

1.12.2022.

Due to Rush of work.

This case has been deleted
to come for the same

on 28-2-23. DB

Rande

28.02.2023

Learned counsel for the appellant present. Mr. Muhammad Riaz Khan Paindakhel, Assistant Advocate General for the respondents present.

Learned counsel for the appellant requested for adjournment on the ground that she is not feeling well today. Adjourned. To come up for arguments on 03.05.2023 before the D.B. Parcha Peshi given to the parties.

SCANNED
10/03/23
PESHAWAR

(Fareeha Paul)
Member (E)


(Salah-ud-Din)
Member (J)


19.07.2022

Counsel for appellant present.

Muhammad Adeel Butt, learned Additional Advocate General for respondents present.

Former made a request for adjournment in order to prepare the brief. Adjourned. To come up for arguments on 14.09.2022 before D.B.

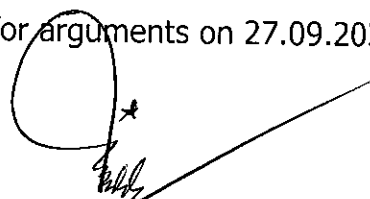

(Fareeha Paul)
Member(E)



(Rozina Rehman)
Member (J)

14.09.2022

Learned counsel for the appellant present. Mr. Muhammad Jan, District Attorney for the respondents present.

Learned counsel for the appellant requested for adjournment on the ground that he has not made preparation for arguments. Adjourned. To come up for arguments on 27.09.2022 before the D.B.



(Mian Muhammad)
Member (E)



(Salah-Ud-Din)
Member (J)

27.09.2022

Junior to counsel for appellant present.

Kabir Ullah Khattak learned Additional Advocate General for respondents present.

 Lawyers are on general strike, therefore, case is adjourned to 01.12.2022 for hearing before D.B.



(Fareeha Paul)
Member (E)


(Rozina Rehman)
Member (J)

24.11.2021

Proper D.B is not available, therefore, case is adjourned to

3 / 3 /2022 for the same as before.


Reader


3-3-22


Due to Retirement of the Hon, Ble Chairman
The case is adjourned to come up for the same
as before on 12-5-22
of
Reader

12.05.2022

Appellant with counsel present. Mr. Naseer-ud-Din Shah,
Assistant Advocate General for the respondents present.

Learned counsel for the appellant requested that time may be granted to him for submission of rejoinder. Request is allowed. Appellant is directed to submit rejoinder within 03 days. In case the appellant failed to submit rejoinder within 03 days his right for submission of rejoinder shall be deemed as struck off. To come up for arguments before the D.B on 19.07.2022.


(Fareeha Paul)
Member (E)

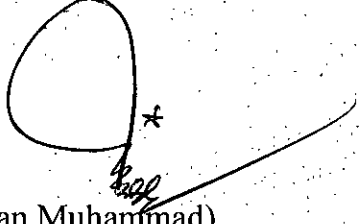

(Kalim Arshad Khan)
Chairman

08.03.2021

Counsel for the appellant present. Addl: AG alongwith Mr. Farooq Khan, Inspector for respondents present.

Written reply not submitted. Representative of the respondents seeks time to submit the same on the next date.

Adjourned to 18.05.2021 before S.B.


(Mian Muhammad)
Member (E)

18.05.2021

Due to demise of the Worthy Chairman, the Tribunal is non-functional, therefore, case is adjourned to 05.07.2021 for the same as before.


Reader

05.07.2021

Junior to counsel for the appellant present. Mr. Adeel Butt, Additional Advocate General alongwith Mr. Matiullah, LHC for respondents present.

Representative of the respondents submitted reply/comments which is placed on file. A copy of the same is also handed over to the junior counsel for the appellant. To come up for arguments on 24.11.2021 before D.B.


Chairman

06.10.2020

Junior to counsel for the appellant present.

Learned senior counsel for the appellant is not in attendance today due to general strike on the call of Khyber Pakhtunkhwa Bar Council. The matter is adjourned to 09.12.2020 for hearing before S.B.



Chairman.

09.12.2020

Appellant present through counsel. Preliminary arguments heard. File perused.

Points raised need consideration. Admitted to regular hearing subject to all legal objections. The appellant is directed to deposit security and process fee within 10 days. Thereafter, notices be issued to respondents for written reply/comments. To come up for written reply/comments on 08.03.2021 before S.B.

Appellant deposited
Security and Process Fee



(Rozina Rehman)
Member (J)



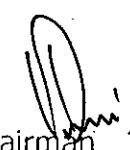
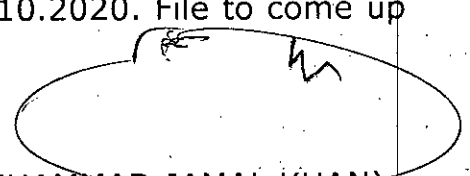
Form- A

FORM OF ORDER SHEET

Court of _____

Case No. -

4282 /2020

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	11/05/2020	<p>The appeal of Mr. Waseem Khan resubmitted today i.e 11.05.2020 by Miss Naila Jan Advocate may be entered in the Institution Register and put up to the Learned Member for proper order please.</p> <p> REGISTRAR 11/5/2020</p>
2-	28.05.2020	<p>This case is entrusted to S. Bench for preliminary hearing to be put up on <u>28-05-2020</u></p> <p> MEMBER</p>
	28.05.2020	<p>Nemo for appellant.</p> <p>Notices be issued to appellant/counsel for preliminary hearing on 06.08.2020 before S.B.</p> <p> Chairman</p>
	06.08.2020	<p>Miss. Naila Jan, learned counsel for the appellant is present. She is seeking adjournment for non-preparation of the instant appeal. Adjourned to 06.10.2020. File to come up for preliminary hearing before S.B.</p> <p> (MUHAMMAD JAMAL KHAN) MEMBER</p>

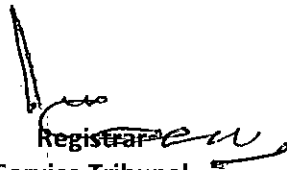
SCANNED
KPT
Peshawar

The appeal of Mr. Waseem Khan submitted today i.e. 05.05.2020 by Miss. Naila Jan, Advocate is incomplete on the following score which is returned to his counsel for completion and resubmission within 15 days.

- 1- Affidavit not attested by the Oath Commissioner which may be attested.
- 2- Appeal is not signed by the appellant which may be signed.
- 3- Copy of order dated 02.08.2018 is illegible which may be replaced by legible/better one.
- 4- Copy of impugned order dated 23.05.2018 is not attached with which may be placed on it.
- 5- Annexures are not in proper sequence which may be done accordingly.
- 6- All annexures are without page numbering which may be done accordingly.
- 7- Copies of Medical Prescription mentioned in the appeal as annexure "A" are not attached with appeal which may be placed on it.
- 8- Copy of Final Show Cause Notice and its reply mentioned in the appeal as Annexure "B" & "C" are not attached with the appeal which may be placed on it.
- 9- Copy of Departmental Appeal against impugned order 23.05.2018 is not attached with the appeal, which may be placed on it.
- 10- Annexures are not attested which may be attested.
- 11- All the Annexures are not flagged which may be flagged.

