

9.11.2022

Since 9<sup>th</sup> November has been declared as public holiday, case is adjourned to 05.1.2023 for the same as before.

  
Reader

05.01.2023 Learned counsel for the appellant present. Mr. Naseer-ud-Din Shah, Assistant Advocate General for the respondents present.

Learned counsel for the appellant requested for adjournment on the ground that he has not made preparation for arguments. Last opportunity is granted to argue the case on the next date, failing which the case will be decided on available record without arguments. Adjourned. To come up for arguments on 05.04.2023 before D.B.

  
D

(Mian Muhammad)  
Member (E)

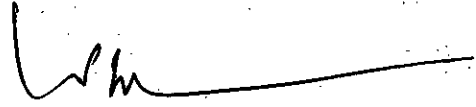


(Kalim Arshad Khan)  
Chairman

SCANNED  
KPST  
Peshawar

24.01.2022

Appellant in person present. Mr. Kabirullah Khattak, Addl. AG alongwith Mr. Raziq H.C for respondents present and submitted reply/comments which are placed on file. To come up for rejoinder if any, and arguments before the D.B on 24.05.2022.



(Atiq-Ur-Rehman Wazir)  
Member (E)

24<sup>th</sup> May, 2022

Counsel for the appellant present. Mr. Asif Masood, DDA alongwith Muhammad Raziq, HC for the respondents present.

Former seeks adjournment. Learned counsel for the parties are directed to properly assist the court on the next date. To come up for arguments on 09.08.2022 before the D.B.



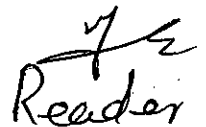
(Fareeha Paul)  
Member (E)



(Kalim Arshad Khan)  
Chairman

9-8-2022

Due to the Public holiday the case is adjourned to 9-11-2022



Reader

07.09.2021

Learned counsel for the appellant present. Preliminary arguments heard.

Learned counsel for the appellant argued that the appellant is aggrieved of the impugned order of respondent No. 1 dated 20.01.2021, whereby major penalty of "dismissal from service" was awarded to him. The appellant filed departmental appeal on 26.01.2021. However, his departmental appeal was not responded/decided within the stipulated statutory period, hence the instant service appeal filed in the Service Tribunal on 01.03.2021.

Contention of learned counsel for the appellant is that the appellant was nominated in FIR No.246 dated 19.08.2020 U/S 302/324/148/149 PPC at Police Station Akbar Pura (Nowshera). No charge sheet/statement of allegations was issued to the appellant and no proper enquiry procedure was adopted before awarding him the major penalty of dismissal from service. The impugned order is therefore, void order passed at the back of appellant without fulfillment of codal formalities.

Points raised need consideration. The appeal admitted to full hearing, subject to all just and legal objections. The appellant is directed to deposit security and process fee within 10 days. Thereafter, notices be issued to the respondents for submission of written reply/comments in office within 10 days after receipt of notices, positively. If the written reply/comments are not submitted within the stipulated time, or extension of time is not sought through written application with sufficient cause, the office shall submit the file with a report of non-compliance. File to come up for arguments on 24.01.2022 before the D.B.

Appellant Deposited  
Security & Process Fee

07/09/21

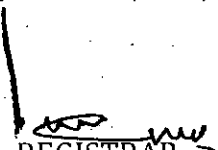


(Mian Muhammad)  
Member(E)

Form- A

FORM OF ORDER SHEET

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

Case No. - 3520 /2021

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	11/03/2021	<p>The appeal of Mr. Murad Khan resubmitted today by Roeda Khan 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> <p>This case is entrusted to S. Bench for preliminary hearing to be put up there on <u>24/05/21</u></p> <p style="text-align: right;"> CHAIRMAN</p>
2-	24.05.2021	<p>Due to demise of the Worthy Chairman the Tribunal is defunct, therefore, case is adjourned to 07.09.2021 for the same as before.</p> <p style="text-align: right;"> Reader</p>


SCANNED  
KPST  
Peshawar

The appeal of Mr. Murad Khan Ex-Constable no. 2041 District Nowshera received today i.e. on 01/03/2021 is incomplete on the following score which is returned to the counsel for the appellatant for completion and resubmission within 15 days.

- 1- Copies of charge sheet, statement of allegations, show cause notice, enquiry report and replies thereto are not attached with the appeal which may be placed on it.
- 2- Annexures-A and F of the appeal are illegible which may be replaced by legible/better one.


No. 414 /S.T.

Dt. 01/03 /2021

  
REGISTRAR  
SERVICE TRIBUNAL  
KHYBER PAKHTUNKHWA  
PESHAWAR.

Rooeda Khan Adv. Pesh.

*In Response of objection No 1  
No Charge sheet No statement  
of Adigstion and no Show cause  
notice has been issued or  
served to appellatant  
while objection No 2 has  
been removed*

  
11/3/2021

**BEFORE THE HON'BLE SERVICE TRIBUNAL**  
**PESHAWAR**

In Re S.A No. \_\_\_\_\_/2021

Murad Khan Ex- Constable No.2041

**Versus**

Superintendent of Police Headquarters Peshawar  
& other

**INDEX**

S#	Description of Documents	Annexure	Pages
1.	Grounds of Petition.		1-6
2.	Affidavit.		7
3.	Addresses of parties		8
4.	Copy of bail application	"A"	9 to 14
5.	Copy of Roznamcha & statements	"B" "C" & "D"	15 to 17
6.	Copy of dismissal order	"E"	18
7.	Copies of departmental appeal and rejection order	"F" & "G"	19 to 20
8.	Wakalatnama		

Through

(M)  
APPELLANT

(R)  
**Roeeda Khan**  
Advocate, High Court  
Peshawar.

Dated: 01/03/2021

(1)

**BEFORE THE HON'BLE SERVICE TRIBUNAL**  
**PESHAWAR**

In Re S.A No. 3520 /2021

Khyber Pakhtunkhwa  
Service Tribunal  
Diary No. 3244  
Dated 01/03/2021

Murad Khan Ex- Constable No.2041 S/o Muqaddar  
Shah R/o Akbar Pura Pabbi District Nowshehra.

**Appellant**

***VERSUS***

1. Superintendent of Police Headquarters Peshawar.
2. Capital City Police Officer Peshawar.

**Respondents**

**APPEAL U/S-4 OF THE KHYBER**  
**PAKHTUNKHWA SERVICES TRIBUNAL ACT**  
**1974 AGAINST THE ORDER DATED 20/01/2021**  
**WHEREBY THE APPELLANT HAS BEEN**  
**AWARDED MAJOR PUNISHMENT OF**  
**DISMISSAL FROM SERVICE AND AGAINST**  
**WHICH THE APPELLANT FILED**  
**DEPARTMENTAL APPEAL ON 26/01/2021**  
**WHICH HAS BEEN REJECTED ON 24/02/2021**

**NO GOOD GROUNDS**

Filed to-day

Registrar

01/03/2021

Re-submitted to  
and filed.

Registrar 11/3/2021

**Prayer:-**

**ON ACCEPTANCE OF THIS APPEAL**  
**BOTH THE IMPUGNED ORDERS DATED**  
**20/01/2021 & 24/02/2021 MAY KINDLY BE**  
**SET ASIDE AND THE APPELLANT MAY**

KINDLY BE REINSTATED IN SERVICE  
ALONG WITH ALL BACK BENEFITS.  
ANY OTHER REMEDY WHICH THIS  
AUGUST TRIBUNAL DEEMS FIT THAT  
MAY ALSO BE ONWARD TRIBUNAL  
DEEMS FIT THAT MAY ALSO BE  
GRANTED IN FAVOUR APPELLANT.

