

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR

Appeal No. 1081/2020

Date of Institution ... 18.02.2020

Date of Decision ... 09.10.2020

Liaqat Khan son of Banaras R/O Moh. Jogi Khel, Sangao, Tehsil Katlang, District Mardan. ... (Appellant).

VERSUS

Government of Khyber Pakhtunkhwa through Secretary Home & Tribal Affairs, Department Peshawar and six others. ... (Respondents)

Present.

Mr. Mudassir Nazar,  
Advocate.

... For appellant

MR. HAMID FAROOQ DURRANI,

... CHAIRMAN

JUDGMENTHAMID FAROOQ DURRANI, CHAIRMAN:-

1. The appellant is aggrieved of order dated 13.06.2014, whereby, major penalty of dismissal from service was imposed upon him. He is also dissatisfied with the order dated 13.11.2014, passed by respondent No. 4/RPO Malakand. By way of the order the departmental appeal of appellant was filed.
2. Learned counsel for the appellant heard and available record gone through.
3. The appellant was proceeded against departmentally on account of willful absence from duty for a total period of 137 days. During the departmental enquiry proceedings the appellant did not appear before the concerned officer, however, in response to final show cause notice dated 03.06.2014, he made himself available. The impugned order dated 13.06.2014 was assailed through



departmental appeal which could not prevail. Purportedly, he submitted a revision petition before respondent No. 2 which was also rejected being badly barred by time.

The record is depictive of the fact that after the decision of departmental appeal, the appellant remained mum for about five years and then, in order to arrest the time period, submitted a revision petition in the year, 2019.

4. Learned counsel argued that the absence/non-availability of appellant was due to his illness for which he had duly submitted the prescription chits to the concerned superior officers. On the contrary, the copies of OPD chits, as available in the record, pertain only to the years 2013/2014. Admittedly, the appellant never submitted any application for grant of medical leave. It is also worth noting that besides the delay in submission of revision petition, the appeal in hand also appears to have been filed after the expiry of period provided for the purpose. On 07.10.2019, the revision petition was dismissed while the appeal in hand was brought on 18.02.2020.

5. In view of the above, no merits are found for admission of appeal to regular hearing. The same is, therefore, dismissed in limine. File be consigned to the record.

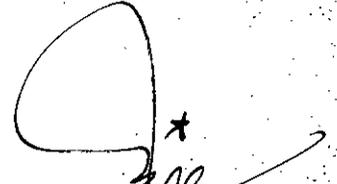


(HAMID FAROOQ DURRANI)  
CHAIRMAN

ANNOUNCED  
09.10.2020

18.06.2020

Nemo for the appellant present. On the last date of hearing the matter was adjourned on the strength of Reader note. The office shall, therefore, issue notices to the appellant and his counsel. To come up for preliminary hearing on 18.08.2020 before S.B.

  
MEMBER

18.08.2020

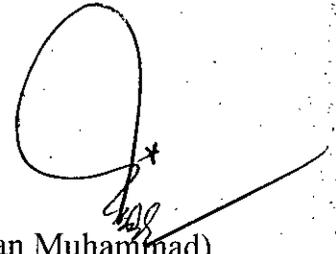
05/05/2020

None for the appellant present.

Notices be issued to the appellant and his counsel.

Adjourned to 09.10.2020 before S.B.

05/05/2020



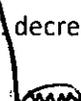
(Mian Muhammad)  
Member(E)

Form- A

FORM OF ORDER SHEET

Court of \_\_\_\_\_

Case No.- 1081 /2020

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	18/02/2020	<p>The appeal of Mr. Liaqat Ali presented today by Mr. Mudassir Nazar Advocate may be entered in the Institution Register and put up to the Worthy Chairman for proper order please decrease</p> <p style="text-align: right;"> REGISTRAR 18/2/2020</p> <p>2-</p> <p>This case is entrusted to S. Bench for preliminary hearing to be put up there on <u>27/03/2020</u>.</p> <p style="text-align: right;"> CHAIRMAN</p> <p>27.03.2020</p> <p>Due to public holidays on account of Covid-19, the case is adjourned. To come up for the same on 18.06.2020 before S.B.</p> <p style="text-align: right;"> Reader</p>

**BEFORE THE SERVICES TRIBUNAL, KPK, PESHAWAR**

SERVICE APPEAL NO. <sup>1081</sup> /2020

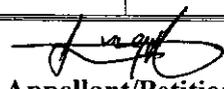
Liaqat Khan..... Appellant

**VERSUS**

Government of Khyber Pakhtunkhwa  
through Secretary Home & Tribal Affairs & others..... Respondents

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Appellant/Petitioner

Through

  
Mudassir Nazar  
Waqas Hassan  
Advocates, High Court

At District Courts, Mardan

Date: 07.02.2020

0300 8145599

**BEFORE THE SERVICES TRIBUNAL, KPK, PESHAWAR**

SERVICE APPEAL NO. <sup>1081</sup>\_\_\_/2020

Liaqat Khan S/O Banaras

R/O Mohallah Jogi Khel, Sangao, Tehsil Katlang & District Mardan. . . . . Appellant

