

08.09.2022

Junior to counsel for appellant present.

Kabir Ullah Khattak, learned Additional Advocate General for respondents present.

Former requested for adjournment as senior counsel is busy before District Courts Kohat. Adjourned by way of last chance. To come up for arguments on 16.11.2022 before D.B.



(Fareeha Paul)
Member(E)



(Rozina Rehman)
Member(J)

16.11.2022

Clerk of counsel for the appellant present.

Naseer Ud Din Shah, learned Assistant Advocate General for respondents present.

Former requested for adjournment on the ground that learned counsel for the appellant is busy before Federal Shariat Court Islamabad. Another last chance is given. To come up for arguments on 26.12.2022 before D.B

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KPST
Peshawar



(Fareeha Paul)
Member (E)



(Rozina Rehman)
Member (J)

26.12.2022

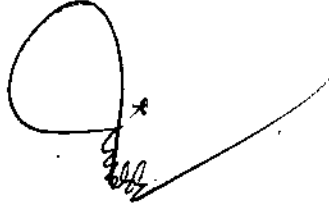
Due to winter vacation the case is adjourned to 27.03.2023 before the same.

Reader.

11.04.2022

Nemo for the appellant present. Syed Naseer Ud Din Shah,
Asst: AG for respondents present.

Previous date was changed on Reader note, therefore,
notice of prosecution of appeal be issued to the appellant as well s
his counsel and to come up for arguments before the D.B on
22.06.2022.



(Mian Muhammad)
Member(E)



(Salah Ud Din)
Member(J)

22.06.2022

Clerk of learned counsel for the appellant present. Mr.
Noor Zaman Khattak, District Attorney for the respondents
present.

Clerk of learned counsel for the appellant requested for
adjournment on the ground that learned counsel for the
appellant is busy in some domestic engagement and is unable to
attend the Tribunal today. Adjourned. To come up for arguments
on 08.09.2022 before the D.B.



(Mian Muhammad)
Member (E)



(Salah-ud-Din)
Member (J)

31.12.2020

Due to summer vacation, case is adjourned to 12.04.2021 for the same as before.


Reader

12.04.2021

Due to demise of the Worthy Chairman, the Tribunal is non-functional, therefore, case is adjourned to 26.07.2021 for the same as before.


Reader

26.07.2021

Junior to counsel for appellant present.

Javid Ullah learned Assistant Advocate General for respondents present.

Former made a request for adjournment as senior counsel is busy before District Courts at Kohat. Request is accorded. To come up for arguments on 15.12.2021 before D.B.



(Rozina Rehman)
Member (J)


Chairman

15-12-21

DIS is on tour case to come up
For the same on Dated. 11-4-22


Reader

10.03.2020 Learned counsel for the appellant present. Mr. Usman Ghani learned District Attorney alongwith Ahmed Ali H.C. for the respondents present. Learned counsel for the appellant seeks adjournment. Adjourn. To come up for arguments on 11.05.2020 before D.B.


Member


Member

11.05.2020 Due to public holidays on account of Covid-19, the case is adjourned. To come up for the same on 17.08.2020 before D.B.

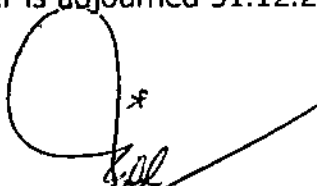

Reader

17.08.2020 Due to summer vacations, the case is adjourned to 19.10.2020 for the same.


Reader

19.10.2020 Junior to counsel for the appellant and Addl. AG for the respondents present.

The Bar is observing general strike today, therefore, the matter is adjourned to 31.12.2020 for hearing before the D.B.


(Mian Muhammad)
Member


Chairman

28.08.2019

Counsel for the appellant present. Mr. Ziaullah; DDA for respondents present. Learned counsel for the appellant submitted rejoinder which is placed on file and seeks adjournment. Adjourn. Case to come up for arguments on 11.11.2019 before D.B.


Member


Member

11.11.2019


Learned counsel for the appellant and Mr. Kabir Ullah Khattak learned Additional Advocate General present. Learned counsel for the appellant seeks adjournment. Adjourn. To come up for arguments on 13.01.2020 before D.B.


Member


Member

13.01.2020

Appellant absent. Learned counsel for the appellant absent. Mr. Kabir Ullah Khattak learned Additional Advocate General present. Due to general strike of the Bar on the call of Khyber Pakhtunkhwa Bar Council, the case is adjourned. To come up for further proceedings/arguments on 10.03.2020 before D.B. Appellant be put to notice for the date fixed.


