunal, Khyber Pakhtunkhwa while on 29/01/2018 deciding the Service Appeals No.508/2017 and 1067/2017 filed by the applicant, has granted all back benefits including allowing seniority of the said periods.

The applicant colleagues as well as junior have already been promoted as Assistant Grade Clerks during the mentioned periods. The Annual Confidential Reports of the applicant are already complete and in the entire service for more than 30 years rendered by the applicant has not yet been conveyed any adverse report(s).

It is, therefore, humbly requested that the applicant may kindly not be further deprived from legal rights and may very kindly be promoted as Assistant Grade Clerk with assigning and fixing of seniority amongst colleagues with back benefits in the light of August Service Tribunal judgment for which the applicant shall ever pray for your long life and prosperity for your this act of kindness and obliged.

Photo copies of judgment of August Service Tribunal, Khyber Pakhtunkhwa are submitted herewith for perusal please.

Yours Obediently,

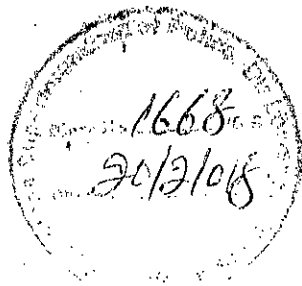


(HUSSAIN ALI)

Senior Clerk,

DPO Office, Dir Lower

Dated 20/02/2018



EC


District Police Officer,
Dir Lower at Timergara

(21)

OFFICE OF THE
DISTRICT POLICE OFFICER
DIR LOWER



Ph#.0945-9250005 Fax#. 0945-9250049

E-mail: dpolowerdir@gmail.com

No. 5790 /EC, dated 20/2 /2018

To The Regional Police Officer,
Malakand at Saidu Sharif, Swat

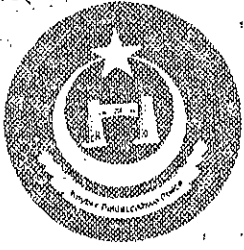
Subject: **APPLICATION**

Memorandum:

Application along-with photo copies of judgments of August Service Tribunal, Khyber Pakhtunkhwa of Senior Clerk Hussain Ali of this office requesting therein for promotion as Assistant Grade Clerk and fixing of seniority amongst colleagues is forwarded herewith for onward submission to CPO Peshawar for consideration under intimation to this office please.

Encls:- (06)


District Police Officer,
Dir Lower



22

OFFICE OF THE
REGIONAL POLICE OFFICER, MALAKAND
AT SAIDU SHARIF SWAT.
Ph: 0946-9240381-83 & Fax No. 0946-9240390
Email: digmalakand@yahoo.com

No. _____ /E, dated Saidu Sharif the 27 / 02 / 2018

To: **The Inspector General of Police,
Khyber Pakhtunkhwa, Peshawar.**

Subject: **APPLICATION.**

Memorandum:

The District Police Officer, Dir Lower vide his office memo No. 5790/EC, dated 20/02/2018 has forwarded an application (alongwith judgment of August Service Tribunal, Khyber Pakhtunkhwa Peshawar) submitted by Senior Clerk Hussain Ali requesting therein for promotion as Assistant Grade Clerk and fixing of seniority amongst his colleagues.

His application alongwith relevant papers is submitted herewith for necessary action.

Regional Police Officer,
Malakand, at Saidu Sharif Swat

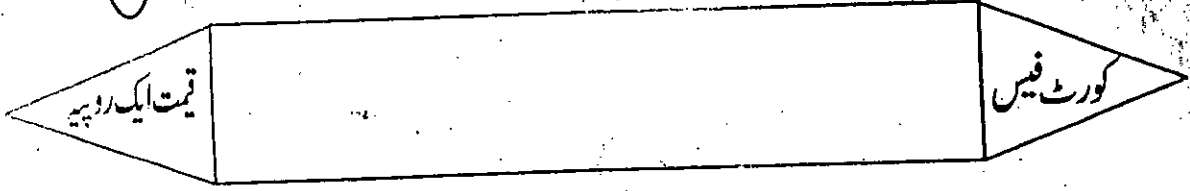
No. 2162 /E,

Copy for information to the District Police Officer, Dir Lower with reference to his office memo No. quoted above.