Khyber Pakhtunkhwa  
Service Tribunal

V E R S U S

Case No. 1243

Dated 18/2/2020

1. Government of Khyber Pakhtunkhwa through Secretary Home & Tribal Affairs, Civil Secretariat, Peshawar.
2. Provincial Police Officer (PPO), Govt. of Khyber Pakhtunkhwa, Central Police Office (CPO), Peshawar.
3. Inspector General of Police (IGP) Khyber Pakhtunkhwa, Central Police Office, Peshawar.
4. Regional Police Officer (RPO), Malakand Division, at Saidu Sharif Swat.
5. District Police Officer (DPO), Buner, at Daggar Bridge.
6. Sub Divisional Police Officer (SDPO), Buner.
7. Mr. Ghulam Muhammad, Deputy Superintendent of Police (DSP) Headquarters/ Enquiry Officer (Rtd) District Buner . . . . . Respondents

=====

SERVICE APPEAL U/S 4 OF THE KP SERVICES TRIBUNAL ACT, 1974, AGAINST /O.B NO. 62, DATED: 13.06.2014, OF RESPONDENT NO.5, VIDE WHICH MAJOR PENALTY/PUNISHMENT OF DISMISSAL FROM SERVICE IMPOSED UPON THE APPELLANT AND ORDER NO. 9094/E, DATED: 06.11.2014, OF RESPONDENT NO. 4, VIDE WHICH DEPARTMENTAL APPEAL/ REPRESENTATION OF THE APPELLANT WAS DIMSISSED. AGAINST WHICH REVISION PETITION WAS FILED TO IGP KPK, CENTRAL POLICE OFFICE PESHAWAR, AND RESPONDENT NO. 3, THROUGH OFFICE ORDER NO. 3563/19, DATED: 07.10.2019, IS DISMISSED AS BEING TIME BARRED THROUGH RESPONDENT NO. 4.

Filed to-day  
Registrar  
18/2/2020

=====

**Respectfully Sheweth:**

**FACTS:**

1. That appellatant is SSC qualified and was appointed as "Constable" in Police Department, District Mardan, Vide OB No. 2527, dated; 15.11.2008. (Copy of Enlistment order is attached as Annexure "A").
2. That appellatant, was transfer to Buner from Mardan, vide P.P.O K.P.K Peshawar, Order/Endst No. 21430-34/E-II, Dated: 04.09.2013.

3. That during his duty he was found dutiful and obedient also served with zeal and enthusiasm. But the appellant was dismissed from service on the ground of absentees by DPO Bunir, vide OB No. 62, dated: 13.06.2014. Furthermore before that an alleged departmental Enquiry was conducted in which the appellant was never summoned or heard in person as is evident from the Order of the RPO Malakand at Saidu Sharif Swat.
4. That the appellant appealed against the Order of the DPO Bunir, announced against the appellant awarding him the capital punishment of dismissal from service on the recommendation of the Enquiry Officer/DSP HQrs where he was not heard in his defence and awarded him the major punishment of Dismissal from service on the ground of absentees which is against the Law, Rules and Judgments of the Superior Courts on the subject.
5. That the applicant became ill in the last months of the year 2013, and produced properly seal and signed OPD chits by the competent authority of DHQ Hospital Mardan, as under
  - (i) OPD Chit No. 6714, Dated: 28.11.2013, Medical Leave for two weeks from 28.11.2013 to 11.12.2013.
  - (ii) OPD Chit No. 3060, Dated: 12.12.2013, Medical leave for two weeks from 12.12.2013 to 25.12.2013.
  - (iii) OPD Chit No.6111, Dated: 26.12.2013, Medical leave for two weeks from 26.12.2013 to 08.01.2014.
  - (iv) OPD Chit No.1926, Dated: 09.01.2014, Medical leave for two weeks from 09.01.2014 to 22.01.2014.
  - (v) OPD Chit No.5225, Dated: 23.01.2014, Medical leave for two weeks from 23.01.2014 to 05.02.2014.
  - (vi) OPD Chit No.1127, Dated: 13.02.2014, Medical leave for four days from 13.02.2014 to 09.02.2014.
  - (vii) OPD Chit No.421-151, Dated: 25.03.2014, Medical leave from 25.03.2014 to 10.04.2014.
  - (viii) OPD Chit No.5411, Dated: 11.04.2014, Medical leave for ten days from 11.04.2014 to 21.04.2014.
  - (ix) OPD Chit No.711, Dated: 07.05.2014, Medical leave from 07.05.2014 to 25.05.2014.
  - (x) OPD Chit No.171-1, Dated: 26.05.2014, Medical leave from 26.05.2014 to 12.06.2014.