Member


Member

15.03.2019

Appellant absent. Learned counsel for the appellant absent. Mr. Kabir Ullah Khattak learned Additional Advocate present. Adjourn. To come up for arguments on 07.05.2019 before D.B


Member


Member

07.05.2019

Counsel for the appellant and Mr. Ziaullah, DDA for the respondents present.

Learned counsel for the appellant states that the rejoinder to the reply could not be submitted in time, therefore, a request for adjournment is made for the purpose. Adjourned to 02.07.2019 for arguments before the D.B. The appellant may submit rejoinder within one month.



Member


Chairman

02.07.2019

Due to general strike on the call of Khyber Pakhtunkhwa Bar Council, learned counsel for the appellant is not available today. Mr. Zia Ullah Learned Deputy District Attorney for the respondents present. Adjourned. To come up for arguments on 28.08.2019 before D.B


(Hussain Shah)
Member


(M. Amin Khan Kundi)
Member

22.10.2018

Due to retirement of Hon'ble Chairman, the Tribunal is defunct. Therefore the case is adjourned. To come up on 06.12.2018



Reader

06.12.2018

Appellant in person and Addl. AG alongwith Ihsanullah, ASI for the respondents present.

Learned AAG states that the requisite reply/comments are in the process of completion and requests for more time to do the needful.

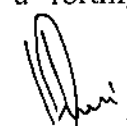
Adjourned to 16.01.2019 before S.B.


Chairman

16.1.2019

Appellant in person and Addl. AG alongwith Ihsanullah, ASI for the respondents present.

Written reply on behalf of the respondents has been submitted. To come up for arguments before D.B on 15.03.2019. The appellant may furnish rejoinder within a fortnight, if so advised.


Chairman

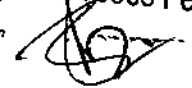
Service Appeal No. 252/2018

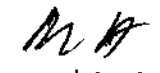
06.09.2018

Counsel for the appellant Qaiser Abbas present. Preliminary arguments heard. It was contended by learned counsel for the appellant that the appellant was serving in Police Department as Constable. It was further contended that during service he was involved in a criminal case Vide FIR No. 256 dated 05.05.2017 under sections 324 PS City District Kohat and departmental proceedings was initiated against him. It was further contended that after issuing of show-cause notice he was dismissed from service vide order dated 14.06.2017. It was further contended that the appellant filed departmental appeal on 05.10.2017 which was rejected on 15.01.2018 hence, the present service appeal. It was further contended that the appellant was honorable acquitted by the competent court. It was further contended that neither charge sheet nor statement of allegation was served on him nor proper inquiry was conducted therefore, the impugned order is illegal and liable to be set-aside.

The contention raised by the learned counsel for the appellant needs consideration. The appeal is admitted for regular hearing subject to deposit of security and process fee within 10 days, thereafter, notice be issued to the respondents for written reply/comments for 22.10.2018 before S.B.

Appellant Deposited
Security & Process Fee




(Muhammad Amin Khan Kundi)
Member


22.10.2018

Due to retirement of Hon'ble Chairman, the Tribunal is defunct. Therefore the case is adjourned. To come up on 06.11.2018

Reader

30.03.2018

Counsel for the appellant present and seeks adjournment. Adjourned. To come up for preliminary hearing on 20.04.2018 before S.B.


(Ahmad Hassan)
Member

20.04.2018

Counsel for the appellant present and seeks adjournment. Adjourned. To come up for preliminary hearing on 03.05.2018 before S.B.



(Ahmad Hassan)
Member

03.05.2018

The Tribunal is non functional due to retirement of the Honorable Chairman. Therefore, the case is adjourned. To come up for the same on 28.06.2018 before S.B.

28.06.2018

None present on behalf of the appellant. Adjourned. To come up for preliminary hearing on 30.07.2018 before S.B.


(Muhammad Amin Khan Kundi)
Member

30.07.2018

Syed Mudasir Pirzada, Advocate, counsel for the appellant present and requested for adjournment. Granted. Case to come up for preliminary hearing on 06.09.2018 before S.B.