Respectfully Sheweth,

1. That the Appellant has been initially appointed as Constable in Police department on 20.12.1988.
2. That the appellant performed his duty regularly and with full devotion and no complaint whatsoever has been made against the appellant.
3. That while posted at District Peshawar, a false and fabricated cases FIR No.246 dated 19/08/2020 U/S 302/324/148/149 PPC at Police Station Akbar Pura, has been lodged against the appellant.
4. That the appellant has been bail outed in the said false and fabricated cases by the court concerned. (Copy of bail application is attached as annexure "A").



5. That the alleged FIR lodged against the appellant was false and fabricated because the appellant was in his official polio duty at the same day which has been clarified from roznamcha Mad No.35 dated 19.08.2020 and has been clarified from the statement of Mohammad Israr Khan MASI a PS concern as well as from the statement of IHC namely Sehat Ali Khan of PS concern. **(Copy of Roznamcha & statements are attached as annexure "B, C & D")**.
6. That the Respondent Department without fulfilling codal formalities and without providing opportunity of defence to the appellant, dismissed the appellant from service on 20/01/2021 on the ground of involvement of the said false and fabricated criminal cases. **(Copy of dismissal order is attached at annexure "E")**.
7. That the appellant submitted department appeal on 26/01/2021 against the dismissal order dated 20/01/2021 which has been rejected on 24/02/2021 on no good grounds. **(Copies of departmental appeal and rejection order are attached at annexure "F" & "G")**.

41

8. That feeling aggrieved the Appellant prefers the instant service appeal before this Hon'ble Tribunal on the following grounds inter alia:-

**GROUND:-**

- A. That the impugned order 20/01/2021 is void and abinitio order because it has been passed without fulfilling codal formalities.
- B. That no charge sheet & statement of allegation has been served or communicated to the appellant in this respect the appellant relied upon a judgment reported on 2009 SCMR page:615
- C. That no regular departmental inquiry has been conducted by the Respondent department and no chance of personal hearing has been provided to the appellant in this respect the appellant relied upon the judgment dated 2008 SCMR Page:1369.
- D. That no final show cause notice has been issued and communicated to the appellant by Respondent department before imposing the major penalty in this respect the

(5)

appellant relied upon a judgment reported on 2009 PLC (CS) 176.

E. It is a well settled maxim no one can be condemned unheard because it is against the natural justice of law in this respect the appellant relied upon a judgment reported on 2008 SCMR page:678.

F. That no statement of witnesses has been recorded by the inquiry officer and there is no proof of involvement in the said criminal cases against the appellant by the Respondent department.

G. That no opportunity of cross examination has been provided to the appellant.

H. That the innocence of the appellant has also been clarified from the Roznamcha & statements of PS concern.

I. That the respondent department should be waited for the decision of the criminal cases above.

J. That any other ground not raised here may graciously be allowed to be raised at the

(6)

time full of arguments on the instant service appeal.

*it is therefore, most humbly prayed that on acceptance of this appeal both the impugned orders dated 20/01/2021 & 24/02/2021 may kindly be set aside and the appellant may kindly be reinstated in service along with all back benefits. any other remedy which this august tribunal deems fit that may also be onward tribunal deems fit that may also be granted in favour appellant.*

*Any other relief not specifically asked for may also graciously be extended in favour of the Appellant in the circumstances of the case.*



APPELLANT

Through



Roeeda Khan

Advocate, High Court  
Peshawar.

Dated: 01/03/2021

NOTE:-

As per information furnished by my client, no such like appeal for the same petitioner, upon the same subject matter has earlier been filed, prior to the instant one, before this Hon'ble Tribunal.



Advocate.

(7)

**BEFORE THE HON'BLE SERVICE TRIBUNAL**  
**PESHAWAR**

In Re S.A No. \_\_\_\_\_/2021

Murad Khan Ex- Constable No.2041

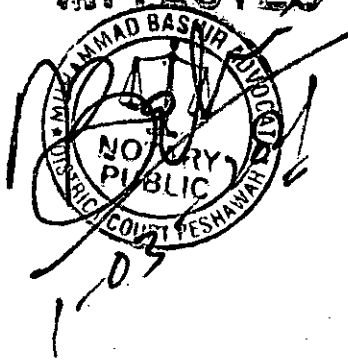
**Versus**

Superintendent of Police Headquarters Peshawar &  
other

**AFFIDAVIT**


I, Murad Khan Ex- Constable No.2041 S/o Muqaddar Shah  
R/o Akbar Pura Pabbi District Newshehra, do hereby  
solemnly affirm and declare that all the contents of the **instant**  
**appeal** are true and correct to the best of my knowledge and belief  
and nothing has been concealed or withheld from this Hon'ble  
Court.

**ATTESTED**



**DEPONENT**

*Identified by:*

  
**Roeda Khan**  
Advocate High Court  
Peshawar.

(8)

**BEFORE THE HON'BLE SERVICE TRIBUNAL**  
**PESHAWAR**

In Re S.A No. \_\_\_\_\_/2021

Murad Khan Ex- Constable No.2041

**Versus**

Superintendent of Police Headquarters Peshawar  
& other

**Respondents**

**ADDRESSES OF PARTIES**

***PETITIONER.***


Murad Khan Ex- Constable No.2041 S/o  
Muqaddar Shah R/o Akbar Pura Pabbi  
District Nowshehra.

**ADDRESSES OF RESPONDENTS**

1. Superintendent of Police Headquarters Peshawar.
2. Capital City Police Officer Peshawar.

Through

  
APPELLANT

  
**Roeda Khan**  
Advocate, High Court  
Peshawar.

Dated: 01/03/2021

**Before the Court of Sessions Judge, Nowshera**

1. Munawar Khan
2. Mokhtir
3. Bakhtir
4. Shoib all sons of Muqadar Shah R/o Kalot chowk Camp  
Korona Akbarpura District Nowshera

***.....ACCUSED / PETITIONER***

**VERSUS**

1. Rabnawaz S/o Qeemat Shah R/o Kalot chowk Camp  
Korona Akbarpura District Nowshera.

***.....RESPONDENTS***

**CASE: FIR NO. 246, DATED:  
19/08/2020, U/S 302, 324,. 148, 149 PPC  
POLICE STATION AKBARPURA,  
PESHAWAR**

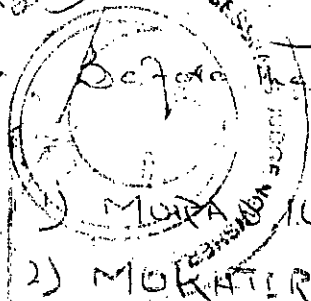
**APPLICATION FOR THE GRANT OF  
ACCUSED/PETITIONER ON POST  
ARREST BAIL TILL THE  
DISPOSAL OF THE CASE.**

**Respectfully Submitted,**

1. That the accused/petitioner are innocent has falsely been implicated in the above cited case FIR (Copy of FIR is annexed).
2. That the accused/petitioner are arrested by the local police.

Now being aggrieved the accused/petitioner approached this august court for their release on post arrest bail till the final disposal of the case on the following grounds inter alia.

Before the court of Sessions Judge, Nowshera.



- 1) MURTAZA KHAN
- 2) MUKHTAR
- 3) BAKHTER
- 4) SHAALB. All sons of MUHAMMAD SHAH R/O Kalot Chowk, Camp Korora, Akbarpura, District Nowshera. (Accused/Petitioners)

9/1/21 BA/13

VERSUS

- 1) RABNAWAZ SIC GHEMAT SHAH R/O Kalot Chowk, Camp Korora, Akbarpura, District Nowshera.
- 2) The State (Respondents)

Case FIR NO 246 Dated: 19-08-2020  
U/S 302, 324, 148, 149 PPC Police  
Station, Akbarpura, District, Nowshera.

Application for the release of  
accused/Petitioners on Post Arrest  
Bail till the final disposal of  
the case.