No. 1101 /S.T,

DT. 6-5 /2020


Registrar
Service Tribunal
Khyber Pakhtunkhwa
Peshawar.

Miss Naila Jan Advocate Peshawar

Resubmitted by Naila Jan Advocate
re removed all objections
and score of Departmental Appeal
is not available may kindly
be requisitioned from the department.

11/5/2020
Naila Jan

BEFORE THE HONBLE KHYBER PAKHTUNKHWA
SERVICES TRIBUNAL PESHAWAR

Service Appeal No: 4282 /2020

Waseem Khan

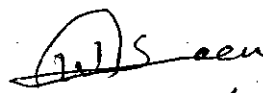
VERSUS

IGP KPK & Others.

INDEX

S#	Description of Documents	Annex	Pages
1.	Grounds of Appeal.		1-6
2.	Affidavit.		7
3.	Addresses of Parties		8
4.	Application of Condonation of Delay		9-10
4	Copy of the Medical Prescriptions	"A"	11-13
5	Copy of Charge Sheet & Reply Show-Cause Notice and Reply	"B, C, D & E"	14-23
6	Copy of the impugned order dated 23/05/2018 and appellate order dated 02/08/2018	"F & G"	24-25
7	Copy of the final order dated 12/02/2019 and letter dated 06/03/2020	"H & I"	26-27
7	Other documents		
8	Wakalat Nama		

Dated: 05/05/2020



Appellant

Through


Naila Jan

Advocate, High Court
Peshawar.

D

**BEFORE THE HONBLE KHYBER PAKHTUNKHWA
SERVICES TRIBUNAL PESHAWAR**

Khyber Pakhtukhwa
Service Tribunal

Appeal No. 4782 /2020

Diary No. 3460

Dated 5-5-2020

Waseen Khan LHC R/o 618 District Police Bannu.

-----**(Appellant)**

VERSUS

1. Inspector General of Police, Khyber Pakhtunkhwa.
2. Regional Police Officer, Bannu Region Bannu.
3. District Police Officer Bannu.

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

**APPEAL U/S 4 OF KHYBER PAKHTUNKHWA
SERVICES TRIBUNAL ACT -1974 AGAINST
THE IMPUGNED ORDERS DATED 23/05/2018
OF RESPONDENT NO.3, WHEREBY MINOR
PUNISHMENT OF "STOPAGE OF ONE
INCREMENT WITH ACCUMULATIVE EFFECT
& SIX DAYS ABSENCE PERIOD WAS TREATED
AS WITHOUT PAY", APPELLATE ORDER
DATED 2/08/2018 OF RESPONENT NO. 2 AS
WELL AS ORDER DATED 12/02/2019 OF
RESPONDENT NO.1 WHEREBY REVISION
PETITION FILED UNDER 11(A) OF THE
KHYBER PAKHTUNKHWA POLICE RULES
1975 HAS BEEN REJECTED WITHOUT ANY
LEGAL JUSTIFICATION WHICH HAS BEEN
COMMUNICATED TO THE APPELLANT ON
09/04/2020.**

Filed to-day
[Signature]
Registrar
05/05/2020

**Re-submitted to-day
and filed.**

[Signature]
Registrar
11/5/2020

[Signature]

PRAYER IN APPEAL:-

ON ACCEPTANCE OF THIS SERVICE APPEAL THE IMPUGNED ORDERS DATED 23/05/2018, 02/08/2018 AND ORDER DATED 12/02/2019 MAY KINDLY BE SET ASIDE AND INCREMENT OF THE APPELLANT MAY KINDLY BE RESTORED WITH ALL BACK BENEFITS.

Respectfully Sheweth;

Appellant submits as under

1. That the appellant was enlisted as Constable on 31/05/2007 and since his appointment, the appellant performed his duty with great zeal, zest and to the entire satisfaction of his department.
2. That while performing his duties the appellant was severely ill and he was deported towards Police Hospital which is evident from Daily Dairy No: 45 and from that the appellant was referred to DHQ Takht-e-Nasrati Karak

Signature

whereby he was advised for two months bed rest with effect from 23/01/2018 upto 23/03/2018. Copy of the D.D No: 45 may kindly be requisition from the respondents however, (Copy of the Medical prescriptions are annexed as annexure "A")

3. That the appellant was issued a charge sheet along-with statement of allegations containing same baseless allegations which was property replied however, a fact finding inquiry was conducted in questions & answer forms, without confronted the appellant with anything and thereafter a final show-cause notice was issued which was replied by the appellant negated the allegations. (Copy of Charge Sheet, reply and Show-Cause Notice and Reply are annexed as Annexure "B & C" and "D" Copy of the Inquiry Report is as "E")
4. That without conducting regular inquiry and fulfilling the requirement of law, the appellant was awarded minor punishment of stoppage of one increment with accumulative effect and six days absence period was treated as without pay vide order dated 23/05/2018, against the



4

impugned order, the appellant filed a departmental appeal, however the same was rejected vide order dated 218/2018 by the respondent No.2. (Copy of the impugned order dated 23/05/2018 and appellate order dated 02/08/2018 are annexed as Annexure "F & G") however, the copy of the Departmental appeal is not available with the appellant may kindly be requisitioned from the department.

5. That feeling aggrieved from both the orders of Respondents No: 2 & 3, the appellant filed a revision petition under Rule 11 (A) of The Khyber Pakhtunkhwa Police Rules 1975. However the same was rejected for no reason by Respondent No.1 vide order dated 12/02/2019 and then the same was sent to Respondent No.2 vide letter dated 06/03/2020 which was communicated to the appellant on 09/04/2020. (Copy of the Revision Petition is not available, may kindly be requisition). (Copy of the final order dated 12/02/2019 and letter dated 06/03/2020 are "A & B")



5

6. That feeling aggrieved from the impugned orders dated 23/05/2018, 02/08/2018 and order dated 12/02/2019, the appellant filing this service appeal on the following grounds:-

GROUND:

- A. That the impugned orders are against the law, rules and principle of natural justice, hence void ab-initio.
- B. That the appellant has been awarded the penalty without issuing / serving a charge sheet along with a statement of allegations, conducting or regular inquiry.
- C. That neither statement of any witnesses has been recorded in my presence nor did opportunity of cross examination was provided to the appellant.
- D. That no opportunity of perusal hearing has been provided to the appellant, hence condemn unheard.
- E. That the absence of the appellant was not willful but due to illness, hence the same does not amount to misconduct.

Handwritten signature

6

F. That the right of fair trial does not provided to the appellant, thus the Respondents violated of 10 (A) of the Constitution of Islamic Republic of Pakistan 1973.

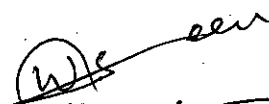
G. That the impugned orders are not speaking orders, hence the same are the violation of the provisions of General Clauses Act.