**(Copies of OPD Chits are attached as annexure "B")**

6. That the absence of the applicant was not intentional and deliberate but due to above mentioned reason and hence he was not a habitual absentee.
7. That the enquiry conducted by DSP Headquarters against the applicant was in hasty and cursory manner which deprived the applicant from his fundamental rights and which is against the law & facts hence not applicable on the applicant.  
**(Copy of Enquiry Report of DSP HQ is attached as annexure "C")**
8. That on the partial enquiry of the DSP Headquarters, the DPO Bunir, Mr. Asif Iqbal Mohmand, also agreed with the enquiry officer and the appellant/petitioner Liaqat Khan, was placed as absentee and awarded him major punishment i.e. Dismissal from service on the ground of absentees under Para 4 (iv) Police Rules 1975, while his period of absence (Leave) of 137 days, 21 hours, and 30 minutes is counted as leave without pay.  
**(Copy of Order of DPO Bunir is attached as annexure "D")**
9. That feeling aggrieved the applicant approached for appeal to RPO Malakand at Saidu Sharif Swat, where he was heard on dated: 31.10.2014, and produced the above mentioned medical chits but the said authority upheld the order of DPO Bunir, whereby the petitioner was awarded major punishment of dismissal from service and his appeal was dismissed on dated: 06.11.2014, S.no. 9094.  
**(Copy of RPO Order is attached as annexure "E")**
10. That unfortunately the mother of the petitioner became ill and he remained with her for her treatment and look after being a sole person to take care of her.
11. That the petitioner time and again visited the office of inspector police kp, but in vein. He was returned from the said office and again his mother became ill and also the applicant himself became ill again.
12. That applicant filed revision petition against the orders of DPO & RPO, to Inspector General of police Khyber Pakhtunkhwa but the same was considered as badly time barred and the applicant was informed accordingly by Order no. 3563 dated: 07.10.2019.  
**(Copy of IG KPK, Order no. 3563, dated: 07.10.2019, is attached as annexure "F")**
13. That feeling aggrieved from all the above orders the instant petition on grounds as under.

**GROUNDS:**

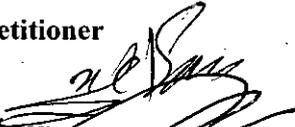
1. That the applicant is a law abiding and bonafide citizen of Pakistan and has not been involved in any illegal activities.  
(Copy of CNIC of Liaqat Khan Ex-Constable is attached as annexure "G")
2. That the petitioner served in police department with zeal and enthusiasm without having any bad entries.
3. That the petitioner obeyed all orders of his seniors and has never remained disobedient, from his appointment to transfer.
4. That at the time of appointment the law and order situation were very harsh, tough; dangerous and everywhere there was bomb blasting and suicide attacks but despite that, the petitioner performed his duties, and was never absent without leave.
5. That till 28.11.2013 he was never ever found absent but unfortunately the petitioner became ill and treated himself in DHQ Hospital Mardan, regularly and all the medical receipts are duly signed and sealed by medical officers and orthopaedic officers and advised leave for necessary days/weeks.
6. That the inquiry officer of being unheard the petitioner prepared his enquiry report and did not bother to pay heed to the medical receipts of the petitioner hence, his enquiry report is full of legal and factual flaws, therefore these lacuna's are against the orders and judgments of the Superior Courts of Pakistan on the subject and the enquiry report is not applicable on the petitioner.
7. That the allegations levelled against the appellant/petitioner are not genuine as the petitioner produced medical receipts to the respondents but the same were not considered which is against law and facts and are not tenable in the eye of law. Therefore the order on the enquiry report by the DPO Bunir, is illegal, void-ab-initio and is liable to be struck down by this Hon'ble tribunal to uphold law and fair play to secure the ends of justice.
8. That the petitioner provided the supra receipts as substantive material in his defence which are deliberately ignored by the RPO Malakand and passed an illegal order.

9. That merely on the basis of so called absentees which are in fact medical leave, the dismissal from service is not appealable to prudent mind and also against the decisions of Superior courts and also against the police rules & E & D Rules.
10. That the petitioner does not fall within the ambit of misconduct, inefficient, corrupt, not having bad reputation.
11. That any other grounds not specifically mentioned herein will be raised at the time of arguments with the prior permission of this Hon'ble Tribunal.

**Prayer in Appeal:**

On acceptance of this service appeal, the impugned orders dated; 13.06.2014 and 06.11.2014 & 07.10.2019, of respondents No. 5, 4 & 3, respectively may be declared illegal, unlawful, without lawful authority, void-ab initio, hence be set aside and appellant may please be restored in service with all back benefits, and any other relief not specifically prayed for and deemed appropriate by this Hon'ble tribunal may also be granted in favour of the appellant/petitioner, so as to secure the ends of justice.

Dated: 07.02.2020

  
Appellant/Petitioner  
Through   
Mudassir Nazar  
Waqas Hassan   
Advocates High Court  
@ District Courts Mardan.

**BEFORE THE SERVICES TRIBUNAL KPK, PESHAWAR**

SERVICE APPEAL NO. \_\_\_/2020

Liaqat Khan .....PETITIONER

...VERSUS...