Respectfully Sheweth:

*[Signature]*  
9/1/21

- 1) That the accused/Petitioners are innocent and has fairly been implicated in the cited case. (Copy of FIR is annexed)
- 2) That the accused/Petitioners are arrested by the local Police.

**ATTESTED**

Examiner Copying Agency  
Branch. U.S.J. Nowshera

26 JAN 2021

Now being aggrieved the accused/  
Petitioners approached this august court  
for their release on Post-Arrest bail  
till the final disposal of the case on  
the following grounds- inter-Alia

0322531022



1) That the accused/Petitioners are innocent and has also been implicated in the instant case. Etc.

2) That the accused/Petitioners are irregularly been charged in the instant case for some offence which contents and subject of FIR clearly

3) Shows that it is a case of Gross Violation of the constitution of complaint has changed is crystal clear as the number of the accused/pets. quality.

5) That there is no Primary Facts case exist against the accused/Pets. which is evident from the charges report submitted by the investigation branch.

6) That the story of Prosecution is based on summaries and conjectures.

7) That the case of Prosecution is full of doubt which creates the case of Prosecution is one of further Probe.

8) That the accused/Petitioners are needed to provide the necessary services to the welfare section of the accused/Pets with the commission of offence.

ATTESTED

Examiner Copying Agency  
Branch, D.S.I. Nowshera

26 JAN 2022

26 JAN 2021

Examiner Copying Agency  
Branch, D.S.I. Newshere

ATTESTED

8

Advocate  
8

Note: As per my claim no bail like  
but application has earlier been  
filed before this august court or  
any other competent court of law.

Sukhan Ullah Adv.

Syed Abdul Fayaz  
ASC.

1/2021

1/2021

9/11/21

Accessed/Petitioners

It is here more most likely  
that the court on acceptance of this  
petition the access/pets were please  
be released on post arrest bail  
fill the final disposal of the case

that any other proper record be  
advised at the time of arguments  
will the final permission of this  
august court

(3)

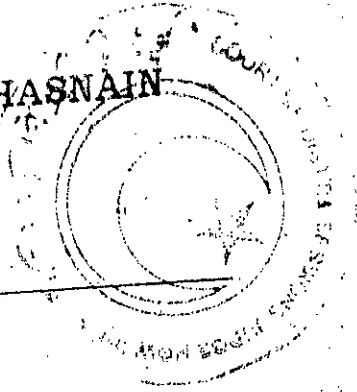
(11)

025 1010004

12

IN THE COURT OF MALIK MUHAMMAD HASNAIN  
ADDITIONAL SESSIONS JUDGE-VI

Bail Application No. 13 of 2021  
Bakhtiar Ali etc. Vs The State



Order \_\_\_\_\_  
18.01.2021

Present: Mr. Syed Abdul Fayyaz advocate for the accused  
petitioners; M/s. Nauroz Khan & Ameer Nawaz Khan advocates  
for complainant; DyPP for the State.

Accused Petitioners 1. Murad Khan, 2. Mukhtiar, 3.  
Bakhtiar and 4. Shoaib sons of Muqadar Shah, residents of  
Kalot Chowk, Camp Koroon, Akbarpura, District Nowshera  
seek their post arrest bail in case FIR No. 246 dated 19.08.2020  
U/s 302/324/148/149 PPC registered at Police Station  
Akbarpura, District Nowshera.

On 19.08.2020, Rab Nawaz S/O Qeemat Shah in injured  
condition alongwith other injured and dead bodies of deceased  
reported at casualty of Civil hospital Pabbi that his father in law  
had given to his wife Mst. Chaman Bibi her share in the property  
and Bakhtiar, Murad, Mukhtiar, Imdad, Hayat, Shoaib, Amjid,  
Sana Ullah and Abdullah had called them to the scene of  
occurrence for separation of their share in the property and when  
they reached there, the accused party started firing due to which  
he and other injured received injuries while his deceased son got  
hit and died on the spot.

*Handwritten signature/initials*

ATTESTED

Amirul Coling Agency  
District D.S.J. Nowshera

26 JAN 2021

Arguments of learned counsel for the accused petitioner and that of learned DyPP for the state, assisted by learned counsel for complainant heard and record perused.

The record available on the file shows that in same FIR/murasila, two occurrences have been reported by two set of complainants for murder of their respective deceased. In report of Rab Nawaz, the present accused petitioners alongwith other co-accused have been charged for the murder of his sons namely Saeed Nawaz, Zahid Nawaz and firearm injuries for himself, son Shahid Nawaz, Haq Nawaz and Waqar Ahmed. In report lodged by Mst. Anwar Bibi for murder of her son namely Arshid and has charged the complainant Rab Nawaz alongwith others. Time, date and place of occurrence of both the episodes reported are the same. In the given circumstances, case in hand is one of cross version and it will be determined during the course of trial that who is aggressor and who is aggressed upon. Both the parties have concealed the loss of each other. This being the situation, case of the accused petitioners necessitates further probe. Nothing has been recovered from the accused petitioners and they have not confessed their guilt. Furthermore, they are no more required for further investigation and no better purpose would be served by keeping them in further detention.

*Handwritten notes:*  
18/01/2021  
18/01/2021  
18/01/2021

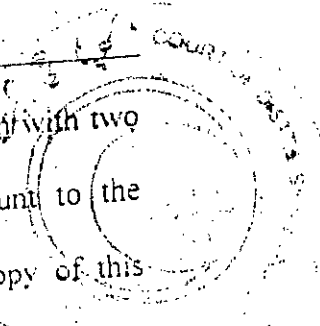
Resultantly, the bail petition in hand is allowed, accused petitioners be released on bail subject to furnishing of bail bonds

**ATTESTED**

Senior Copying Agency  
Th. D.S.A. Nowshera

26 JAN 2021

14



in the sum of Rs. 200,000/- (Two Lacs Rupees) each with two local and reliable sureties each in the like amount to the satisfaction of Illaqa Judicial Magistrate/MOD. Copy of this order be placed on police/judicial file. Requisitioned record be returned to the quarter concerned. File be consigned to record room after its completion and compilation.

**ANNOUNCED:**  
**18.01.2021**

*[Signature]*  
**MALIK MUHAMMAD HASNAIN**  
Additional Sessions Judge-VI.  
Nowshera.

**ATTESTED**

*[Signature]*  
Deputy Copying Agency  
S.J. Nowshera  
26 JAN 2021

1281

No. of Application... 28 JAN 2021  
Name of Applicant... *[Signature]*  
Via...  
Fee...  
Urgent Fee...  
Amount of Deposit...  
Date of Preparation... 26 JAN 2021  
Sign of Examiner...  
26 JAN 2021

دعا و شرفی

در 35 روز تا 19-8-2020

میلاد

آورد - کوئین سٹار - آئی اے قوت 45.45؛ 19-8-2020  
رودنی - نیشنل درو 2047 حکام و درو سے تمام ملازمین  
کو لو 3300 سے 3300 سے 3300 سے 3300 سے 3300 سے  
ہر مل آئی اے نوکری سے ملازمین کو 3300 سے 3300 سے

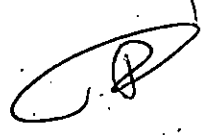
ہر مل  
نیشنل  
PS Etc  
8-10-2020

AKK  
BY  
P

بناں اداں ۱۸۴۰

صبح ملائی ہوئی اور رات کو سوئے ہوئے ہوئے ہوئے  
 فریق صبحی ہوئی۔ شروع ۱۹:۰۵ سے ۱۹:۰۵  
 صبح ۳۳ فریق ۱۹:۰۵ سے ۱۹:۰۵  
 میں ۳۳ فریق ۱۹:۰۵ سے ۱۹:۰۵  
 ۱۲ اور ۳۳ فریق ۱۹:۰۵ سے ۱۹:۰۵  
 فریق ۲۰۴۱ فریق ۱۹:۰۵ سے ۱۹:۰۵  
 ۹:۰۵ سے ۹:۰۵ فریق ۱۹:۰۵ سے ۱۹:۰۵  
 ۱۹:۰۵ سے ۱۹:۰۵ فریق ۱۹:۰۵ سے ۱۹:۰۵

۱۸۴۰ PSE/ceol  
 ۵۵۵۳  
 0333-5930661

Attached  
 By  


'E' (18)

Handwritten signature and date 20/1/2021

**ORDER**

This office order relates to the disposal of formal departmental enquiry against Constable Murad Khan No.2041 & FC Imdad Ali No.510 of Capital City Police Peshawar on the allegations that he involved in criminal case vide FIR No.246 dated 19.08.2020 u/s 302/324/148/149-PPC PS Akbar Pura (Nowshera).