H. That the appellant has been subjected to double jeopardy as the appellant was awarded minor punishment of forfeiture of one increment as well as the absence period was treated as leave without pay, hence the same are void.

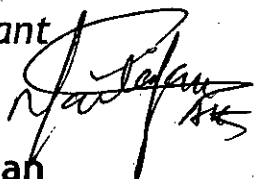
I. That the appellant seeks permission to adduce other grounds during the cause of arguments.

It is therefore requested that the appeal of the appellant may kindly be accepted as prayed for.

Dated: 05/05/2020.


Appellant

Through


Naila Jan
Advocate, High Court
Peshawar.

2

BEFORE THE HONBLE KHYBER PAKHTUNKHWA
SERVICES TRIBUNAL PESHAWAR

Service Appeal No: _____/2020

Waseem Khan

VERSUS

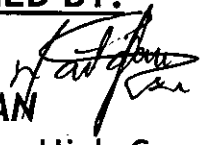
IGP KPK & Others.

AFFIDAVIT

I, Waseem Khan LHC R/o 618 District Police Bannu, do hereby solemnly affirm and declare that all the contents of the application for condonation of delay are true and correct to the best of my knowledge and belief and nothing has been concealed or withheld from this Hon'ble Tribunal.


DEPONENT

IDENTIFIED BY:


NAILA JAN
Advocate, High Court
Peshawar.

ATTESTED
IRFAN ULLAH ADVOCATE
NOTARY PUBLIC


11/5/2020

2

BEFORE THE HONBLE KHYBER PAKHTUNKHWA
SERVICES TRIBUNAL PESHAWAR

Service Appeal No: _____/2020

Waseem Khan

VERSUS

IGP KPK & Others.

ADDRESSES OF PARTIES

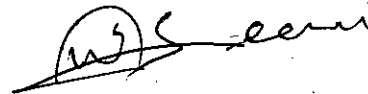
APPELLANT.

Waseem Khan LHC R/o 618 District Police Bannu.

ADDRESSES OF RESPONDENTS


1. Inspector General of Police, Khyber Pakhtunkhwa.
2. Regional Police Officer, Bannu Region Bannu.
3. District Police Officer Bannu

Dated: 05/05/2020



Appellant

Through



Naila Jan
Advocate, High Court
Peshawar.

BEFORE THE HONBLE KHYBER PAKHTUNKHWA
SERVICES TRIBUNAL PESHAWAR

Service Appeal No: _____/2020

Waseem Khan

VERSUS

IGP KPK & Others.

APPLICATION FOR CONDONATION OF DELAY

Respectfully Sheweth:

Applicant submits as under:-

1. That the above mention service appeal is filing today before this Hon'ble Tribunal in which no date is fixed yet.
2. That the instant appeal is well within time, however if there is any delay the same is condonable on the following grounds.

GROUND

- A. That the Petitioner was not communicated the impugned final order dated 12/02/2019, however, the same was received by the petitioner on 09/04/2020, hence the appeal is well within time.
- B. That the impugned order is in violation of law, rules and principles of natural justice, hence void, ab-initio and as per dictum of Supreme Court, no limitation runs against void order.
- C. That the penalty imposed vide impugned order is a violation of FR 29.

Waseem Khan

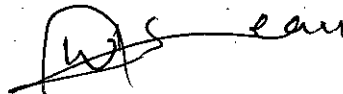
10

D. That as per principle lay down by Supreme Court, cases are to be decided on merits rather than technicalities.

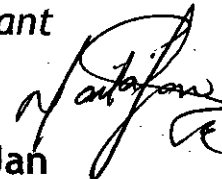
E. That the grounds of main appeal may kindly be considered as integral part of this application.

It is, therefore, requested that the delay in filing the Appeal may kindly be condoned.

Dated: 05/05/2020


Appellant

Through


Naila Jan
Advocate, High Court
Peshawar.

11

Part A

DHQ HOSPITAL KARAK
OUT DOOR PATIENT TICKET

DHIS-02(F)

Sent To:

District DHQ KARAK

CRP No: 2110

Facility Name _____

Name BIBI Age _____ Sex _____

Father's/Husband's Name _____

Monthly OPD Serial No. _____

Provisional Diagnosis _____

Date

Clinical Findings/Investions/Treatment/Test Findings

22/8/18

Sciatica

3. Front of h.

1. 1/10

1. 1/10

1. 1/10

1. 1/10

Depression

1. 1/10

1. 1/10

[Signature]

12

DIHS - 02 (F)

Sent To:

OUT DOOR PATIENT TICKET

District: 25

CRP No: 1073

Facility Name:

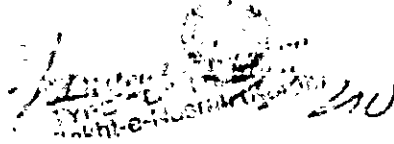
Name: D. B. ... Age: Sex:

Father's/Husband's Name: ...

Monthly OPD Serial No.:

Provisional Diagnosis: ...

Date	Clinical Findings / Investigations / Treatment / Referral / Test Findings
23	L. ...
18	...
...	...
...	30° LT
...	...
...	...
...	...
...	...
...	...
...	...
...	...
...	...
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W r o e s r o c

2 dimensions in 10N

15526

W r o e s r o c

2 dimensions

→ 10

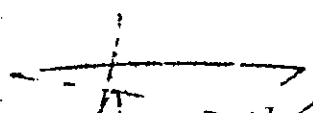
A hand 200 for two

months (60 days)

~~W r o e s r o c~~

Inward 23/3/2018

on hand out



TYPE "C" HOSPITAL
Tahiti-e-Nasrati (Karak)

W r o e s r o c

Picture will be taken

at the 9:00 pm

to see

13



OUT DOOR PATIENT TICKET

Code: _____

District: Rawalpindi OPD No: _____

Facility Name: _____

Name: 618 JAWAID Age: _____ Sex: _____

Father/Husband Name: _____

Monthly OPD Serial No: 9112

Provisional Diagnosis: Acute Myocardial Infarction

23/11/18

Date Clinical Findings / Investigations / Treatment / Referral / Test Findings

Refer to DHC

Thickened valves,

coronary

23/11/18

[Signature]

[Signature]

CHARGE SHEET:

(14)

Ar-Jur B^b

I, SADIQ HUSSAIN, District Police Officer, Bannu, as competent authority, hereby charge you LHC Wasain Khan No. 618 for the purpose of departmental enquiry proceedings as follows:-

13²/₁₈

to

- That LHC Wasain Khan No. 618 posted at Police Lines, Bannu deliberately absented himself from official duty on 12 different times, vide DD No. 65, dated 24.10.2017, DD No. 59, dated 02.11.2017, DD No. 45, dated 28.11.2017, DD No. 79, dated 04.12.2017, DD No. 25, dated 26.12.2017, DD No. 77, dated 08.01.2018, DD No. 11, dated 15.01.2018, DD No. 77, dated 23.01.2018, DD No. 14, dated 06.02.2018, DD No. 47, dated 19.02.2018, DD No. 16, dated 14.03.2018 90, dated 24.03.2018 (Total 23-days), which shows that he is incompetent, disinterested and habitual absentee.
- Such act on his part is against service discipline and amounts to gross misconduct/negligence in duty.