Chairman

SCANNED
KPST
Peshawar

Form-A
FORM OF ORDERSHEET

Court of _____

Case No. 252/2018


S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1	22/02/2018	<p>The appeal of Mr. Qaiser Abbas resubmitted today by Syed Mudassir Pirzada Advocate may be entered in the Institution Register and put up to Worthy Chairman for proper order please.</p> <p style="text-align: right;"> REGISTRAR</p>
2	26/02/18.	<p>This case is entrusted to S. Bench for preliminary hearing to be put up there on <u>12/03/18.</u></p> <p style="text-align: right;"> CHAIRMAN</p>
12.03.2018		<p>None present on behalf of the appellant. Adjourned. To come up for preliminary hearing on 30.03.2018 before S.B</p> <p style="text-align: center;"> (Muhammad Hamid Mughal) Member</p>

The appeal of Mr. Qaiser Abbas son of Zahir Ali Ex-Constable r/o Sheikhan Kohat received today i.e. on 12.02.2018 is incomplete on the following score which is returned to the counsel for the appellatant for completion and resubmission within 15 days.

- 1- Appeal may be page marked according to the Index.
- 2- Annexures of the appeal may be attested.
- 3- Annexures of the appeal may be flagged.
- 4- Annexures of the appeal are not in sequence which may be annexed serial wise as mentioned in the memo of appeal.
- 5- Copy of revision petition mentioned in the memo of appeal is not attached with the appeal which may be placed on it.
- 6- Approved file cover is not used.
- 7- One more copy/set of the appeal along with annexures i.e. complete in all respect may also be submitted with the appeal.

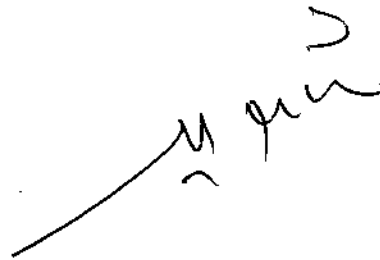
No. 321 /S.T,

Dt. 12/02 /2018


REGISTRAR
SERVICE TRIBUNAL
KHYBER PAKHTUNKHWA
PESHAWAR.

Syed Mudasir Pirzada Adv. Kohat.

Re-submitted after
Completion on 22/2/18



BEFORE THE KHYBER PAKHTOON KHWA SERVICE TRIBUNAL PESHAWAR.

Service Appeal 252 2018

Ex-Constable Qaiser Abbas S/o Zahir Ali R/o Sheikhan Kohat

(Appellant)

VERSUS

1. INSPECTOR GENERAL OF KPK POLICE PESHAWAR.
2. COMMADANT FRP KPK PESHAWAR.
3. SUPERINTENDENT OF POLICE ,FRP KOHAT REGION KOHAT

(Respondent)

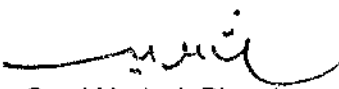
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4	Copy of impugned Order and FCN along with representation and rejection Order dated <u>26-09-2017, 15-01-18</u>	A	8-16
	Wakalatnama		


Appellant

Through

Date 10/2/2018


Syed Mudasir Pirzada
Advocate HC
0345-9645854

BEFORE THE KHYBER PAKHTOON KHWA SERVICE TRIBUNAL PESHAWAR.

Service Appeal 252 2018

(2)

Ex-Constable Qaiser Abbas S/o Zahir Ali R/o Sheikhan Kohat

(Appellant)

VERSUS

1. INSPECTOR GENERAL OF KPK POLICE PESHAWAR.
2. COMMADANT FRP KPK PESHAWAR.
3. SUPERINTENDENT OF POLICE ,FRP KOHAT REGION KOHAT

(Respondent)

APPEAL UNDER SECTION 4 OF THE KHYBER PAKHTOON KHWA SERVICE TRIBUNAL ACT 1974 AGAINST THE IMPUGNED ORDER DATED 14-06-2017 VIDE OB-NO-518 IN WHICH THE RESPONDENT NO: 3 UPON THE RECOMMENDATION FROM ENQUIRY AWARDED THE MAJOR PUNISHMENT OF DISMISSAL FROM SERVICE AND THE APPELLANT PREFERRED DEPARTMENTAL REPRESENTATION DATED 20-07-2017 AND THE RESPONDENT GIVEN FALSE CONSOLATION THAT REPRESENTATION WILL BE ACCEPTED AND ALSO STATED THAT REPRESENTATION BEFORE RESPONDENT NO 1 BE ENDORSEED FOR REINSTATEMENT BUT THE SAME WAS REJECTED ON DATED 26-09-2017 AND 15-01-18.