In this regard, they were placed under suspension & issued charge sheet & summary of allegation. SDPO Warsak was appointed as E.O. He conducted the enquiry & submitted his report/findings that alleged officials have managed BBA from the concern court and considered as arrested accused. The E.O further recommended that court is most competent to take a better decision, if the alleged officials found guilty in the court assessment, be awarded major punishment.

Upon the finding of E.O, DSP Legal opinion was sought. He opined that "he agree with the recommendation of E.O."

Upon which, they were issued final show cause notice to which they received & replied. It is worth mentioning that Constable Imdad No.510 has already been dismissed in the above mentioned case by SSP-Investigation vide OB No.03 dated 13.01.2021.

From perusal of enquiry papers & other material available on record, the undersigned came to conclusion that the alleged officials found guilty being involved in criminal case. Therefore, FC Murad Ali No.2041 is hereby dismissed from service under Police & Disciplinary Rules-1975 with immediate effect.

EP (40)

Handwritten signature of Superintendent of Police

**SUPERINTENDENT OF POLICE  
HEADQUARTERS, PESHAWAR**

OB. NO. 242 / Dated 20/1/2021

No. 498-505/PA/SP/dated Peshawar the 20/01/2021

Copy of above is forwarded for information & n/action to:

- ✓ The Capital City Police Officer, Peshawar.
- ✓ The SSP Investigation, Peshawar
- ✓ DSP/HQrs; Peshawar.
- ✓ Pay Office, OASI,
- ✓ CRC & FMC along-with complete departmental file.

Handwritten signature and initials



## بخدمت جناب سی۔سی۔پی۔ اوصاحب پشاور

جناب عالی:-

### درخواست حسب ذیل ہیں

- 1- یہ کہ سائل بوقت وقوعہ شرعی تھانہ میں ڈیوٹی پر تھا۔  
(ریکارڈ لف ہے)
  - 2- یہ کہ سائل کو عدالت حضور نے 18.01.2021 کو ضمانت دیں۔  
(ریکارڈ کا پی لف ہے)
  - 3- یہ کہ سائل کو محکمہ نے 21.01.2021 کو بحوالہ OB نمبر 242/21/01/021 نوکری سے برخاست کیا۔
  - 4- یہ کہ سائل بالکل بے گناہ ہے اور سائل نے کوئی جرم کیا نہیں ہے۔
- لہذا استدعا ہے کہ سائل کو اپنی ڈیوٹی پر دوبارہ گوانے کیلئے حکم صادر فرمادیں کیونکہ بوقت وقوعہ سائل پولیو ڈیوٹی پر موجود تھا۔



العبد

مراد خان 2041

مراد خان ولد مقدر شاہ سکنہ زخی کہونہ

بجھت ہفتا ہفتہ (سری) ...

جناب عالی

درخواست حسب ذیل میں

1۔ کہ سائبر بوقت وقوعہ شرقی آدھانہ میں 7 یوٹی پی آر ...  
(نیٹکارڈ لف ایس)

2۔ یہ سائل کو عدالت حیدرآباد نے 18/1/1955 کو ضابطہ 55  
(ریفرنڈم ٹیگ ایس)

3۔ یہ سائل کو عدالت نے 12/1/1955 کو ...  
03 نمبر 248  
11/1/1955

کوری سے برخواست کر

4۔ یہ سائل بالکل جتناہ ہے اور سائل نے کوئی جرم نہیں ہے

میں اس سے عا ہے ...  
پولیس ڈیوٹی پر موجود تھا

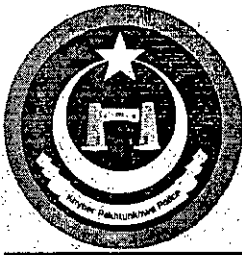
26-10-55

الہ آباد کانہی 2041

میرا دکانہ ...  
سکھ زخمی ہوئے

Attested by

26-10-55



"G" 20

**OFFICE OF THE  
CAPITAL CITY POLICE OFFICER  
PESHAWAR**

Phone No. 091-9210989

Fax No. 091-9212597

**ORDER**

This order will dispose of departmental appeal preferred by **Ex-Constable Murad Khan No.2041** who was awarded the major punishment of "**Dismissal from Service**" under PR-1975 by SP/HQrs Peshawar vide OB No.242, dated 20-01-2021.

2- He was placed under suspension and proceeded against departmentally for involvement in a criminal case FIR No.246, dated 19-08-2020 u/s 302/324/148/149/PPC PS Akbarpura District Nowshera.

3- He was issued proper Charge Sheet and Summary of Allegations by SP/HQrs Peshawar and SDPO Warsak Peshawar was appointed as enquiry officer to scrutinize the conduct of the accused official. The enquiry officer after conducting proper enquiry submitted that the alleged official has managed BBA from the concerned court and considered as arrested accused. The competent authority in light of the findings of the enquiry officer issued him Final Show Cause to which he replied but his reply was also found unsatisfactory. Hence he was awarded the above major punishment.

4- He was heard in person in O.R. and the relevant record along with his explanation perused. IO of the case was also summoned to the office alongwith case file. The IO has stated that the accused official has been directly charged in the FIR and challaned to the court. Moreover, there are no evidence or eye witnesses to show his innocence in the case. Therefore his appeal for setting aside the punishment awarded to him by SP/HQrs Peshawar vide OB No.242, dated 20-01-2021 is hereby **rejected/filed**.

(ABBAS AHSAN) PSP  
CAPITAL CITY POLICE OFFICER,  
PESHAWAR

No. 497-503 /PA dated Peshawar the 24-9-2021

Copies for information and n/a to the:-

1. SP/HQrs Peshawar
2. SDPO Warsak Peshawar
3. OSI/ Pay Officer/ CRC
4. FMC along with Fouji Missal.
5. Official concerned.