Govt. of Khyber Pakhtunkhwa & others. ....RESPONDENTS

**APPLICATION FOR CONDONATION OF DELAY**

**Respectfully Sheweth:**

1. That the titled appeal has been filed by the petitioner and no date of hearing has yet been fixed for hearing.
2. That facts and grounds of the titled appeal may please be considered as integral part and parcel of the instant application.
3. That the petitioner was unable to file the instant appeal earlier due to a number of reasons, one being his illness in the winter season and secondly because of the non availability of record and the order of IG KPK, Peshawar, was communicated very late and thirdly because of the winter vacations and then soon after because of the strike of lawyers so after a considerable time, hence delay, if any, has been occasioned, the same would have been caused due to the aforementioned lawful and appropriate reasons/purposes and is not deliberate rather occasioned inadvertently, hence liable to be condoned, in view of full Court Judgment of apex Supreme Court of Pakistan, reported in PLD 2003 SC 724, whereby more than 200 Service Appeals have been disposed of, operative citation whereof is as under:

“(K) Limitation. . . . . Administration of Justice.... Decisions of the cases on merits always to be encouraged, instead of none suiting the litigants for technical reasons, including on limitation”

The aforementioned views of the apex Court is based on century old principle of law, reproduced in plethora of Judgments, for instance 2000 SCMR 830, PLD 2001 SC 980, 2002 SCMR 142 & 191 SCMR 1765, therefore, proprietary demands to ignore delay in filing of instant appeal, if any, in the best interest of justice and in compliance of the aforementioned Judgments of the apex Supreme Court of Pakistan, being

mandatory upon this Hon'ble Tribunal, under Article 189 of the Constitution of Islamic Republic of Pakistan, 1973, contents whereof are reproduced as under:

"Decisions of Supreme Court binding on other courts: Any decision of the Supreme Court shall, to the extent that it decides a question of law or is based upon or annunciates a principle of law, be binding on all other courts in Pakistan".

Similarly, Article 190 of the Constitution of Islamic Republic of Pakistan, 1973, further simplifying the things in these words:

"All executive and judicial authorities throughout Pakistan shall act in aid of the Supreme Court"

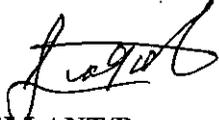
In view of the aforementioned legal position of the case, proprietary demands to decide the titled appeal, on its own merits, in accordance with law and in view of aforementioned Judgments, so as to secure the ends of justice.

4. That valuable rights of applicants are involved and if none suited on the basis of technicalities, he will suffer irreparable loss and his more than six (06) years spotless carrier would be deteriorated. Furthermore, balance of convenience also lies in his favour and has got good prima facie case, and is very much sanguine of its success.

**PRAYER:**

It is, therefore, most humbly prayed that on acceptance of instant application, delay, if any, in filing of titled appeal, may please be condoned in the best interest of justice.

THROUGH

  
APPELLANT/PETITIONER

  
MUDASSIR NAZAR  
WAQAS HASSANI  
ADVOCATES, HIGH COURT  
@ DISTRICT COURTS MARDAN

DATED: 07.02.2020

**BEFORE THE SERVICES TRIBUNAL, KPK, PESHAWAR**

SERVICE APPEAL NO. \_\_\_/2020

Liaqat Khan. .... Appellant

**VERSUS**Government of Khyber Pakhtunkhwa  
through Secretary Home & Tribal Affairs & others. .... Respondents**AFFIDAVIT**

I, Liaqat Khan S/O Banaras R/O Mohallah Jogi Khel, Sangao, Tehsil Katlang District Mardan. do hereby solemnly affirm and declare on oath that the contents of accompanying **Service Appeal** are true and correct to the best of my knowledge and belief and nothing has been concealed from this Hon'ble Tribunal.

Identified by

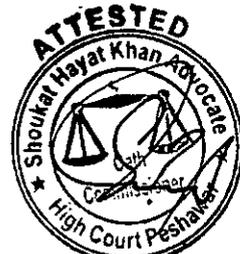
Mudassir Nazar

Advocate, Mardan



**DEPONENT**

CNIC=16101-6093639-7



9/2/2020

**BEFORE THE SERVICES TRIBUNAL, KPK, PESHAWAR**

SERVICE APPEAL NO. \_\_\_/2020

Liaqat Khan ..... Appellant

**VERSUS**

Government of Khyber Pakhtunkhwa  
through Secretary Home & Tribal Affairs & others. .... Respondents

**ADDRESSES OF PARTIES**

**APPELLANT**

Liaqat Khan S/O Banaras

R/O Mohallah Jogi Khel, Sangao, Tehsil Katlang & District Mardan

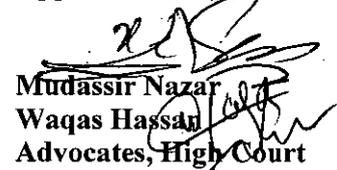
**RESPONDENTS**

1. Government of Khyber Pakhtunkhwa through Secretary Home & Tribal Affairs, Civil Secretariat, Peshawar.
2. Provincial Police Officer (PPO), Govt. of Khyber Pakhtunkhwa, Central Police Office (CPO), Peshawar.
3. Inspector General of Police (IGP) Khyber Pakhtunkhwa, Central Police Office, Peshawar.
4. Regional Police Officer (RPO), Malakand Division, at Saidu Sharif Swat.
5. District Police Officer (DPO), Buner, at Daggar Bridge.
6. Sub Divisional Police Officer (SDPO), Buner.
7. Mr. Ghulam Muhammad, Deputy Superintendent of Police (DSP) Headquarters/ Enquiry Officer (Rtd) District Buner.