1. By reason of the above you appear to be guilty of misconduct under the Police Rules 1975 (As amended vide Khyber Pakhtunkhwa gazette Notification, No.27th of August 2014) and have rendered yourself liable to all or any of the penalties specified in the said rules.
2. You are therefore, directed to submit your defense within 07 days of the receipt of this Charge Sheet to the enquiry officer.
3. Your written defense, if any, should reach to the Enquiry Officer within the specified period, failing which, it shall be presumed that you have no defense to put in and in that case ex-parte action shall be taken against you.
4. You are directed to intimate whether you desire to be heard in person.
5. A statement of allegation is enclosed.



(SADIQ HUSSAIN)PSP
District Police Officer,
Bannu.

15

STATEMENT OF ALLEGATIONS:

I, Sadiq Hussain District Police Officer, Bannu as competent authority, to initiate departmental proceedings against LHC Wasain Khan No. 618 who has rendered himself liable to be proceeded against as he has committed the following misconduct within the meaning of Police Rules (As amended vide Khyber Pakhtunkhwa gazette Notification, No.27th of August 2014).

SUMMARY OF ALLEGATIONS:

- That you LHC Wasain Khan No. 618 posted at Police Lines, Bannu deliberately absented yourself from official duty on 12 different times, vide DD No. 65, dated 24.10.2017, DD No. 59, dated 02.11.2017, DD No. 45, dated 28.11.2017, DD No. 79, dated 04.12.2017, DD No. 25, dated 26.12.2017, DD No. 77, dated 08.01.2018, DD No. 11, dated 15.01.2018, DD No. 77, dated 23.01.2018, DD No. 14, dated 06.02.2018, DD No. 47, dated 19.02.2018, DD No. 16, dated 14.03.2018 and DD No. 90, dated 24.03.2018 (Total 23-days), which shows that you are incompetent, disinterested and habitual absentee.
- Such act on your part is against service discipline and amounts to gross misconduct/negligence in duty.

1. For the purpose of scrutinizing the conduct of the said accused with reference to the above allegations DSP/Hayy is appointed as Enquiry Officer.

2. The Enquiry Officer shall provide reasonable opportunity of hearing to the accused, record statements etc and findings within the targeted days after the receipt of this order.

3. The accused shall join the proceedings on the date, time and place fixed by the Enquiry Officer.



No. 145-4615RC dt. 28.3.2018


(SADIQ HUSSAIN)PSP
District Police Officer,
Bannu.

Copies to :-

1. The Enquiry Officer
2. The Accused Officer/Official.

3 سولہ جان گھٹ اینڈ سرورٹ ایف ایل کے جاریہ جاریہ دستوں کے لئے
 ایک پیرا اور ان کے فراہم کرنے کے لئے 2007 کے آرڈر کے تحت میں یہ پیرا
 سب سے پہلے تھا۔ مندرجہ بالا درجہ بندیوں میں فرق کے ساتھ ساتھ
 ڈیڑھ سے زیادہ کے لئے ہیں۔ اور ایسی ڈیڑھ بنائے گئے اور جانفشانی
 سے انجام دی ہے۔ جس میں 3000 ممالک کے ساتھ ساتھ کئی اور
 ڈیڑھ کے لئے بھی سفارش کر کے اتالیقات وصول کیے گئے ہیں۔
 2017 کے لئے اور اس کے بعد کے سالوں کے لئے اس کے ساتھ ساتھ
 پیرا کو روک دیا گیا ہے۔ FA پاس کے لئے باقی رہے

جانشانی جان گھٹ میں فرق کے ساتھ ساتھ
 اور یا مگر سر جن کے لئے ڈیڑھ کے لئے ہے
 لئے۔ لیکن کوئی بھی فرق دیکھا گیا ہے جس پر
 ہوا ہے جو کہ ہے جسے فراہم کرنے کے لئے OHE دستوں
 سے ہے جو کہ ہے۔ انہوں نے 2018 کے لئے 19 میں فراہم
 لائے ہیں جو کہ ہے۔ اور اس کے لئے 2018 کے لئے
 لائے ہیں جو کہ ہے۔ جان گھٹ میں فرق
 لیا

انڈیا کے لئے پیرا اور 3 اینڈ سرورٹ ایف ایل کے لئے پیرا
 صاب کے لئے زیادتی کے لئے نہیں ہونا چاہئے

6/4/18



FINAL SHOW CAUSE NOTICE:

17

Amir

I, SADIQ HUSSAIN, District Police officer, Bannu, as competent authority, under Rule 5(3) of the Khyber Pakhtunkhwa Police Rules. (As amended vide Khyber Pakhtunkhwa gazette Notification No.27th of August 2014) for the following misconduct hereby serve upon you LHC Wasain Khan No. 618 this final show cause notice.

- > That you LHC Wasain Khan No. 618 posted at Police Lines, Bannu deliberately absented yourself from official duty on 11 different times, vide DD No. 65, dated 24.10.2017, DD No. 59, dated 02.11.2017, DD No. 45, dated 28.11.2017, DD No. 79, dated 04.12.2017, DD No. 25, dated 26.12.2017, DD No. 77, dated 08.01.2018, DD No. 11, dated 15.01.2018, DD No. 77, dated 23.01.2018, DD No. 14, dated 06.02.2018, DD No. 16, dated 14.03.2018, DD No. 90, dated 24.03.2018 on which with the passage of time awarded punishments and treated as leave without pay.
- > That you absented yourself from lawful duty w.e.f 13.02.2018 to 18.02.2018 vide DD No. 47, dated 19.02.2018 Police Lines Bannu. (Total 06-days) without any sanctioned leave or prior permission of the competent authority.
- > That you obtained 60-days medical rest from the Hospital which has not been approved by the competent authority.
- > Such act on your part is against service discipline and amounts to gross misconduct/negligence in duty.

That consequent upon the completion of enquiry conducted through enquiry officer DSP/HQrs, Bannu for which you were given opportunity of hearing and on going through the findings and recommendations of Enquiry officer, the material on record and other connected papers, I am satisfied that you have committed gross misconduct by proving allegations and you have committed the above commission and omission.

As a result, I, as competent authority, have tentatively decided to impose upon you one or more punishments including dismissal as specified in the rules.

You are, therefore, required to show cause as to why the aforesaid penalty should not be imposed upon you.

If no reply to this notice is received within seven days of its delivery, it shall be presumed that you have no defence to put in and in that case an ex parte action shall be taken against you.

The copy of the findings of the Enquiry Officer is enclosed.

Amir

(SADIQ HUSSAIN)PSP
District Police Officer,
Bannu.