Pray:

In view of above submission it is requested, by accepting of instant appeal the impugned order of Respondents may be set aside and the present appellant may please be re instated service with all back benefits.

Respectfully Sheweth,

With great veneration the instant appeal is preferred by the appellant on the following grounds:-

Facts:

3

Briefly facts are that the appellant while serving as constable in FRP delth with departmentally by the Respondent No 3 on the charges that the appellant was on casual leave and during leave a criminal case was register against the appellant in FIR No-256 dated 05-05-2017 u/s 324 PS City District Kohat and during the pendency of criminal case the appellant was under suspension.

That no proper enquiry as per police rule conducted and without following the legal formalities the respondent No-3 directly issued final Show cause notice and then impugned order (Copy of FCN & Impugned Order is Annexed as annexure A)

That without issuing charge sheet ,statement of allegation , disciplinary action and without giving the enquiry finding report to the appellant which is essential as per 1991 PLC (CS)706 and the appellant has been awarded major punishment of dismissal from service

That the worthy Respondent No-3 Kohat on the above allegations framed the following charges against the appellant without any departmental proceeding through proper channel and expertly issued impugned order.

That the allegations were not inquired in above mentioned OB No. even not properly inquired by an inquiry officer who submitted his findings to Respondent No-3 Kohat and the appellant was awarded the major punishment of dismissal from service

That feeling aggrieved from the impugned order the appellant find no remedy except this honourable tribunal on the following grounds

Grounds:

- a. That during course of enquiry none from the general public was examined in support of the charges leveled against the appellant. No allegation mentioned above practice by the appellant nor proved against any cogent reason against the appellant.
- b. That the enquiry officers vide in their findings not personally heard the present appellant
- c. That the above mentioned enquiry officer has not given any legal consideration to the fact that the case was under judicial scrutiny before the court of law in which there was a great hope for acquittal but enquiry officer in hasty manner submit his finding report without waiting for decision of court in above criminal case.

- d. That as per Police Rule the word acquittal has been used and interpreted in the manner that whenever any accused official has been acquitted from any criminal case he is entitle for re-instatement.in service.
- e. That the statements of complainant was not recorded by the enquiry officer nor given any opportunity of cross examination .
- f. That the enquiry reports are based upon non reading and misreading of the evidence and submitted his findings .
- g. That there is no evidence on record which connect the appellatant with the commission of offence and the respondent No-3 Kohat has acted whimsically and arbitrary, which is apparent from the enquiry report submitted by the enquiry officer.
- h. That it is worth mentioning here that these facts have also been intimated to Respondent Nc-3 but in vain
- i. That the impugned order is not based on sound reasons and same is not sustainable in the eyes of law, the same is based on wrong assumption of facts.
- j. That the departmental enquiry was not conducted according to the rules.
- k. That the penalty has been imposed on extraneous consideration which is not the subject of the occurrence but the appellatant has been penalized.
- l. That the impugned order is out come of surmises and conjecture.
- m. That the impugned order is suffering from perversity of reasoning, hence liable to be set aside.
- n. That order of the respondent is very much harsh in nature.
- o. That some other grounds will be agitated at the time of arguments with the prior permission of the Honorable highness.

Pray:

In view of above submission it is requested, by accepting of instant appeal the impugned order of Respondents 1 & 3 may set aside and the present appellatant may please be re instated in service with all back benefit in the larger interest of justice or any other remedy as the honourable tribunal deem proper.

Dated: _____/2018.

Ramesh
(Appellants)

Through

Mud
Syed Mudasir Pirzada(Advocate HC)
DCK -0345-9645854

Certificate:-

5

Certified that no such like appeal has earlier been filed in this Hon able Service tribunal as per instruction of my client .

List of Books

1:- Constitution of Pakistan 1973

2:- Police Rules

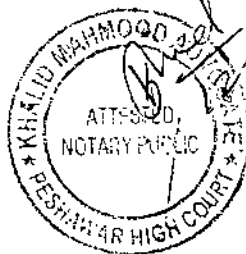
3:- Case Law according to need.

Service Appeal _____ 2018

AFFIDAVIT

I, Syed Mudasir Pirzada Advocate, as per instruction of my client do here by solemnly affirm and declare that all the contents of accompanying service appeal are true and correct to the best of my knowledge and belief and nothing has been concealed from this honourable Tribunal


Advocate



BEFORE THE KHYBER PAKHTOON KHWA SERVICE TRIBUNAL PESHAWAR.