Regional Police Officer
Malakand, at Saidu Sharif Swat

EC
District Police Officer,
Dir Lower at Timergara

بعدالتصا۔ سررس ٹریبونل کیپ کورٹ مقام کل درہ بلیڈو آئیڈیٹور



۲۰۱۸ منجانب

بنام

مورخہ

مقدمہ

دعویٰ

جرم

باعث تحریر آنکہ

مقدمہ مندرجہ عنوان بالا میں اپنی طرف سے واسطے پیروی و جواب دہی وکل کارروائی متعلقہ آن مقام سررس ٹریبونل کیپ کورٹ سورا۔ کیلئے لکھی جانے والی درخواست کو مقرر کر کے اقرار کیا جاتا ہے کہ صاحب موصوف کو مقدمہ کی کل کارروائی کا کامل امتیاط ہوگا۔ نیز وکیل صاحب کوراضی نامہ و تقرر ثالث و فیصلہ پر حلف دینے جواب دی اور اقبال دعویٰ اور درخواست ہر قسم کی تصدیق زرا اور اس پر دستخط کرنے کا اختیار ہوگا۔ نیز بصورت عدم پیروی یا ڈگری ایک طرف یا اپیل کی برآمد ہوگی اور منسوخ مذکور کے نسل یا جزوی کارروائی کے واسطے اور وکیل یا مختار قانونی کو اپنی ہمراہ یا اپنی بجائے تقرر کا اختیار ہوگا۔ اور صاحب مقررہ شدہ کو بھی جملہ مذکورہ بالا اختیارات حاصل ہونگے اور اس کا ساختہ برواختہ منظور و قبول ہوگا۔ اور دوران مقدمہ میں جو خرچہ و ہرجانہ التوائے مقدمہ کے سبب سے ہوگا اسکے مستحق وکیل صاحب ہونگے۔ نیز بقایا و خرچہ کی وصولی کرپتے وقت کا بھی اختیار ہوگا اگر کوئی تاریخ پیشی مقام دورہ ہر ہو یا حد سے باہر ہو تو وکیل صاحب پابند نہ ہونگے کی پیروی مقدمہ مذکور لہذا وکالت نامہ لکھ دیا کہ سند رہے

ماہ

المرقوم

العبد گداہ شاہ العبد

کے لئے منظور ہے

بمقام سررس ٹریبونل کیپ کورٹ سورا



OFFICE OF THE INSPECTOR GENERAL OF POLICE
KHYBER PAKHTUNKHWA, CENTRAL POLICE OFFICE
PESHAWAR

Ph: 091-9210545 Fax: 091-9210927 Email: OSEstablishment@gmail.com

NO. 5170-80 /E-V, dated 11.11.2018

OFFICE ORDER.

In compliance with the judgment dated 29.01.2018 of Honorable Service Tribunal Camp Court Swat vide Service Appeal No. 1067/2017 revised Seniority is hereby assigned to Mr. Hussain Ali Senior Clerk of Malakand region, conditionally and provisionally subject to the outcome of CPLA and his name placed at Serial No.10, below the name of his colleague Waheed-ur-Rehman and above the name of Muhammad Humayun in the Seniority list of Senior Clerk.

(SADIQ BALUCH) PSP
AIG/Establishment,
For Inspector General of Police,
Khyber Pakhtunkhwa, Peshawar

Endst: No. & date even.

Copy forwarded to the: -

1. Addl: Inspector General of Police, HQrs, CPO Peshawar.
2. Deputy Inspector General of Police, HQrs, CPO Peshawar.
3. Regional Police Officer, Malakand.
4. District Police Officer, Dir Lower w/r to his office letter No. 34692/EB, dated 15.10.2018 for onward submission to the Honorable Court.
5. Assistant Inspector General of Police: Legal CPO Peshawar
6. Registrar CPO, Peshawar.
7. PA to the Assistant Inspector General of Police: Estt: CPO Peshawar.
8. Office Supdt: Secret, CP Branch & Central Registry Cell CPO, Peshawar.

Inspector Legal
EC
for n. action.

District Police Officer,
Dir Lower at Timergara



OFFICE OF THE INSPECTOR GENERAL OF POLICE
KHYBER PAKHTUNKHWA, CENTRAL POLICE OFFICE
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(SADIQ BALOCH) PSP

AIG/Establishment,

For Inspector General of Police
Khyber Pakhtunkhwa, Peshawar

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Inspector Legal
EC

for u. action.

District Police Officer,
Dir Lower at Timergara

2/11