Attested  
By

قیمت  
50 روپے

76464



ایڈویکٹ:

بار کونسل / ایسوسی ایشن نمبر:

رابطہ نمبر: 0333265955

پشاور بار ایسوسی ایشن، خیبر پختونخواہ

بعدالت جناب:

منجانب: اسلام آباد	دعویٰ:
	علت نمبر:
	مورخہ:
	جرم:
	تھانہ:
	باعث تحریر آنگہ

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

آن مقام کے لئے کے واسطے کو وکیل 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 کرہے و تقریر ثالث و فیصلہ برحلف دینے جو اب دعویٰ اقبال دعویٰ اور درخواست از ہر قسم کی تصدیق زریں پر دستخط کرنے کا اختیار ہوگا، نیز بصورت عدم پیروی یا ڈگری یکطرفہ یا اپیل کی برآمدگی اور منسوخی، نیز دائر کرنے اپیل نگرانی و نظر ثانی و پیروی کرنے کا مختار ہوگا اور بصورت ضرورت مقدمہ مذکورہ کے کل یا جزوی کارروائی کے واسطے اور وکیل یا مختار قانونی کو اپنے ہمراہ یا اپنے بجائے لے کر اختیار ہوگا اور صاحب مقرر شدہ کو وہی جملہ مذکورہ باختیارات حاصل ہوں گے اور اس کا ساختہ پر داخستہ منظور و قبول ہوگا دوران مقدمہ میں جو خرچہ ہر جانہ التوائے مقدمہ کے سبب سے ہوگا۔ کوئی تاریخ پیشی مقام دورہ یا حد سے باہر ہو تو وکیل صاحب پابند نہ ہوں گے کہ پیروی مذکورہ کریں، لہذا وکالت نامہ لکھ دیا تاکہ سند رہے

المترجم:   
PESHAWAR BAR ASSOCIATION  
KHAYBER PAKHTUNKHAH

مقام کے لیے منظور ہے۔

نوٹ: اس وکالت نامہ کی نوٹو کاپی ناقابل قبول ہوگی۔

Acceptance

**BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR.**

**Service Appeal No.3520 /2021.**

Ex- Constable Murad Khan No.2041 of CCP Peshawar..... **Appellant.**

**VERSUS**

Capital City Police Officer Peshawar and others and others..... **Respondents.**

**REPLY BY RESPONDENTS NO. 1, &2.**

**Respectfully Sheweth:-**

**PRELIMINARY OBJECTIONS:-**

1. That the appeal is badly barred by law & limitation.
2. That the appeal is bad for mis-joinder and non-joinder of necessary parties.
3. That the appellant has not come to Hon'able Tribunal with clean hands.
4. That the appellant has no cause of action and locus standi to file instant appeal.
5. That the appellant is estopped by his own conduct to file the instant appeal.
6. That the appellant has concealed the material facts from Honorable Tribunal.
7. That the appeal is not maintainable being devoid of any merit.

**REPLY ON FACTS:-**

1. Correct to the appellant was appointed as constable in the year 1988 in the respondent department.
2. Para pertains to record, hence needs no comments.
3. Incorrect. Incorrect. In fact the appellant was issued charge sheet with statement of allegations and initiated departmental enquiry on the grounds of involvement in a criminal case vide FIR No.246 dated 19.08.2020 u/s 302/324/148/149/PPC PS Akbarpura District Nowshera. The enquiry officer after conducting enquiry proceedings recommended for major punishment. After completion of the enquiry proceedings, the appellant was issued final show cause notice to which he replied. After observing all codal formalities, he was awarded major punishment of dismissal from service. (copy of charge sheet, statement of allegations, enquiry report, Final Show Cause Notice are annexure as B,C,D,E).
4. Para not related to answering respondents record. Furthermore, the appellant involved himself in a criminal case.
5. Incorrect. Proper departmental enquiry was conducted against him. During the course of enquiry, the appellant failed to rebut the charges and the enquiry officer conducted thorough probe into the matter and found the appellant guilty of the charges.
6. Incorrect. Charge sheet with statement of allegations was served upon him. Regular inquiry was conducted as per law/rules and thereafter, he was issued a final show cause

notice which he replied his reply was examined and found unsatisfactory, hence after fulfilling all the codal formalities, he was awarded the major punishment.


7. Incorrect. The appellant filed departmental appeal which was properly processed and an ample opportunity of hearing was provided to appellant by appellate authority but appellant failed to defend himself with plausible/justifiable grounds, hence his appeal was rejected filed.
8. That appeal of the appellant being devoid of merits and limitation may be dismissed on the following grounds.

**REPLY ON GROUNDS:**

- A. Incorrect. The competent authority before imposing the major punishment had completed all codal formalities and an ample opportunity of self defense was provided to appellant, but he failed to defend himself.
- B. Incorrect. Charge sheet with statement of allegations was issued to appellant. Regular inquiry was conducted and thereafter he was issued a final show cause notice hence after fulfilling all the codal formalities he was awarded the major punishment of dismissal from service.
- C. Incorrect. Proper departmental enquiry was conducted against him. During the course of enquiry, the appellant failed to rebut the charges and the enquiry officer conducted thorough probe into the matter and found the appellant guilty of the charges. After fulfilling of all codal formalities, he was awarded major punishment of dismissal from service by the competent authority.
- D. Incorrect. After completion of the enquiry proceedings he was issued final show cause notice, which he replied but his explanation was found unsatisfactory.
- E. Incorrect. The appellant availed the opportunities of defense, the appellant was also called and heard in person, but he could not prove himself innocent.
- F. Incorrect. The appellant being a member of a disciplined force, committed gross misconduct. The appellant involved himself in the criminal case.
- G. Incorrect. The appellant was provided full opportunity of cross examination, but he did not prove his innocence.
- H. Incorrect. The allegations were proved against appellant, hence he was awarded the punishment as per law/rules.
- I. Incorrect. Court proceedings and departmental proceedings two different entities. Acquittal in a criminal case would not lead to exoneration of a civil servant in departmental proceedings.
- J. Incorrect. That respondent may also be allowed to advance any additional ground at the time of hearing of the appeal.

**PRAYER.**

It is therefore most humbly prayed that in light of above facts and submissions, the appeal of the appellant being devoid of merits and legal footing, may kindly be dismissed with costs please.

  
**Capital City Police Officer,  
Peshawar.**

  
**Superintendent of Police,  
HQrs: Peshawar.**

**BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR.**

**Service Appeal No.3520 /2021.**


Ex- Constable Murad Khan No.2041 of CCP Peshawar..... **Appellant.**


**VERSUS**

Capital City Police Officer Peshawar and others and others..... **Respondents.**

**AFFIDAVIT.**

We respondents 1 and 2 do hereby solemnly affirm and declare that the contents of the written reply are true and correct to the best of our knowledge and belief and nothing has concealed/kept secret from this Honorable Tribunal.

  
Capital City Police Officer,  
Peshawar.

  
Superintendent of Police,  
HQrs: Peshawar.



**CHARGE SHEET**

gp

I, Superintendent of Police, Headquarters, Capital City Police Peshawar, as a competent authority, hereby, charge that Constable Imrad Ali No.510 & Constable Murad Khan No.2041 of Capital City Police Peshawar with the following irregularities.

"That you Constable Imrad Ali No.510 & Constable Murad Khan No.2041 were involved in a criminal case vide FIR No.246 dated 19.08.2020 u/s 302/324/148/149-PPC PS Akbar Pura. This amounts to gross misconduct on your part and is against the discipline of the force."

You are, therefore, required to submit your written defence within seven days of the receipt of this charge sheet to the Enquiry Officer committee, as the case may be.

Your written defence, if any, should reach the Enquiry Officer/Committee within the specified period, failing which it shall be presumed that have no defence to put in and in that case ex-parte action shall follow against you.

Intimate whether you desire to be heard in person.

A statement of allegation is enclosed.

  
SUPERINTENDENT OF POLICE,  
HEADQUARTERS, PESHAWAR

مراد خان محمد نسیان کی رہا کیلئے اعداد و شمار دیئے گئے ہیں  
مراد خان محمد نسیان کی رہا کیلئے اعداد و شمار دیئے گئے ہیں

## DISCIPLINARY ACTION

I, Superintendent of Police, Headquarters, Capital City Police Peshawar as a competent authority, am of the opinion that Constable Imrad Ali No.510 & Constable Murad Khan No.2041 has rendered themselves liable to be proceeded against under the provision of Police Disciplinary Rules-1975

Dy No 124/11 /ST

Dated 16/10/2020

Enclosure -

## STATEMENT OF ALLEGATION

"That Constable Imrad Ali No.510 & Constable Murad Khan No.2041 was involved in a criminal case vide FIR No.246 dated 19.08.2020 u/s 302/324/148/149-PPC PS Akbar Pura. This amounts to gross misconduct on their part and is against the discipline of the force."