7

Service Appeal _____ 2018

Ex-Constable Qaiser Abbas S/o Zahir Ali R/o Sheikhan Kohat

(Appellant)

VERSUS

1. INSPECTOR GENERAL OF KPK POLICE PESHAWAR.
2. COMMADANT FRP KPK PESHAWAR.
3. SUPERINTENDENT OF POLICE ,FRP KOHAT REGION KOHAT

(Respondent)

ADDRESS OF THE PARTIES

APPELLANT :-

Ex-Constable Qaiser Abbas S/o Zahir Ali R/o Sheikhan Kohat


RESPONDENTS

1. INSPECTOR GENERAL OF KPK POLICE PESHAWAR.
2. COMMADANT FRP KPK PESHAWAR.
3. SUPERINTENDENT OF POLICE ,FRP KOHAT REGION KOHAT


Appellant

Through

Date ____/____/____


Syed Mudasir Pirzada
Advocate HC
0345-9645854

ORDER

8

My this order will dispose off departmental enquiry conducted against Constable Guiser Abbas No. 147/FRP under Khyber Pakhtunkhwa Police Disciplinary Rules 1975 (Amended in 2014).

The allegations against defaulter official are that he, while posted at Patrolling post Abdul Ali District Hangu was deputed for special duty at District Karak in connection with Census 2017. He was relieved on shabashi leave from Census duty at District Karak on 05.05.2017. He was reported to be involved/arrested in case FIR No. 256 dated 05.05.2017 U/S 324 PPC PS City District Kohat vide DD No. 04 dated 06.05.2017 FRP Lines Kohat.

In this regard he was placed under suspension vide this office OB No. 397 dated 09.05.2017 and proper departmental enquiry was initiated against him through SI Noor Ali LO FRP Kohat. The E.O in his finding report recommended the defaulter official for suitable punishment as he was found guilty of the charges leveled against him. He was issued final show cause notice vide this office No. 304/PA dated 06.06.2017, in response to which he submitted his reply wherein he pleaded the enquiry to be filed.

His Service record perused which revealed that he was appointed as Constable on 04.09.2013. There are 03 bad entries against him with no good entry in his credit. He also failed Recruit Course in two attempts and is still unqualified in Recruit Training. He was called in O.R on 13.06.2017 and heard in person. His contention was not found satisfactory.

On perusal of finding of E.O and other relevant record it revealed that the defaulter official has got friendly relationship with the Eunuch Hamdullah. On the night of occurrence the defaulter official, instead of going to his home at Usterzai Payyan, went to the "Dera" of Eunuch where during gossip quarrel took place between them and he made firing upon Eunuch with his pistol as a result of which Hamdullah sustained injuries. From perusal of record it came to light that he was granted bail in the said criminal case on the basis of compromise by court of learned ASJ-II Kohat vide order dated 12.05.2017, copy of order was placed on record. Compromise is itself an admission of guilt. He has been found involved in an immoral act which is gross misconduct on his part. Moreover, he absented himself during suspension period w.e.f 22.05.2017 vide DD No. 19 dated 22.05.2017 to 29.05.2017 (total absence period is 06 days).

Therefore, I, Mian Imtiaz Gul SP FRP Kohat Range, Kohat in exercise of powers vest in me under Rule 5(5) of Khyber Pakhtunkhwa Police Rules-1975 (Amended in 2014), award him a major punishment of "Dismissal" from service with immediate effect and his absence period is treated as absence from duty which is to be counted as without pay.

OB No. 518

Dated 14/6/2017

(Mian Imtiaz Gul)
Superintendent of Police, FRP,
Kohat Range, Kohat.

Copy to of above is forwarded to the:-

1. Worthy Commandant FRP Khyber Pakhtunkhwa, Peshawar for favour of information please.
 2. Pay Officer
 3. Reader
 4. SRC
 5. OHC
- } For further necessary action.

S: Anis ul-Hassan
OFFICE ZUPDT
POLICE DEPTT
KOHAT DISTT

(Mian Imtiaz Gul)
Superintendent of Police, FRP,
Kohat Range, Kohat.

FINAL SHOW CAUSE NOTICE

9

Whereas you Constable Qaiser Abbas No. 147/FRP, while posted in Patrolling Post Jaozara District Hangu, were reported to be involved/arrested in case FIR No. 256 dated 05.05.2017 U/S 324/PPC P.S City District Kohat vide DD No. 04 dated 06.05.2017 FRP Lines Kohat.