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شہولہ ٹائٹل شوکار ٹولس کا نمبر 235
18/5/2018

نائب ڈپٹی سب جیادریں نہیں جو وقت میں۔

۱۔ سب الزامات جو سب خلاف لگائے گئے ہیں۔ غلط اور بے بنیاد ہیں۔ اور قاضی شوکار ٹولس پر اپنی بیعتیں لگائی ہیں۔ جو سب میں لگائے گئے الزامات صرف ۳۰ دن کی بیعت میں درج ہوئے تھے۔ 47 روز ناقص 2 9 اگست 2018

جس جیادریں سب سے پہلے سے آگے منتقل دیا ہے۔ اور میری بیماری کو دیکھ کر سب نے تمہارے قسار دیا ہے۔ مذکورہ بالا الزامات کا اندراج اس قاضی شوکار ٹولس میں آگے سے قیادریں کیا ہے۔ کہ انکو ڈری انہیں لیتے افساد صرف اور صرف تحقیقات جاری ہیں۔ ۳۰ روزہ الزامات کے باعث کر لگے۔ اس کے سوا دیگر الزامات۔ یا نئے الزامات کے متعلق نہ دوران تحقیق وہ رجوع کر لگے۔ اور تہ کسی قسم کی نئی الزام کا تصدیق نہ ہو۔ صرف جیادریں کی ہو۔ یہی اختیار ہے۔ کہ وہ الزامات نہ اٹھائیں۔ جو دن غیر حاضری کے ذریعہ الزامات کے متعلق پہلے سے انکو ڈری ہو۔ اور میری مدعا ٹولس میں لگائی ہے۔ 2۔ جیادریں میں مذکورہ کر کے اپنی بیعتیں لگائی ہیں۔

2۔ یہ صرف 13 سے 18 تک میری غیر حاضری بھی میری آگے بیماری کی بنا پر ہے۔ سب میں سب جیادریں 2۔ جیادریں کے متعلق 60 دن کا اظہار کیا ہے۔

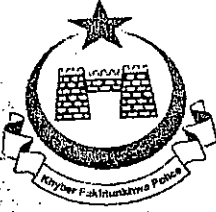
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تو بخلا ج رہا۔ تاہم اس دورانے عجب سے صبا لیس لائی ہوئے سے
وجود رہا ہوتا۔ اس باب میں میرے کمرہ میں روہیت صبر کائیل لوہنگی 80
انجانہ رجسٹر لکھا اور کل زادہ نمبر 1646 کے بیانات غصے اور بطور ثبوت
میرا لکھا۔ اس سے مندرجہ بھی میرے جو جڑی کے بارے میں لکھا گیا ہے۔

نمبر ③ یہ کہ جیانتھ آنکھوں کی اسپرکھیا بہ ندرتہ کہ میں نے مسدوم نیوٹ کے چارے کوئی ٹوٹی
حصیالے رنگ میں تھی۔ یہ بچے آنکھوں کی اسپرکھیا غلط تھی۔ میں نے لیس
ڈیپارٹمنٹ میں تیارہ سال کے کھلے گئے۔ اور اس دورانے اس سے ملے تھی
تہ تو میں نے مسدوم لیسٹ لیا۔ اور تھی کو تھی لائی ہو (رضعت عدتہ)
منظور تھی۔ مگر یہ قسم تھی سے میرے پاؤں اور کمر سے درد شروع ہو گیا
جبکہ مسدوم میں تھے لیس صبا نیوٹ لوانہ ہوا۔ اور اس کے اس نے باقاعدہ
روزنامہ میں اندر لکھ کر لیا۔ اور ریسٹ ہمارا کہ میں نے 9
کا تھی۔ لفظوں پر اس وقت میرا لکھا۔ لیکن وہاں پر ڈاکٹر
عاب نے مجھے مسدوم کھلے وقت لفرنی سبیل لیسٹ ڈاکٹر کو لفر لیا۔ اور ڈاکٹر
کا مشورہ کے مطابق وقت لفرنی ہیکل جلد کیا۔ نہ کہ ان کے صرف سے لیا یہی
آنکھوں کی اسپرکھیا غلط تھی۔ نہ میں نے بنی بنائی مہو سے وقت لفرنی
حصیالے سے مسدوم مطابق کا استنظام کیا۔ خود بیماری کی مسدوم کھلے نہ
لیس صبا کے ڈاکٹر صاحب نے مجھے وہاں کے جانے کا مشورہ دیا۔ اسی مشورہ
کے بناء پر DHO وقت لفرنی سے مسدوم مطابق شروع کیا۔ خود مسدوم کا
لفر صبت پر اس وقت میرا لکھا۔

④ یہ کہ میں نے دورانے مسدوم لیس لائی ہے موجود تھا۔ اور آگیا باب صبر لیس
حصیالے کا بیانات غصے سے۔ جب میں نے مسدوم مطابق لیس لائی میں جاری تھا
کو تھی تھی نہیں کا۔ لہذا اس باب کے لیے اجازت لینے کا صاحب کو اندر مشورہ
میں تھا۔ اگر لیس کھلے مگر جانا تب میں مشورہ فرما کر اجازت سے اجازت لے لیا
لہذا

اس پر عارضہ میری بیماری کو مدنظر اور سالجہ میں ڈاکٹر ڈو کو مدنظر رکھ کر فائیل شوکا و فرانس
میں فرما دیں اور میری کل دن کی غیر حاضری حسب صواب ڈاکٹر صاحب لیس لکھ کر لیا جانا۔ اس پر
رضعت فرار دی تھی۔ کیونکہ مسدوم غیر حاضری میں تھی۔ بلکہ بیماری کی وجہ سے ڈاکٹر صاحب
اور لیس لائی ہوتے موجود نہ تھے لہذا ڈاکٹر صاحب کو مشورہ سے مسدوم کا
نہ کہ زبانی حکایت کے بناء لیس صبا کی طرف خود لکھا۔



OFFICE OF THE
DY. SUPERINTENDENT OF POLICE,
HQRS. BANNU.

Phone No: 0928-9270078.

Fax No: 0928-9270045

No. 471 /HQ, Dated. 24.04.2018.

DEPARTMENTAL ENQUIRY.

- Reference.** Charge sheet No. 145-46/SRC dated 28.03.2018, issued by District Police Officer, Bannu.
- Accused.** LHC Wasain Khan No.618.
- Allegations.** Allegations conveyed to him in shape of charge sheet were as follow :-
- * That you LHC Wasain-618 posted at Police Lines, Bannu deliberately absented yourself from official duty on 12 different times, vide DD No.65, dated 24.10.2017, DD No.59 dated 02.11.2017, DD NO.45 dated 28.11.2017, DD No.79 dated 04.12.2017, DD No.25 dated 26.12.2018, DD No. 77 dated 08.01.2018, DD No. 11 dated 15.01.2018, DD No.77 dated 23.01.2018, DD No.14 dated 06.02.2018, DD No.47 dated 19.02.2018, DD No.16 dated 14.03.2018, DD No.90, dated 24.03.2018 (Total 23 days), which shows that you are incompetent, disinterest and habitual absentee.
 - * Such act on your part is against service discipline and amounts to gross misconduct/negligence in duty. Page-6-7
- Order sheet.** Order sheet maintained. Page-4-5
- D.O.A** He was in roll as constable on 31.5.2007.
- Self defence.** Opportunity for self defence provided to the accused official LHC Wasain-618.
- Statement.** Statements of the following officials recorded.
- a. MHC Hamid Ullah Police Lines, Bannu. Page-10
 - b. LHC Wasain-618. Page-8

Questions/answers between E.O and accused Official Wasain-618.