For the purpose of scrutinizing the conduct of said accused with reference to the above allegations an enquiry is ordered and SDPO Warsak is appointed as Enquiry Officer.

2. The Enquiry Officer shall, in accordance with the provisions of the Police Disciplinary Rules, 1975, provide reasonable opportunity of hearing to the accused officer, record his finding within 30 days of the receipt of this order, make recommendations as to punishment or other appropriate action against the accused.
3. The accused shall join the proceeding on the date time and place fixed by the Enquiry Officer.

  
SUPERINTENDENT OF POLICE,  
HEADQUARTERS, PESHAWAR

No. 210 /E/PA, dated Peshawar the 11/9 /2020

1. SDPO Warsak is directed to finalize the aforementioned departmental proceeding within stipulated period under the provision of Police Rules-1975.
2. Official concerned

To The Superintendent of Police,  
HQrs, CCP Peshawar.

From The Deputy Superintendent of Police,  
Wasak Sub Division, CCP Peshawar.

No. 124(ii) /ST, dated Peshawar, the 23/10/2020.

020  
127-E  
Deputy Superintendent of Police Legal Branch  
Date: 27/10/20

**Subject:- FINDING REPORT U/R 6(V) OF THE KP POLICE RULES 1975 (AMENDED 2014), IN DEPARTMENTAL INQUIRY AGAINST IMDAD ALI NO. 510/FC & MURAD KHAN NO. 2041/FC.**

1. The subject inquiry was referred to this office vide your office letter No. 210/E/PA dated 11.09.2020 in order to ascertain facts / factum regarding involvement of subject officials in a criminal case vide FIR No. 246 dated 19.08.2020 u/s 302/324/148/149 PPC PS Akbar Pura district Nowshera.
2. The alleged officials were summoned with directions to appear before the Inquiry Officer in connection with inquiry proceedings. They were interviewed individually; an opportunity was given to them to submit their written statement along with other supporting evidences to prove their self innocent, within a stipulated period.
3. Constable Imdad Ali No. 510 submitted his written reply with the other relevant documents, where it was found that an inquiry in the same is already under process in the office of DSP City Investigation, Peshawar. Therefore, inquiry proceeding against FC Imdad Ali is at standstill.
4. So far proceeding of inquiry against Constable Murad Ali was ensued further. He submitted his written statement along with other supporting documents, including DD No. 35 dated 19.08.2020 wherein he bond for Polio campaign security duty..He also produced a copy of BBA managed from the court of Mr. Malik Muhammad Hasnain ASJ VI Nowshera.
5. As far as verification of aforesaid DD report is concerned, a copy of the same has also been obtained from PS East Cantt. Perusal of the said DD report reveals that the said constable was bond for duty in the separate "Madd", which discloses his late report/attendance to police station for his legitimate duty. Comparison of FIR and aforesaid DD report reflects that the incident took

PTO

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place at 0630 hrs on 19.08.2020 while the alleged official join his duty at 0745 hrs on the same day almost 75 minutes later to the incident, which create mark of interrogation and taints on the part of alleged official Murad Khan.

- 6. Above in view, the undersigned is on the opinion that, as the alleged official has managed BBA from the concern court and considered as arrested accused, he is recommended for immediate suspension. As the case has already been registered against him. Let the Police/IO investigate the case in all angles and put in court. The court is most competent to take a better decision. If the alleged official found guilty in the court assessment, be awarded major punishment.
- 7. All relevant record is enclosed, please.

Sir,

I agree with the recommendation / findings of E.O.

(Fida Hussain)  
SUB DIVISIONAL POLICE OFFICER  
WARSAK PESHAWAR.

DSP/ Legal  
opinion of  
DSP/ Legal  
MO 26  
Legal

Superintendent of Police  
HQs: Warsak Peshawar.

issue final  
show cause  
notice  
Superintendent of Police  
HQs: Warsak Peshawar.

**FINAL SHOW CAUSE NOTICE**

129

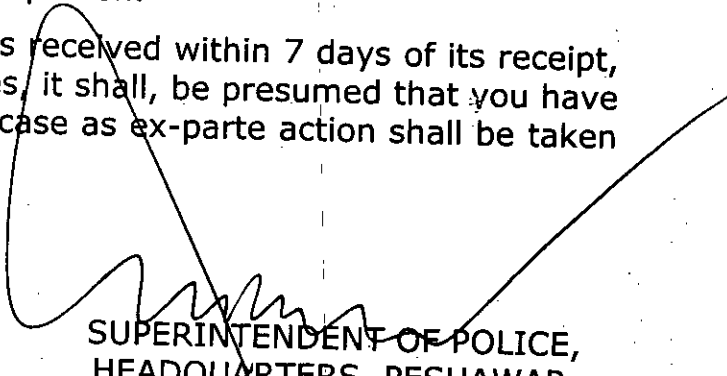
I Superintendent of Police, Headquarters, Capital City Police Peshawar, as competent authority, under the provision of Police Disciplinary Rules 1975 do hereby serve upon you, FC Murad Khan No.2041 & FC Imdad No.510 the final show cause notice.

The Enquiry Officer, DSP Warsak, after completion of departmental proceedings, has recommended you for major punishment for the charges/allegations leveled against you in the charge sheet/statement of allegations.

And whereas the undersigned is satisfied, you FC Murad Khan No.2041 & FC Imdad No.510 deserve the punishment in the light of the above said enquiry report.

And as competent authority, has decided to impose upon you the penalty of minor/major punishment under Police Disciplinary Rules 1975.

1. You are, therefore, required to show cause as to why the aforesaid penalty should not be imposed upon you and also intimate whether you desire to be heard in person.
2. If no reply to this notice is received within 7 days of its receipt, in normal course of circumstances, it shall, be presumed that you have no defence to put in and in that case as ex-parte action shall be taken against you.

  
SUPERINTENDENT OF POLICE,  
HEADQUARTERS, PESHAWAR

No. 210/9/PA, SP/HQrs: dated Peshawar the 08/11/2020.

Copy to official concerned

Lead  
12  
4.12.20

510 > 1201 FC

15/12/20

2041 > 120 FC

**BEFORE THE KHYBER PAKHTUNKHWA**  
**SERVICE TRIBUNAL, PESHAWAR**

Service Appeal No.516/2021

Sher Ahmad s/o Mardana Khan r/o Assistant Deputy Commissioner Office Lower Chitral.

..... (Appellants)

VERSUS

Government of Khyber Pakhtunkhwa through Chief Secretary at Civil Secretariat,

Peshawar and others.

..... (Respondents)

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03	Application of Sher Ahmad/appellant	(A)	06
04	Statement of Sher Ahmad/appellant	(B)	07-09
05	Authority Letter		10

*Hasan Abid*  
Deputy Commissioner  
Chitral Lower

1

**BEFORE THE KHYBER PAKHTUNKHWA SERVICE**  
**TRIBUNAL, PESHAWAR**

**Service Appeal No: 516/2021**

Sher Ahmad s/o Mardana Khan r/o Assistant, Deputy Commissioner Office, Lower  
Chitral ..... Appellant.

**VERSUS**

Government of Khyber Pakhtunkhwa through Chief Secretary at Civil Secretariat, Peshawar  
and others ..... Respondents

**JOINT PARAWISE COMMENTS ON BEHALF OF RESPONDENTS NO.1**  
**TO 4 ARE SUBMITTED AS UNDER PLEASE:**

**RESPECTFULLY SHEWETH:** That the respondents submit as under:-

**PRELIMINARY OBJECTIONS.**

1. That the appellant has got no locus standi or cause of action to file the instant appeal.
2. That the appellant has not come to this Hon'ble court with clean hands.
3. That the appellant has concealed the material facts from this honorable Tribunal,  
hence liable to be dismissed.
4. The appeal of the appellant is liable to be dismissed with its present form.
5. That the appeal of the appellant is badly time barred.