Accordingly Departmental Inquiry was conducted against you. The E.O in his finding report have found you guilty of the charges leveled against you and recommended you for suitable punishment.

NOW, THEREFORE, I, Mian Imtiaz Gul, Superintendent of Police, FRP Kohat Range, Kohat in exercise of the powers vested in me under the Khyber Pakhtunkhwa Police Rules – 1975 hereby call upon you Constable Qaiser Abbas No. 147/FRP, through this Final Show Cause Notice to explain your position within 07 days of the receipt of this notice as to why you should not be awarded one or more Major or Minor Punishment as mentioned in Rule (4) of KP Police Rules 1975. In case of non receipt of reply within the stipulated period, an ex-parte action will be taken against you. Also state in writing as to whether you desire to be heard in person or not. Copy of finding report of Enquiry Officer is enclosed herewith.

No. 304 /PA

Dated 06/06 /2017

(Mian Imtiaz Gul)
Superintendent of Police, FRP,
Kohat Range, Kohat

BEFORE THE HON'ABLE COMMANDANT FRP KPK PESHAWAR

EX-CONSTABLE QAISER ABBASS NO: 147 FRP...(Appellant)

DEPARTMENTAL APPEAL AGAINST IMPUGNED ORDER NO BY SUPERNTENDENT OF POLICE FRP. KOHAT RANGE KOHAT VIDE ORDER OB: 518 DATED 06-06-2017 IN WHICH THE APPEALANT HAS BEEN AWARDED THE MAJOR PUNISHMENT OF DISMISAL FROM SERVICE WITH IMMEDIATE EFFECT.

PRAYER OF APPEAL;

By accepting this appeal of the appellant, that the punishment awarded by the Superintendent of Police FRP may be set aside and the appellant be re-instated in service.

Respectfully Sheweth:-

The appellant submit as under:

FACTS:

1. That the appellant while serving as a constable in FRP dalt with departmentally by the Superintendent of Police on the record of charges that the appellant while posted at Patrolling post Abdul Ali District Hangu was deputed for special duty at District Karak in connection with census 2017 he was relieved on shabashi for census duty at district Karak on 05-07-2017 he was reported to be involved / arrested in case FIR No: 256, dated 05-05-2017 u/s 324 PPC, Ps City District Kohat vide DD No: 04, dated 06-05-2017 lines Kohat (Copy Annexed as A) .
2. That the appellant was placed under suspension vide OB No: 397, dated 09-05-2017.
3. That the appellant was not served with any charge sheet and nor given any opportunity of being heard in person in orderly room and so called improper inquiry was conducted in the absence of appellant nor given any chance of fair hearing.
4. That the respondent SP FRP just by the single stroke of pen dismiss the appellant.
5. That the appellant was charge in the above mentioned criminal case falsely and proper trial of the case has been conducted in which the complainant of the case exonerated the appellant by giving affidavit mentioning thereto that the complainant don't want to ner sue the case and have no objection if the appellant

released on bail or acquitted from the charges level against by the complainant (the copy of the affidavit is annexed as B)

- 6. That as per Police rule the word acquittal has been used and interpreted in the manner that whenever any accused official has been acquitted from any criminal case he is entitle for re-instatement from service.

GROUNDS:

- 1. That the impugned order bring violation of rule of law and is not sustainable and bad in the eye of law and liable to be set aside on the basis that the enquiry officer did not comply with efficiency and discipline rules and it is evident of the enquiry file that the enquiry officer does not conducted the enquiry accordingly.
- 2. That allegation mentioned in the order is therefore baseless because the appellat is already acquitted from the Hon'able court from the criminal case.(Copy annexed as C)
- 3. That the enquiry officer report also shows that no cross question were made between the appellat and complainant which is necessary to departmental enquiry rules.
- 4. That the enquiry officer liable to be punished on the ground of negligence and bad intension and carrying out the departmental enquiry against the appellat without adopting rules as prescribed efficiency and discipline rules.
- 5. That the further grounds will be agitated at the time of argument with your kind permission.

It is therefore prayed that the appellat may be please be re-instated in service and set aside the impugned order in the larger interest of justice.