The undersigned asked questions and LHC Wasain Police Lines, Bannu replied that:-

Reply-1. He was absent from Police Lines w.e.f 13.02.2018 up to 19.02.2018.

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Reply-2. Yes, he remained absent time to time from Police Lines, Bannu as he was on Medical rest w.e.f 23.01.2018 upto 23.03.2018 and he had given this document to MHC Hamid Ullah of Police Lines Bannu, which has not been approved yet.

Reply-3. Not now, he will produce tomorrow the prescription and refer chit of the Medical Officer of Police Hospital, Bannu.

Reply-4. He will produce the departure report, he made into daily diary of the Police Lines, Bannu as well as copy of sick register dated 23.01.2018.

Reply-5. Yes, he will come tomorrow and confront lines, Officer /MHC Lines for questions answers in the matter.

Questions/answers between Wasain Khan -618 and MHC Hamid Ullah Police Lines, Bannu.

Note :- Reply-1. The accused official gave in written that he does not asked any question on MHC Hamid Ullah of Police Lines, Bannu about his absence and he appended his thumb impression to this effect and signed by the MHC.

Questions/answers between E.O and MHC Hamid Ullah Police Lines, Bannu.

MHC Hamid Ullah replied that :-

Reply-1. he will produce record of absentees done by the LHC Wasain-618.

Reply-2. LHC Wasain-618 has absented himself from his official duty w.e.f 13.02.2018 up to 19.02.2018, which is to be decided.

Reply-3. LHC Wasain-618 has not yet been suspended.

Reply-4. LHC Wasain -618 has reported in Police Lines, Bannu on 19.10.2017, after completion of Lower College Course.

Reply-5. LHC Wasain-618 is habitual absenter.

Medical Rest.

On 23.01.2018 vide DD No.45, he has been shown departed towards Police Hospital for Medical treatment, from where he got referred himself to DHQ Takht-e-Nurasti Karak. The District Surgeon of Type-C Hospital Takht-e-Nurasti Karak advised him bed rest for two months (60 days) w.e.f 23.01.2018 upto 23.3.2018, such Medical rest has not yet been approved, copy of the Medical prescription and recommendation for two months Medical rest is attached. No major surgery of the said constable was carried out by the said surgeon, original papers might be available with OHC/SRC.

E.O.
(12)

22

Conclusion:-

1. In perception of the attached documents, questions/answers, the LHC Wasain-618 has absented himself from his official duty for 16 times (80 days) in the past as per the report of OHC, for which he has either been punished or his that span of absence was ordered to be counted as leave without pay.
2. He is habitual absenter as per record.
3. He has absented himself from his official duty vide DD No.36 dated 13.02.2018 up to 19.02.2018 vide DD No.45 of Police Lines, Bannu.
4. He managed and got himself referred to DHQ Type-C Hospital Takht-e-Nusrati Karak on 23.01.2018 instead of DHQ Hospital, Bannu and obtained 60 days Medical rest, which has not been approved and this speaks his disinterest and incompetency in police service please.

Every page numbered & signed.

Encl:()



(AQIQ HUSSAIN, E.O)
DSP/HQr, BANNU.



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REFERENCE ATTACHED.

R/Sir,

It is submitted that Final Show Cause Notice was issued against LHC Wasain Khan No. 618 on the following charges:-

- > That LHC Wasain Khan No. 618 posted at Police Lines, Bannu deliberately absented himself from official duty on 11 different times, vide DD No. 65, dated 24.10.2017, DD No. 59, dated 02.11.2017, DD No. 45, dated 28.11.2017, DD No. 79, dated 04.12.2017, DD No. 25, dated 26.12.2017, DD No. 77, dated 08.01.2018, DD No. 11, dated 15.01.2018, DD No. 77, dated 23.01.2018, DD No. 14, dated 06.02.2018, DD No. 16, dated 14.03.2018 90, dated 24.03.2018 on which with the passage of time awarded punishments and treated as leave without pay.
- > That he absented himself from lawful duty w.e.f 13.02.2018 to 18.02.2018 vide DD No. 47, dated 19.02.2018 Police Lines Bannu (Total 06-days) without any sanctioned leave or prior permission of the competent authority.
- > That he obtained 60-days medical rest from the Hospital which has not been approved by the competent authority.

Enquiry Officer:

DSP/HQrs, Bannu.

Recommendations of the E.O:

The Enquiry Officer submitted finding report and reported that the defaulter Constable is habitual absentee as per record. He obtained 60-days medical rest which has not been approved by the competent authority. This speaks his disinterest and incompetency in Police Service.

He was heard in person in Orderly room on 08.05.2018 and issued Final Show Cause Notice and properly served upon him. The accused official submitted reply to the Final Show Cause Notice, placed at F/A.

Submitted for favor of perusal and order, please.

W/DPO, Bannu

OR

stoppage of
ONE increment
with cumulative
effects. 06 days
he unauthorized to
have without pay

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Amir
F

ORDER

This order of the undersigned will dispose of the departmental proceedings against accused LHC Wasain Khan No.618 under Police Rule 1975 (As amended vide Khyber Pakhtunkhwa gazette Notification, No.27th of August 2014) by issuing charge sheet and statement of allegation to him for committing the following commissions/omissions.

- > That LHC Wasain Khan No. 618 posted at Police Lines, Bannu deliberately absented himself from official duty w.e.from 13.02.2018 to 18.02.2018 (Total 06-days) vide DD No.47, dated 19.02.2018 Police Lines Bannu, which shows that he is incompetent, disinterested and habitual absentee.

Charge sheet and statement of allegation were issued to him and DSP Hqrs:, Bannu was appointed as Enquiry Officer to scrutinize the conduct of the official. The Enquiry Officer submitted finding report and reported that the defaulter Constable is habitual absentee as per record. He obtained 60-days medical rest which has not been approved by the competent authority. This speaks his disinterest and incompetency in Police Service, placed on file.

He was heard in person in orderly on 08.05.2018 and final show cause notice issued to him. In response to the final show cause notice, the accused official submitted unsatisfactory reply, placed on file.

He again heard in person on 22.05.2018. In the light of the departmental enquiry proceedings, finding report of enquiry officer and found guilty of the charge, hence, I, SADIQ HUSSAIN, District Police Officer Bannu, in exercise of the power vested in me under Police Rule 1975 (As amended vide Khyber Pakhtunkhwa gazette Notification, No.27th of August 2014), he is hereby awarded minor punishment of "stoppage of One increment with cumulative effect. 06-days absence period treated as without pay".