Appellant/Petitioner

Through

  
Mudassir Nazar  
Waqas Hassan  
Advocates, High Court

Date: 07.02.2020

@ District Courts Mardan.

Annex - "A"

ENLISTMENT ORDER

10

Name Khajaj Ali

sto Banaras Khan P.O. Jugi Khet Sangar

PS Katlang District Mardan is hereby enlisted a constable time

scale on three years probation with effect from: 25.11.08

and allotted constabulary No. 2372

Height 5 - 7

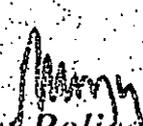
Chest 34 x 36

Education 10th

Date of birth 04.01.1988

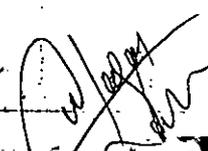
O.B. No. 2527

Dated 21-11-2008

  
District Police Officer,  
M a r d a n

S. V. E. Nish

Transfer order  
Entry not  
mentioned in  
service roll.

  
Attested

No.

Rs. 3

OUT-PATIENTS DEPARTMENT

NAME 681 Mr. [Signature]

YEARLY NO 674

DATE 23-11-73

DISEASE

FACE VALUE ROPEES 6

11

*[Handwritten signature]*

*[Handwritten signature]*

*[Handwritten mark]*

*[Handwritten text]*

*[Handwritten text]*

*[Handwritten text]*

*[Handwritten text]*

*[Handwritten text]*

ORTHOPAEDIC SURGEON  
D.H.Q. Hospital Mardan

*[Handwritten signature]*

*[Handwritten signature]*

No.

Rs. 5

OUT-PATIENTS DEPARTMENT

NAME 681 - W. S. G.

YEARLY NO. 3060

DATE 12-12-13

DISEASE

FACE VALUE ROPEES

12

*M. J. ...*

*[Signature]*

*[Signature]*

*2 Present*

*2 Discharge*

*2 Accidents*

*As medical ...*

ORTHOPAEDIC SURGEON  
M.H.C. Hospital ...

*[Signature]*

No.

Rs. 5/-

OUT-PATIENTS DEPARTMENT

NAME

A. S. - O. S. W.

YEARLY NO.

6111

DATE

26-12-13

DISEASE

*Handwritten notes and scribbles in the disease field.*

PARVALECHERUPPIS

13

24. Medical Dept

25. Medical Dept

26. Medical Dept

Medical Home

Two weeks

ORTHOPAEDIC SURGEON  
D.H.O. Hospital Maradan

*Handwritten signature at the bottom of the page.*

No.

RS. 5/

OUT-PATIENTS DEPARTMENT

NAME: 691-W. J. W.

YEARLY NO. 1926

DATE: 9-1-14

DISEASE

FOR EVALUATION RUPES 5/

14

W. J. W.

1926

2

2

Koltrud

(2)

Bridg

Ad

2

Alcohol

med. treatment  
Two weeks

ORTHOPAEDIC SURGEON  
D.H.Q. Hospital Maroon

W. J. W.

No.

OUT-PATIENTS DEPARTMENT

NAME

681 *Handwritten name*

YEARLY NO.

5225 15

DATE

23 - 1 - 14

DISEASE

*Handwritten medical notes*

*Handwritten signature*

*Handwritten notes*

*Handwritten notes*

*Handwritten notes*

*Handwritten notes*

*Handwritten notes*

OR *Handwritten* SURGEON  
D.H.G. Hospital Mardan

*Handwritten signature*

PAY IN VALUE RUPIES

No.

Rs. 5

OUT-PATIENTS DEPARTMENT

NAME 681 - *[Handwritten Name]*

YEARLY NO 1125

DATE 13-2-14

DISEASE

FACE VALUE ROPEES 5

16

*[Handwritten signature]*

*[Handwritten note]*

*[Handwritten note]*

*[Handwritten note]*

*[Handwritten note]*

ORTHOPAEDIC SURGEON  
D.H.Q. Hospital Mardan

No. 2

Rs. 5/-

OUT-PATIENTS DEPARTMENT

NAME

لیاقت علی بیگ

17

YEARLY NO

421-151

DATE

25/03/14

DISEASE

FACE VALUE RUPEES 5/-

لیاقت علی بیگ

At home, L.P.  
14/4

S. M. Sikar

T. V. S. S. S.

Medical Superintendent  
Hospital Mardan

T. M. S.

Medical leave from 25/03/14

To 10/04/14

MEDICAL OFFICER  
D.H.O. HOSPITAL  
MARDAN

Handwritten signature at the bottom of the page.

No.

Rs. 5/-

OUT PATIENTS DEPARTMENT

NAME 681 - J. W. W.