Dated: 20-07-2017

Appellant

Raisan

Raisan Huss

*Attested
by
counsel*

[Signature]

**Syed Mudassir Pirzada
Advocate
District Courts Kohat**

(تقریرات)

Attested by
Council
MUN

12

ORDER

This order will dispose of the departmental appeal preferred by Ex- constable Qaiser Abbas No. 147 of FRP Kohat Range against the order of dismissal from service passed by SP FRP Kohat Range, Kohat vide OB No. 518, dated 14.06.2017. The applicant was proceeded against on the allegations that he while posted at Patrolling post Abdul Ali District Hangu was deputed for Census duty 2017, at District Karak. He proceeded on leave with effect from 05.05.2017. Later on he got reportedly involved/arrested in a criminal case vide FIR No. 256 dated 05.05.2017 U/S 324 PPC City Police Station District Kohat. He was placed under suspension vide office order OB No. 397 dated 09.05.2017.

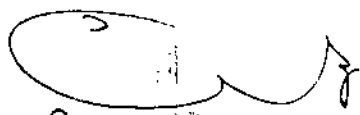
Proper departmental enquiry proceedings were initiated against him. He was issued Charge Sheet alongwith Statement of Allegations and SI Noor Ali LO FRP Kohat was deputed to conduct departmental enquiry. The enquiry officer submitted his findings report in which he stated that the defaulter official had failed to submit his reply to the Charge Sheet. During the course of investigation it was disclosed that the accused official had developed illicit relationship with eunuch namely Hamdullah. On the night of occurrence the defaulter official, instead of going to his home at Usterzai Payyan, went to the residence of aforementioned eunuch. An altercation took place between them. As a result the defaulter constable opened fire on Hamdullah and consequently he sustained injured. Later on, he was granted bail in the criminal case on the basis of compromise by the court of learned ASJ-II Kohat vide order dated 12.05.2017. The enquiry officer recommended him for suitable punishment as he was found guilty of the charges leveled against him. He was issued Final Show Cause Notice vide office Endst:-No. 304/PA dated 06.06.2017. But his reply was found unsatisfactory. Hence the SP FRP Kohat Range, Kohat awarded him major punishment of dismissal from service.

Feeling aggrieved against the impugned order of SP FRP Kohat Range, Kohat, the applicant preferred the instant appeal. The applicant was summoned and heard in person in Orderly Room held on 21.09.2017.

From perusal of the enquiry file and the service record of the applicant, it is abundantly clear that the delinquent official has been found involved in a criminal case with the intent of moral turpitude. Such conduct on the part of a police officer is bound to tarnish the image of the entire force.

Based on the appreciation of the situation painted above, I, Sher Akber, PSP S.St Commandant FRP Khyber Pakhtunkhwa, Peshawar being the competent authority, finds no substance in the appeal, therefore, the same is rejected and filed being meritless.

Order Announced.



Commandant
Frontier Reserve Police
Khyber Pakhtunkhwa, Peshawar.

No. 7117-18/EC, dated Peshawar the 26/08/2017.

Copy of above is forwarded for information and necessary action to the:

1. SP FRP Kohat Range, Kohat. His service record alongwith D file returned herewith.
- ✓ 2. Ex-constable Qaiser Abbas No. 147 S/O Zahir Ali R/O Usterzai Payan District Kohat.



Commandant
Frontier Reserve Police
Khyber Pakhtunkhwa, Peshawar.

(14)

BEFORE THE HON'BLE INSPECTOR GENERAL OF POLICE
KHYBER PAKHTUNKHWA PESHAWAR

EX. CONSTABLE QAISER ABBAS NO. 147 FRP(APPELLANT)

DEPARTMENTAL APPEAL AGAINST IMPUGNED
ORDER BY SUPERINTENDENT OF POLICE FRP
KOHAT RANGE KOHAT VIDE ORDER OB NO. 518
DATED 06-06-2017 IN WHICH THE APPELLANT HAS
BEEN AWARDED THE MAJOR PUNISHMENT OF
DISMISSAL FROM SERVICE WITH IMMEDIATE
EFFECT.

Prayer of appeal:

By acceptance this appeal of the appellant, that the
punishment awarded by the Superintendent of Police
FRP may be set-aside and the appellant be re-instated
in service.

Respectfully Sheweth:

The appellant submit as under:

FACTS:

1. That the appellant while serving as a constable in FRP dealt with departmentally by the Superintendent of Police on the record of charges that the appellant while posted in Patrolling post Abdul Ali District Hangu was deputed for special duty at District Karak in connection with census 2017 he was relieved on SHABASHI for census duty at District Karak on 05-07-2017 he was reported to be involved / arrested in case FIR No. 256 dated 05-05-2017 U/S 324 PPC P.O City District Kohat vide DD No. 04 dated 06-05-2017 lined Kohat. (copy annexed as "A")
2. That the appellant was placed under suspension vide OB No. 397 dated 09-05-2017.
3. That the appellant was not served with any charge sheet and nor given any opportunity of being in person in orderly room and so called improper inquiry was conducted in the absence of appellant nor given any chance of fair hearing.

