

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

Service Appeal No. 535 /2023Mr. Misal KhanEx-Inspector, Police Lines Peshawar..... Appellant

VERSUS

1. The Provincial Police Officer,
Khyber Pakhtunkhwa, Peshawar.2. The Capital City Police Officer Peshawar.3. The Senior Superintendent of Police (Operations),
Peshawar..... RespondentsKhyber Pakhtunkhwa
Service TribunalCase No. 4216Dated 10/3/2023

SERVICE APPEAL UNDER SECTION 4 OF THE KHYBER PAKHTUNKHWA SERVICE TRIBUNALS ACT, 1974 AGAINST THE ORIGINAL IMPUGNED ORDER DATED 16.11.2022 WHEREBY MAJOR PENALTY OF REMOVAL FROM SERVICE WAS IMPOSED UPON THE APPELLANT AGAINST WHICH HE PREFERRED DEPARTMENTAL APPEAL TO RESPONDENT NO.2 ON 21.11.2022 BUT THE SAME WAS UNLAWFULLY REJECTED/FILED VIDE IMPUGNED APPELLATE ORDER DATED 27.02.2023.

PRAYER:

On acceptance of the instant appeal, the Original impugned order dated 16.11.2022 passed by Respondent No.3 and the Impugned Appellate Order dated 27.02.2023 passed by Respondent No.2 may graciously be brushed aside and appellant be re-instated into service with all back benefits.

Respectfully Sheweth,

Facts giving rise to the present appeal are as under:-

1. **That** appellant was a senior most officer of the Respondents Force and was performing his duties against the rank of Inspector. It is pertinent to aver here that the appellant has never been proceeded against departmentally and rendered more than 31 unblemished service.
2. **That** an F.I.R No.583 (*Annex:-A*) dated 26.06.2022 U/S 364/302/ & 7ATA, Police Station Shah Pur was chalked out by the Complainant namely Muhammad Tariq S/o Salamat against culprits namely Ramzan Ali, Jan Sher, Lal Sher Ss/o

Filed to-day
10/3/2023