**FACTS**

1. Correct to the extent that the appellant is bonafiede resident of Lower Chitral and was  
demoted to BPS-14 as a result of an enquiry report.
-

2. Correct, that the appellant was serving as incharge record judicial Council Chitral, and was found guilty of misconduct and inefficiency after formal enquiry.
  3. Pertains to record.
  4. Incorrect, the appellant himself has admitted in his application to Deputy Commissioner Chitral that he has attested the documents by fault and requested favour and it has also been proved by the enquiry officer that he has attested the documents. (Application attached as annexure A).
  5. Pertains to record.
  6. Incorrect, the preliminary enquiry was initiated by Deputy Commissioner Chitral in response to an application filed by the appellant. The enquiry officer in his preliminary enquiry suggested criminal proceeding against the two private individuals involved, while he suggested to initiate departmental proceedings under E&D rules 2011 against the officials involved, as result FIR was lodged against Mr. Muhammad Ali Shah S/O Hayabi Shah R/O Saht Morkoh Tehsil Mastuj District Upper Chitral and Mr. Syed Jalal Shah S/O Syed Karam Ali Shah resident of Ghizer Gilgit Baltistan and departmental proceedings were initiated against the officials Mr. Sher Ahmad and Mr. Amin Ur Rehman.
  7. Correct, after the recommendation of the enquiry officer of preliminary enquiry (Fact Finding Enquiry) proper enquiry under E&D rules 2011 was initiated and major penalty to Mr. Sher Ahmad/appellant and minor penalty to Mr. Amin Ur Rehmand were accorded.
  8. Correct.
-



9. Incorrect, it has been proved by the enquiry that the appellant has attested the documents, hence was dealt in accordance with the law.

### GROUNDS

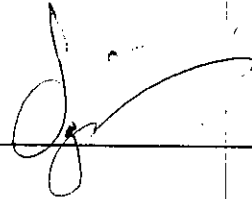
- A. After a formal enquiry the official has been proved of committing misconduct by attesting fake documents.
- B. Incorrect. This is the confusion that he has done changes to the official record.
- C. That appellant is seeking equity by saying that he has saved state property by refusing the attestation of the said documents and apprising his high ups by submitting application requesting legal action against the offenders. However, the formal enquiry reveals that he was forced to do so by the arrival of the third person Syed Jalal Ali Shah to the record room, otherwise the appellant was content with existing scheme of things.
- D. The petitioner has been dealt in accordance with the law. At the time of the offence Mr. Amin-ur-Rehman was working as Naib Qasid and the appellant as an incharge record keeper. As an incharge the appellant was the custodian of all the record and staff, rather to temper and forge the record. Therefore, all the responsibilities rest on his shoulders and on this serious intellectual dishonesty for which he has been awarded major penalty.
- E. Pertains to record.
- F. The penalty was granted to him after fulfilling all legal and codal formalities, in the larger public interest.
- G. Incorrect. The disciplinary enquiry against the appellant reveals that the appellant was given a proper opportunity to join proceedings, and the penalty was awarded after fulfilling all the codal and legal formalities as laid

down in E&D rules 2011. (Statement of Sher Ahmad attached as annexure B).

- H. Incorrect. He was proved guilty of misconduct as elaborated above.
- I. Incorrect. The facts have already been elaborated above.
- J. Incorrect. The penalty was granted to him after fulfilling all legal and codal formalities as laid down in E&D rules 2011.
- K. Incorrect.
- L. No comments.

On the basis of the above narrated factual and legal facts the appeal in hand may kindly be dismissed.

1. Chief Secretary, Govt: of KP



2. Secretary Finance Govt: of KP,



3. Commissioner Malakand Division



4. Deputy Commissioner Lower Chitral

Hasan Abid

5

**BEFORE THE KHYBER PAKHTUNKHWA**  
**SERVICE TRIBUNAL, PESHAWAR**

**Service Appeal No.516/2021**

Sher Ahmad s/o Mardana Khan r/o Assistant Deputy Commissioner Office Lower Chitral

..... **(Appellants)**

**VERSUS**

Government of Khyber Pakhtunkhwa through Chief Secretary at Civil Secretariat,

Peshawar and others

..... **(Respondents)**

---

**AFFIDAVIT.**

I, Mr. Abdul Wali Khan, Additional Deputy Commissioner Relief Lower Chitral, do hereby solemnly affirm and state on oath that the Reply on petition/comments is true & correct to the best of my knowledge & belief and nothing has been concealed from this August court.

  
(Abdul Wali Khan)

Additional Deputy Commissioner (Relief)

Lower Chitral

# بخدمت جناب ڈپٹی کمشنر / ڈسٹرکٹ کلکٹر صاحب ضلع چترال

مضمون: درخواست برآمدگی میں لائے قانونی کارروائی برخلاف (۱) مسی محمد علی شاہ ولد خیالی شاہ (۲) مسی سید جلال شاہ ولد سید کریم علیشاہ  
سکنہ غدر حال مقیم چترال  
جناب عالی

یہ کہ ساکن جوڈیشل کونسل ریکارڈ روم میں بحیثیت ریکارڈ کیپر کے گزشتہ کئی سالوں سے خدمات انجام دے رہا ہوں اور ہمیشہ سے انتہائی محنت اور دیانتداری سے اپنے فرائض سرانجام دے رہا ہوں اور اب تک شکایت کا موقع نہیں دے چکا ہوں۔  
یکہ گزشتہ چند دنوں قبل مذکورہ بالا شخص میرے دفتر آکر مجھ سے جائیداد واقع موڑ کھوسے بہت کچھ رجسٹر ملاحظہ کرنے کو کہا اور مزید کہا کہ میں متعلقہ رجسٹر میں پرانے فیصلہ جات ملاحظہ کرنے کی اجازت مانگی اور ایک درخواست نسبت دستاویزات عطا کی گئی بھی پیش کیا جو کہ منظور شدہ تھی۔ میں نے شخص مذکور کو پرانے رجسٹر برائے ملاحظہ فراہم کیا اور اس نے انتہائی چالاکی اور ہوشیاری سے ایک جعلی اور خود ساختہ دستاویز نمبر 1905 منجانب شجاع الملک مہتر چترال رجسٹر ہذا میں موجود صفحات کے درمیان رکھ کر جبراً ہی سے نوٹو کاپی کروا کر انتہائی دھوکہ دہی اور بدعتی سے مجھ سے Attested کروا کر لے گیا ہے۔ جو مذکورہ بالا شخص دفتر سے چلا گیا میں نے رجسٹر ہذا ملاحظہ کیا اور ایک خود ساختہ بے بنیاد دستاویز نمبر 1904 رجسٹر کے درمیان موجود پایا۔ جو کہ کسی طور پر بھی رجسٹر ہذا کا حصہ نہ ہے اور نہ ہی ہمارے جوڈیشل ریکارڈ میں اس کا کوئی اندراج موجود ہے۔ لہذا یہ دستاویز جعلی اور خود ساختہ اور فراڈ کے تحت شامل کیا گیا تھا۔ اس واقع کے چند دن بعد سید جلال شاہ ولد سید کریم علیشاہ سکنہ غدر میرے پاس آیا اور اس نے مذکورہ جعلی اور خود ساختہ دستاویز کی مصدقہ نقل فراہم کرنے کو کہا جس پر میں صاف انکاری ہو کر اسے بتایا کہ یہ جعلی اور خود ساختہ اور دھوکہ دہی کے تحت شامل کیا گیا ہے۔ اور اس پر قانونی کارروائی کرنے جا رہا ہوں تو سید جلال شاہ ولد سید کریم علیشاہ سکنہ غدر نے مجھے موقع پر تین چکورم زمیں واقع جنالی کوچ چترال فراہم کرنے کی پیش کش کیا جو کہ ایک غیر قانونی اور غیر شرعی اور ضابطہ کی صریح خلاف ورزی ہے جسکی اطلاع میں بروقت سٹیٹمنٹ ایفیر چترال کو فراہم کیا جہاں فریق سید جلال وغیرہ کے خلاف کامیاب طور پر مقدمہ زیر سماعت ہے۔