OB No. 534
Dated: 23.05. /2018.

(SADIQ HUSSAIN)PSP
District Police Officer,
Bannu.

No. 6058-62 /SRC dated Bannu, the 23/5 /2018.

Copy of above to:

1. Reader, Pay officer, SRC, OASI for compliance.
2. Fauji Misal Clerk along with enquiry file for placing it in the Fauji Missal of the concerned official.

ORDER

25

Amir 5

By this order will dispose of departmental appeal, preferred by LHC Waseen No.618 of District - Bannu, wherein, he has prayed for setting aside the order of punishment of stoppage of one increment with cumulative effect, imposed upon him by DPO Bannu vide OB No.534 dated 23.05.2018 after finding him guilty of the following allegations.

That he while posted to Police Lines Bannu deliberately absented himself from official duty on 11 different occasions, vide DD No.65 dated 24.10.2017, DD No.79 dated 04.12.2017, DD No.25 dated 26.12.2017, DD No.77 dated 08.01.2018, DD No.11 dated 15.01.2018, DD No.77 dated 23.01.2018, DD No.14 dated 06.02.2018, DD No.16 dated 14.03.2018, DD No.90 dated 24.03.2018 (total 23 days), which prove that he is incompetent, disinterested and habitual absentee.

The service record, inquiry papers and comments, received from DPO Bannu, were perused and it was found that the appellant was proceeded departmentally for the above misconduct and the inquiry papers were entrusted to Mr. Aqil Hussain DSP/HQr: Bannu who indulged into the allegations and after going through the reply of appellant, statements of Constable Yousaf Khan No.80, Incharge Regimental Shop Police Lines Bannu, HC Got Zada No.1646 PS City, HC Hamid Ullah, MHC Police Lines Bannu, SGT, DPO Office Bannu and daily diaries quoted above as well as conducting cross question/examination on, recorded his findings vide his office letter No.471/HQr: dated 24.04.2018, wherein, it was concluded that the appellant had remained absent for 80 days on 16 different occasions in the past; habitual absentee; guilty of wilful absence from official duty w.e.f 13.02.2018 to 19.02.2018 and the medical certificate (60 days) obtained by him was not approved. In the light of findings of E.O, the appellant was served with FSCN and heard in person by competent authority but he failed to justify his absence (misconduct) and consequently awarded minor punishment of stoppage of one annual increment with cumulative effect.

Aggrieved from the impugned order, the appellant submitted the instant appeal to the undersigned which was sent to DPO Bannu for comments as well as obtaining his service record. DPO Bannu, vide his letter No.3868 dated 10.07.2018, submitted para wise comments, which transpired that the appellant had been provided every opportunity of defence but failed to substantiate his innocence.

During the perusal of his service record, it was found that the appellant has served in Police Lines Bannu for about 11 years and during this period, he has already been awarded four times punishment of Rs 100/- each and extra drill. The appellant has already absented for about 55 days on 14 different occasions which shows that he is habitual absentee as reported by Inquiry Officer in his findings.

The undersigned also provided opportunity of personal hearing to the appellant in orderly room held in the office of undersigned today on 01.08.2018 but he failed to prove his innocence. Keeping in view the above I can safely infer from the above that the appeal is devoid of merit and deserve no leniency. Therefore, I, Muhammad Karim Khan, Regional Police Officer, Bannu Region Bannu, in exercise of the powers vested in me under Rule, 11(4) (a) of Khyber Pakhtunkhwa Police Rules, 1975 (amended 2014) hereby reject his appeal and endorse the punishment awarded to him by DPO Bannu.

ORDER ANNOUNCED

(MUHAMMAD KARIM KHAN) Regional Police Officer Bannu Region, Bannu

At Bannu the 01/08/2018

Copy to the District Police Officer, Bannu for information and n/action w/r to his office letter No. quoted above along with the service record containing service roll, fauji missal and inquiry papers of the appellant for record in office which may be acknowledged. The appellant may be informed please.

(MUHAMMAD KARIM KHAN) DSP

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Amir G³

Better Copy
Order

My this order will dispose off departmental appeal, preferred by LHC Waseen No: 618 of district Police Bannu, wherein he has prayed for setting side the order of punishment of stoppage of one increment with accumulative effect imposed upon him by DPO Bannu vide OB No: 534 dated 23/05/2018 after found him guilty of the following allegations.

That he while posted to police lane Bannu deliberately absented himself from official duty on 11 different occasions vide DD No: 64 dated 24/10/2017, DD No: 79 dated 04/12/2017, DD No: 25 dated 20/12/2017, DD No: 77 dated 08/01/2018, DD No: 11 dated 15/01/2018, DD No: 77 dated 23/01/2018, DD NO: 4 dated 06/02/2018, DD No: 16 dated 14/03/2018, DD NO: 90 dated 24/03/2018 (total 23 days) which shows that he is incompetent disinterested and habitual absentee.

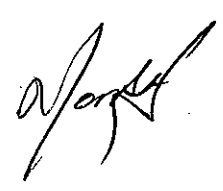
His service record inquiry papers and comments received from DPO Bannu were perused and it was found that the appellant was proceeded departmentally for the above misconduct and the inquiry report were entrusted to Mr. Aqiq Hussain DSP/HQP Bannu who inquired into the allegations and after going through reply of appellant, statements of constable Yousaf Khan No:80 incharge regiment police lines Bannu HC Gulzada No; 1646 PS City, HC Hamid Ullah, MHC Police Line Bannu and DPO Office Bannu and daily dairies quoted above as well as conducting cross question/ examination, recorded his findings vide his office letter No. 471/HQp dated 24.04.2018, wherein, it was concluded that the appellant had remain absent for 80 days on 16 different occasions in the past; habitual absentee, guilty of which absence from official duty w.e.f 13.02.2018 to 19.02.2018 and the medical leave 60 days obtained by him was not approved, in the light of findings of E.O the appellant was show with FSCN and heard in person by competent authority but he failed to justify his absence, misconduct and consequently awarded minor punishment of stoppage of one annual increment with accumulative effect.

Aggrieved from the impugned order, the appellant submitted the instant appeal to the undersign and was sent to DPO Bannu for comments as well as obtaining his service record. DPO Bannu vide letter No: 8869 dated 03/07/2018 submitted para wise comments which transpired that the appellant has been provided every opportunity of defence but failed to substantiate his innocence.

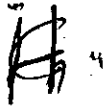
During the perusal of the service record it was found that the appellant has served in Police about 11 years and during this period he has already been awarded four times punishment each and extra drill. The appellant has already absented for about 55 days on 14 different occasions which shows that he is habitual absentee as reported by inquiry officer in his findings. The undersigned also provided opportunity of personal hearing to the appellant in orderly room held in the office of undersign today on 01.08.2018 but he failed to prove his innocence, keeping in view the above I can safely enter from the above that the appeal is devoid of merit and deserve no leniency. Therefore, I Muhammad Karim Khan, Regional Police Officer, Bannu Region Bannu in exercise of the powers vested in me under Rule 11 (4) (a) of Khyber Pakhtunkhwa Police Rules 1975 (amended 2014) is hereby reject his appeal and endorse the punishment/ awarded to him by DPO Bannu.