YEARLY NO. 5411 -

18

DATE 11 - 09 - 15

DISEASE

*[Signature]*

FACE VALUE RUPEES 5/-

Medical Superintendent  
D.H.Q. Hospital Mardan

R. J. Mover

L. Terrey

3 Jul

L. Bafu

A medical certificate for ten days

MEDICAL OFFICER  
D.H.Q. HOSPITAL  
MARDAN

*[Signature]*

No.

Rs. 5

OUT-PATIENTS DEPARTMENT

NAME

*Ch. R. Venk*

YEARLY NO.

*111* *19*

DATE

*7-5-74*

DISEASE

*Ch. R. Venk*

*T. Ramesh*

Medical Superintendent  
D. H. Q. Hospital

*Ch. Ramesh*

*T. Ramesh*

*At Medical Law for 07-05-74*

*7-5-74*

MEDICAL OFFICER  
D. H. Q. HOSPITAL  
NARDI

*Attest*  
*Attest*

No.

Rs. 5/-

OUT-PATIENTS DEPARTMENT

NAME

681 B. S. S. S.

YEARLY NO.

171-1

20

DATE

26-5-44

DISEASE

Inf.

Not imp.

FACE VALUE RUPEES 5/-

Medical Superintendent  
D.H.Q. Hospital

B. S. S. S. S.

LET  
to Terminal

C. B. S. S.

Ad. Medical Case for 26-5-44

MEDICAL OFFICER  
D.H.Q. HOSPITAL  
MARDIA

W. S. S. S.  
Signature

مہینہ نومبر

کوالہ آرڈر نمبری EC/115 مورخ 26 3/14 جاریہ دفتر ضابطہ ڈی بی او طباب نو سپر  
رحلاف انٹرنیشنل لیاقت علی نمبر 681

طابقی 1

حوالہ نمبر 681 مورخ 26 3/14 جاریہ دفتر ضابطہ ڈی بی او طباب نو سپر لیاقت علی  
نمبر 681 سلسلہ نمبر جاریہ دفتر حذرا لکھنؤ انڈیا نو سپر لیاقت علی  
کاغذات ملا خط نمبر کر یا مانگا کہ کٹیل لیاقت علی نمبر 681 حوالہ نمبر 35  
روزنامہ 28 11/13 شام کی گنتی میں نمبر حاضر ہو کر 77 نومبر کا نمبر  
بعد حوالہ نمبر 31 روزنامہ 13 2/14 جاریہ دفتر کرتے وجہ نمبر جاریہ ای  
بیماری ظاہر کی ہے

کٹیل مذکورہ قلمی بیان کیے طلب کیا گیا ہے کہ وہ تین نوم  
رہمت برکھو خود گناہا جو اس دوران بیمار ہو کر جیٹال و دران سے وضع  
ہو کر کے علاج معالجہ کرتا رہا اور منڈل کل کاغذات نمبر شوکار نوٹس اور  
مالا صاحبان کے خدمت میں بھرتے کا حوالہ دینا ہے

یہ کہہ کر وہ شروع سے منڈل کل کاغذات جو MS سے کا وٹرسٹا  
نہیں ہے اور ٹیسٹس سرٹیفکیٹ بھی حاصل نہیں کی ہے لہذا سب ریل ہے

1 OPD چٹ نمبر 6714 دو لکھتے منڈل کل کیو (تا مورخ 11 12/13)

2 OPD چٹ نمبر 3060 دو لکھتے منڈل کل کیو (تا 28 12/13) (ایک نوم گیب)

3 OPD چٹ نمبر 6111 دو لکھتے منڈل کل کیو (تا 8 1/14) (ایک نوم گیب)

4 OPD چٹ نمبر 1926 دو لکھتے منڈل کل کیو (تا 22 1/14) (ایک نوم گیب)

5 OPD چٹ نمبر 5225 دو لکھتے منڈل کل کیو (تا 5 2/14) (ایک نوم گیب)

6 OPD چٹ نمبر 1127 جاریہ نومبر منڈل کل کیو (تا 9 2/14) (جاریہ نوم گیب)

فہرست MHC لوکس انی کا بیان قلم دہ کا گا گو ماہ

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ORDER

This order will disposed off departmental enquiry conducted by DSP Hqr: against the Constable Liaqat Ali No. 681. The constable concerned was transferred from Mardan to this District vide P.P.O K.P.K Peshawar Order / Endst No. 21430-34/E-II, dated 04.09.2013. He was departure from Police Lines Mardan vide DD Report No. 42, dated 11.11.2013. After joining time he was reported Police Lines Daggar on 25.11.2013, willfully absented vide DD Report Nos mentioned below:-

S.No	DD Report No	From	To	Period of absence		
				D	H	M
1	35	28.11.2013	13.02.2014	76	22	30
2	38	25.03.2014	20.04.2014	25	23	00
3	11	07.05.2014	12.06.2014	35	00	00
<b>Total</b>				<b>137</b>	<b>21</b>	<b>30</b>

During the posting to this District his period of absence is 137 days, 21 hours and 30 minutes while his period of duty as 50 days.