AAC-II  
Please inquire  
the matter and  
submit the  
report.  
25/11/23

لہذا درخواست ہذا کے ذریعے استدعا کی جاتی ہے کہ مذکورہ بالا بے دانا افراد کے خلاف فوری طور پر جوڈیشل ریکارڈ میں دانستہ طور پر مداخلت کر کے Tempering کرنے کو کوشش کرنے، دھوکہ دہی سے سرکاری ریکارڈ میں جلع سازی کرنے اور ایک سرکاری دستاویز کو جعلی بنیاد اور دھوکہ دہی سے جعلی دستاویز فراہم کر دینے کے الزام میں مواد الزام ٹھہرایا جا کر قانونی کارروائی عمل میں لایا جائے۔

الغرض

سائل شیر احمد خان ولد مردانہ خان ریکارڈ کیپر جوڈیشل کونسل چترال

کاپی برائے اطلاع اسٹنٹ کمشنر چترال

سائل شیر احمد خان ولد مردانہ خان ریکارڈ کیپر جوڈیشل کونسل چترال

UoNo: 14/23/DCI M-18  
Date: 25/11/23  
ADC please look into this issue and submit report  
Deputy Commissioner

بیان سیرا محمد اجماع و یکار و دوم / یکار و یکسیر خود و شیل

حضرت ال  
 حلیہ بیان دیتا ہوں۔ کہ مورخہ 2019-4-11 کو سما  
 سید جلال شاہ ولد سید کرم علی شاہ سنگھ خذ  
 حال اقمیم حضرت ال میرے پاس آیا اور اس نے  
 ایک جعلی اور خود ساختہ دستاویز کا مقدمہ نقل  
 فرمایا کرنے کو کہا۔ جس پر میں نے صاف انکاری  
 ہو کر ایسے بتایا کہ یہ جعلی اور خود ساختہ  
 اور دھوکہ دہی کے تحت شامل کیا گیا ہے اور میں  
 اس پر قانونی کارروائی کرنے کیلئے جا رہا ہوں۔ تو  
 سید جلال شاہ ولد سید کرم علی شاہ سنگھ خذ نے  
 مجھے موقع پر تین چوروم زمین فرمایا کرنے کی  
 پیشکش کیا جو کہ ایک غیر قانونی اور غیر شرعی  
 اور ضابطے کے برخلاف ورزی ہے۔ جسکی اہلیہ  
 میں بروقت سٹیٹ آفسر حضرت ال کو فرمایا کیا  
 جہاں فریق سید جلال شاہ وغیرہ کا مقدمہ زیر  
 سماعت ہے۔

کیلیوں یثوا کہ میں دسترس سے چھٹی ہو کر  
 اپنے گھر جا رہا تھا کہ رات میں میرے صوبائی  
 فون پر کال آیا تو میں نے کال و ہول کیا تو ریک  
 شخص نے یک دم مجھ سے کہا کہ آپ گوانر سوڈ کہو  
 سند کو دستخط کیوں نہیں کیا۔ وہ شخص نے اپنے  
 سول مقدمہ کر رہا ہے۔ میرے اس نے کہا کہ میں آپ کا  
 مخلص اور خیر خواہ شخص ہوں۔ نہ آپ کسی طریقے  
 سے اس دستاویز کو ویز میں درج کر کے شامل  
 کرے۔ تو اس پر میں نے کہا کہ آپ میرے  
 دسترس میں تشریف لائیں

کیونکہ میں اس شخص کو نہیں جانتا تھا۔ اس کے بعد میں فون بند کیا۔ صبح سویرے ہی میں اپنے دفتر میں پہنچ کر اس شخص کے نمبر پر کال کیا اور اس نمبر کو اس اور شخص نے اٹھایا تو میں نے کہا کہ آپ کے اس نمبر 03409851946 مجھے فون آیا تھا تو اس شخص نے کہا کہ یہ میرا ذاتی نمبر ہے اس نے کہا کہ اس شخص کا ذاتی نمبر درج کر دینا تو اس نمبر کو میں نے لکھا وہ نمبر ہے 03409851823 اس نمبر کو لکھنے کے بعد میں نے اس نمبر پر کال کیا تو صدم ہوا کہ یہ نمبر میرے موبائل پر بند ہے اس سے سوچا تھا تو میں نے اس شخص کو یہ بیان دیا کہ اس شخص نے مورفم 7-12-18 درخواستی کے طور پر درخواست لیکر سروس دفتر میں آیا تھا اور مجھ سے سب کچھ لوگوں کا یہ کروا کر بغیر دستخط کے دے دیا اور یوں بھی کہا کہ آپ کا دفتر نظام سابقہ ریکارڈ کیپیرون سے بالکل نکت اور قانون کے مطابق ہے اس کے بعد مورفم 2018-2442 کو واپس آیا اور درخواست دینے کیا جو کہ منظور شدہ تھا۔ اور کہا کہ موٹر کیوں نہرانے لے گیا جو کہ دو تو میں نے اسے صدم کو دے دیا اور اس نے انہیں چلا کر اور ہوشیار سے ایک جعلی اور خود ساختہ بنیاد دستاویز نمبر 1904 یا 1905 بنیاد شہاد الملک ہسپتال ریسٹ ہنٹا میں موجود صحائف کے درمیان چپے سے لکھ کر میرے صحائف کے نائب قلم سے فریو گا کر دیا

انتہائی دھوکہ دہی اور بد نیتی سے مجھ سے  
 Attester کروا کر لے گیا ہے جو کہ کسی طور پر میں تسلیم  
 لیا گیا ہے اور نہ ہی مجھ سے جو کسی شکل کو تسلیم  
 و فیاریٹ میں اس کا کوئی اندازہ موجود ہے  
 لیا گیا ہے اسٹاؤنر حصے اور خود ساجد اور  
 اور فراڈ کے وقت شامل کیا گیا تھا۔ لہذا

یہ میرا بیان ہے

*[Signature]*

شیر احمد بیگاریا  
 بڑے شیل کونسل ممبر

14-5-2019

POF  
 16.5.19

Shiv  
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# THE DEPUTY COMMISSIONER, LOWER CHITRAL

Tel: (0943) 412055, Fax: (0943) 412421, FB:DCChitral, Twitter: @DC\_Chitral

No. 525 /DCCL/R/C. File

Dated: 07/06/2021

To,

The Registrar,  
Khyber Pakhtunkhwa Service Tribunal,  
Peshawar.

Subject: **AUTHORITY LETTER.**

That Mr. Abdul Wali Khan Additional Deputy Commissioner (Relief) Chitral Lower is hereby authorized to submit the reply on behalf of Respondents No. 1,2,3 and 4 in Service Appeal No. 516 / 2021, titled Sher Ahmad versus Government of Khyber Pakhtunkhwa & others before the honorable court of Khyber Pakhtunkhwa Service Tribunal, Peshawar.

(Respondent No.1)

Chief Secretary, Government OF Khyber Pakhtunkhwa.

(Respondent No.2)

Finance Secretary, Government OF Khyber Pakhtunkhwa.

(Respondent No.3)

Commissioner Malakand Division.

(Respondent No.4)

Hasan Abid

Deputy Commissioner Lower Chitral