ORDER ANNOUNCED

(Muhammad Karim Khan)
Regional Police Officer
Bannu Region Bannu
Dated 2/08/2018



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Amir 

Better Copy

**OFFICE OF THE
INSPECTOR GENERAL OF POLICE
KHYBER PAKHTUNKHWA
Central Police Office, Peshawar
No. S/557/19, dated Peshawar the 12/02/2019**

To

The Regional Police Officer
Bannu

Subject: REVISION PETITION

Please refer to your office Memo: No. 445/EC, dated 23.01.2019
The Competent Authority has examined and filed the revision
petition submitted to LHC Waseem Khan No. 618 of Bannu District Police
against the punishment of stoppage of increment with accumulative effect
awarded by DPO Bannu vide OB No. 534, dated 23/05/2018 being grossly
time barred.

The applicant may please be informed accordingly.

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





(27)

Amuliy 27-11

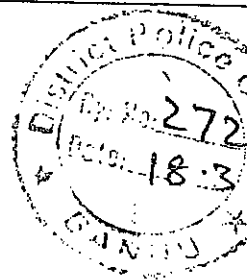
OFFICE OF THE
INSPECTOR GENERAL OF POLICE
KHYBER PAKHTUNKHWA
Central Police Office, Peshawar.

No. S/ 1320 /20, dated Peshawar the 06/03 /2020.

To: The Regional Police Officer,
Bannu.

Subject:- MERCY PETITION.

Memo:



Please refer to your office Memo: No. 724/EC, dated 10.02.2020.

The Competent Authority has examined and filed the present application submitted by LHC Waseem Khan No. 618 of Bannu district Police for restoration of one increment as his revision petition has already been processed and rejected being time barred vide this office letter No. S/537/19, dated 12.02.2019.

According to Rule 11 (3) of Khyber Pakhtunkhwa Police Rules 1975 (amended 2014) there shall be only one appeal against the original order. The departmental appeal as well as revision petition of the petitioner has already been processed and there is no provision of second revision petition in the Rules.

The applicant may please be informed accordingly.

Handwritten notes:
E/c
PPS
16/3

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16/3 DPC / Bannu

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Signature:
(SYED ANIS-UL-HASSAN)
Registrar,
For Inspector General of Police,
Khyber Pakhtunkhwa, Peshawar. 05/03/2020

Handwritten:
Sen. JHC / P
to inform him. 16/3/2020

2 ✓
District Police Officer
BANNU
12/3

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P. issued on date
19-3-20

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5-1
06/03/2020

وکالت نامہ

عدالت کپ سروس ٹریبونل پشاور
Waseen Khan نام Police
منجانب: Appellant تاریخ 05/05/2020
علت نمبر: مورخہ: برسم: متعلقہ

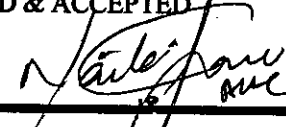
باعث تحریر آنکہ

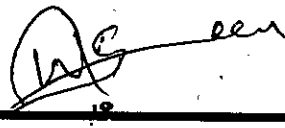
مقدمہ مندرجہ بالا عنوان میں اپنی طرف سے واسطے پیروی و جواہدی
بمقام Pesheer کے لیے ہے۔

نانکہ جان ایڈوکیٹ ہائی کورٹ پشاور

کو بدیں شرط وکیل مقرر کیا ہے کہ میں ہر پیشی پر خود یا بذریعہ مختیار خاص رو بروئے عدالت حاضر ہوتا رہوں گا اور ہونگی اور بوقت پکارے
جانے مقدمہ وکیل صاحب موصوف کو اطلاع دیکر حاضر عدالت کرونگا اگر پیشی پر من مظہر حاضر نہ ہو اور مقدمہ میری غیر حاضری
کی وجہ سے کسی طور میرے برخلاف ہو گیا تو صاحب موصوف اس کے کسی طرح ذمہ دار نہ ہوں گے۔ نیز وکیل صاحب موصوف
صدر مقام کچہری کے کسی اور جگہ سماعت ہونے یا بروز تعطیل یا کچہری کے کسی اور جگہ سماعت ہونے یا بروز تعطیل یا کچہری کے
اوقات کے آگے پیچھے پیش ہونے پر من مظہر کو کوئی نقصان پہنچے تو اس کے ذمہ دار یا اس کے واسطے کسی معاوضہ کے ادا کرنے یا مختیار
نامہ واپس کرنے کے بھی صاحب موصوف ذمہ دار نہ ہوں گے۔ مجھ کو کل ساختہ پرداختہ صاحب موصوف مثل کردہ ذات خود منظور
قبول ہو گا اور صاحب موصوف کو عرضی دعویٰ و جواب دعویٰ اور درخواست اجراء ڈگری و نظر ثانی اپیل و نگرانی ہر قسم کی درخواست
پر دستخط و تصدیق کرنے کا بھی اختیار ہو گا۔ اور کسی حکم یا ڈگری کے اجراء کرانے اور ہر قسم کاروبار وصول کرنے اور رسید دینے اور
داخل کرنے اور ہر قسم کے بیان دینے اور سپرد ثانی و راضی نامہ کو فیصلہ برخلاف کرنے، اقبال دعویٰ دینے کا بھی اختیار ہو گا۔ اور
بصورت اپیل و برآمدگی مقدمہ یا منسوخ ڈگری یکطرفہ درخواست حکم امتناعی یا قرقی یا گرفتاری قبل از اجراء ڈگری بھی موصوف کو
بشرط ادا ایگی علیحدہ مختیار نامہ پیروی کا اختیار ہو گا۔ اور بصورت ضرورت صاحب موصوف کو بھی اختیار ہو گا یا مقدمہ مذکورہ یا اس کے
کسی جزو کی کارروائی کے واسطے یا بصورت اپیل، اپیل کے واسطے کسی دوسرے وکیل یا بیرسٹر کو بجائے اپنے یا اپنے ہمراہ مقرر کریں نیز
ایسے مشیر قانون کو ہر امر میں وہی اور ایسے ہی اختیارات حاصل ہوں گے جیسے کہ صاحب موصوف کو حاصل ہیں اور پہلے ادا نہ کر دوں گا تو
صاحب موصوف کو پورا اختیار ہو گا کہ مقدمہ کی پیروی نہ کریں اور ایسی صورت میں میرا کوئی مطالبہ کسی قسم کا صاحب موصوف کے
برخلاف نہیں ہو گا۔ لہذا یہ مختیار نامہ لکھ دیتا کہ سندر ہے۔ مورخہ: 05/05/2020 مضمون مختیار نامہ سن لیا ہے اور اچھی
طرح سمجھ لیا اور منظور ہے۔

ATTESTED & ACCEPTED


نانکہ جان ایڈوکیٹ پشاور ہائی کورٹ پشاور


Waseen Khan
Appellant