In this connection proper departmental enquiry initiated against the defaulter constable Liaqat Ali No. 681 with issuing proper Charge Sheet / Summary of Allegation vide this Office No. 116, dated 26.03.2014.

On 25.04.2014 the E.O submitted his finding report with the conclusion that during the course of enquiry the defaulter constable Liaqat Ali No. 681 was summoned but he failed to appeared before the E.O and thus the EO recommended his name for major punishment on account of his long absence He was also issued with final show cause notice vide this Office No. 137, dated 03.06.2014 and heard in person in OR on 12.06.2014 but he failed to produced any cogent reason in his defense.

I Asif Iqbal Mohmand DPO Buner as competent authority see no reasons to believe that the defaulter constable Liaqat Ali No. 681 could be improved his attitude. Therefore, I agree with the recommendation of the E.O and award major punishment to the defaulter constable Liaqat Ali No. 681 i.e dismissal from service under Para 4 (iv) Police Rules 1975, while his period of absence 137 days, 21 hours and 30 minutes is to be counted as leave without pay. Pay released.

Order announced.

DT  
13/6/2014

DISTRICT POLICE OFFICER,  
BUNER

*(Handwritten signature)*

OFFICE OF THE REGIONAL POLICE OFFICER, MALAKAND REGION, AT SAIDU SHARIF SWAT

ORDER:

This order will dispose off appeal of Ex-Constable Liaqat Ali No. 681 of Buner District for reinstatement in service.

Brief facts are that Ex-Constable Liaqat Ali No. 681 was received on mutual transfer vide Provincial Police Officer, Khyber Pakhtunkhwa, Peshawar order / Endst: No. 21430-34/E-II, dated 04/09/2013 and posted to Buner District. During the period of service he absented himself from duty with effect from 28/11/2013 to 13/02/2014, 25/03/2014 to 20/04/2014 and 07/05/2014 to 12/06/2014. He is habitual absentee and according to his previous record, there are 32 bad entries in his service roll on account of his absence. Proper departmental enquiry was conducted by DSP HQs: against the defaulter Ex-Constable Liaqat Ali No. 681 and the Enquiry Officer submitted findings with the conclusion that during the course of enquiry the appellant was summoned but he did not appear before the Enquiry Officer, nor he produced any cogent reasons in his defense, thus the Enquiry Officer recommended his name for major punishment. On the recommendation of Enquiry Officer the appellant was dismissed from service vide OB No. 62 dated 13/06/2014 by District Police Officer, Buner.

The appellant was called in Orderly Room on 31/10/2014 and heard him in person, but he did not produce any substantive materials in his defense. Therefore I uphold the order of District Police Officer, Buner, whereby the appellant has been awarded major punishment of dismissal from service. His appeal is filed.

Order announced.



(ABDULLAH KHAN) PSP  
Regional Police Officer,  
Malakand, at Saidu Sharif Swat  
\*Naqi\*

No. \_\_\_\_\_ /E,

Dated \_\_\_\_\_ /2014.

Copy to District Police Officer, Buner for information and necessary action with reference to his office Memo: No. 15472/E dated 06/08/2014.

\*\*\*\*\*

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Handwritten signature and initials.



Annex = "F"

25

OFFICE OF THE  
INSPECTOR GENERAL OF POLICE  
KHYBER PAKHTUNKHWA  
Central Police Office, Peshawar.

No. S/ 3563 /19, dated Peshawar the 07/10 /2019.

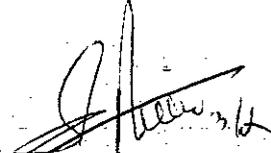
To : The Regional Police Officer,  
Malakand at Saidu Sharif Swat.

Subject: REVISION PETITION.

Memo:

The Competent Authority has examined and filed the revision petition submitted by Ex-Constable Liaqat Ali No. 681 of Buner District Police against the punishment of dismissed from service awarded by District Police Officer, Buner vide OB No. 62, dated 13.06.2014, being badly time barred.

The applicant may please be informed accordingly.

  
(SYED ANIS-UL-HASSAN)  
Registrar,  
For Inspector General of Police,  
Khyber Pakhtunkhwa,  
Peshawar.

*03-10-2018*

  
Attended



PAKISTAN National Identity Card  
ISLAMIC REPUBLIC OF PAKISTAN

Name: Liaqat Khao

Amir (G)

26



Father's Name: Banaras



Gender: M Country of State: Pakistan

Identity Number: 16101-6093639-7 Date of Birth: 04.01.1988

Date of Issue: 31.08.2017 Date of Expiry: 31.08.2027

Holder's Signature

Umar Farooq  
Registrar General of Pakistan

16101-6093639-7



504271094393

گشده کارڈ ملے پر قومی لیڈ بکس میں ڈال دیں

*(Handwritten signature)*

25/1

بخدمت جناب صوبائی پولیس سربراہ خیبر پختونخواہ

جناب عالی!

مؤند بانہ گزارش کیجاتی ہے کہ سائل سال 2008 کا ضلع مردان کا بھرتی شدہ ہے۔ بحوالہ حکم نامہ نمبری 21430-3 مورخہ 04.09.2013 مجاریہ دفتر جناب PPO صاحب خیبر پختونخواہ من سائل کا تبادلہ ضلع مردان بونیر ہوا تھا۔ لیکن سائل شدید بیمار تھا۔ اور باوجود بیماری کے سائل نے حکم افسران بالا بجالاتے ہوئے اپنی حاضری کو یقینی بن بیماری نے شدت اختیار کی۔ چنانچہ گھر خود آ کر مکمل علاج معالجہ شروع کی۔ جب بیماری سے شفاء مل کر رو بصحت ہوا تو عین تانی پر حاضری کر کے اپنی ڈیوٹی سنبھالی۔ اس دوران سائل غیر حاضر ہو کر انکوٹری شروع ہو کر سائل نے باقاعدہ کاغذات اپنی صفائی میں انکوٹری افسر کو پیش کیے۔ لیکن سائل کو افسران بالا صاحبان نے نوکری سے برخاست کر دیا۔ چونکہ سائل کے والدین گونگے، بہرے ہیں۔ اور سائل شادی شدہ ہو کر تین بچوں کا باپ ہے۔ اور گھر کا واحد ہے اور تاحال بے روزگار ہے جس کی وجہ سے سائل ذہنی کوفیت کا شکار ہوتا جا رہا ہے۔ اس مہنگائی کے دور میں گزارہ کافی سے ہوتا ہے۔

سائل اپنی ڈیوٹی سے جان بوجھ کر غیر حاضر نہیں ہوا ہے۔ بہ امر مجبوری اپنی ڈیوٹی سے قاصر رہا۔ اور افسران بالا اطلاع من سائل کو بروقت نہیں ملی، جس کی وجہ سے سائل لیٹ ہو چکا ہے۔ عاجزانہ استدعا کہ سائل کی مجبوری کو مد نظر رکھ کر سائل کو دوبارہ ملازمت پر بحال کرنے کے احکامات صادر فرما کر مائی۔

(منیڈیکل کاغذات، برخاستگی حکم نامہ، دیگر کاغذات ہمراہ درخواست ہدالف ہیں)

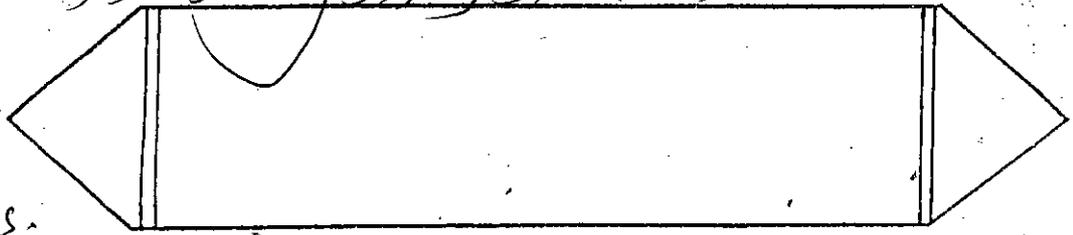
مورخہ: 12.09.2019

سائل اور والدین تا عمر دعا گور ہیں گے۔

SS  
Per Process No  
25/9

العارض  
آپکا تابعدار کنسٹبل لیاقت علی نمبر 681 (برخواست شدہ) ضلع بونیر  
رابطہ نمبر: 0344-4023495

# بعدالت بنی - سرور سید محمد خیر محمد خیر



2020ء منجانب اسلام آباد  
بنام گورنمنٹ گلبرگ ٹی وی اور

سیدت خان

موزخہ 07/02/2020

مقدمہ سید سید

دعویٰ

جرم

## باعث تحریر آنکے

مقدمہ مندرجہ عنوان بالا میں اپنی طرف سے واسطے پیروی و جواب دہی و کل کاروائی متعلقہ سرکاری اداروں  
آن مقام لاکھنؤ کیلئے وفاقی سرکاری ایجوکیشنل ایسوسی ایشن  
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 و تقرر ثالثہ فیصلہ برحلف دیئے جواب دہی اور اقبال دعویٰ اور  
بصورت ڈگری کرنے اجراء اور وصولی چیک و روپیہ عرضی دعویٰ اور درخواست ہر قسم کی تصدیق  
زرائیں پر دستخط کرانے کا اختیار ہوگا۔ نیز صورت عدم پیروی یا ڈگری یکطرفہ یا اپیل کی برآمدگی 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 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 باختیارات حاصل ہوں گے اور اس کا ساختہ  
پرواختہ منظور قبول ہوگا۔ دوران مقدمہ میں جو خرچہ دہر جانہ 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 07 ماہ فروری 20

واہ الب

کے لئے منظور ہے۔

بمقام

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*(Handwritten signature)*

*(Handwritten signature)*

Madassir Nazar  
Court DBA - Mardan  
Dist: Courts Mardan

باعت خان ولولہ ناز سید خان ساکن تحصیل کابلنگ مازان