(15)

4. That the respondent SP. FRP just by the single stroke of pen dismiss the appellant.
5. That the appellant was charge in the above mentioned criminal case falsely and proper trial of the case has been conducted in which the complainant of the case exonerated don't want to per sue the case and have no objection if the appellant released on bail or acquitted from the charges level against by the complainant (the copy of the affidavit is annexed as "B")
6. That as per Police Rule the word acquittal has been used and interpreted in the manner that whenever any accused official has been acquitted from any criminal case he is entitle for re-instatement from service.
7. That I also appealed before W/Commandant FRP Peshawar but he has filed the case vide his office order book No. 7117-18/EC dated 26-09-2017.

GROUND:

1. That the impugned order bring violation of rule of law and is not sustainable and bad in the eye of law and liable to be set aside on the basis that the enquiry officer file that the enquiry officer does not conducted the enquiry accordingly.
2. That allegation mentioned in the order is therefore baseless because the appellant is already acquitted from the Hon'ble court form the criminal case. (copy annexed as "C").
3. That the enquiry officer report also shows that no cross question were made between the appellant and complainant which is necessary to departmental enquiry rules.
4. That the enquiry officer liable to be punished on the ground of negligence and bad intension and carrying out the departmental enquiry against the appellant without adopting rules as prescribed efficiency and discipline rules.
5. That the further grounds will be agitated at the time of argument with your kind permission.

It is therefore, prayed that the appellant may be please be re-instated in service and set aside the impugned order in the larger interest of justice.

Dated: 05-10-2017

Attested by
Council
Syed Mudasir Pirzada
Advocate-Appellant
District Courts Kohat
Qaiser Abbas
No. 147



OFFICE OF THE
INSPECTOR GENERAL OF POLICE
KHYBER PAKHTUNKHWA
PESHAWAR.

16

No. S/ 259 /18, dated Peshawar the 15/01/2018.

ORDER

This order is hereby passed to dispose of departmental appeal under Rule 11-A of Khyber Pakhtunkhwa Police Rule-1975 submitted by Ex-FC Qaiser Abbas No. 147. The petitioner was dismissed from service by SP/FRP, Kohat vide OB No. 518, dated 14.06.2017. His departmental appeal was rejected by Commandant, FRP, Khyber Pakhtunkhwa, Peshawar vide order Endst: No. 7117-18/EC, dated 26.09.2017.

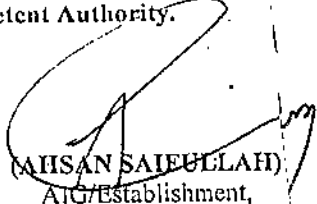
- Meeting of Appellate Board was held on 28.12.2017 wherein petitioner was heard in person. During hearing petitioner contended that he has been acquitted by the court of Additional Session Judge-III, Kohat on the basis of compromise vide judgment dated 15.07.2017.

Petitioner was proceeded against departmentally on the allegation that he while posted at Patrolling Post Abdul Ali District Hangu was deputed for duty of Census 2017. He proceeded on leave with effect from 05.05.2017. On 06.05.2017 he was arrested in criminal case vide FIR No. 256 dated 05.05.2017 u/s 324 PPC Police Station City District Kohat.

Perusal of enquiry file revealed that petitioner had developed illicit relationship with eunuch namely Hamdullah. On 05.05.2017, he instead of paying visit home, went to the residence of aforementioned eunuch. Altercation took place between petitioner and the eunuch. Petitioner then opened fire on Hamdullah resultantly he sustained injuries. Case was submitted to trial court for favour of trial and learned trial court recorded acquittal order dated 15.07.2017, on the basis of compromise.

Petitioner left the duty station for home but visited the house of eunuch and also made attempt on the life of eunuch by way of making firing on him. Developing of relations with eunuch by a police officer tarnish the image of entire Police establishment before public at large. The acquittal from criminal charge on basis of compromise is no ground of absolving the petitioner from the charges of commission of misconduct. Therefore, the Board decided that his petition is hereby rejected.

This order is issued with the approval by the Competent Authority.


MHSAN SAIEULLAH
AIG/Establishment,
For Inspector General of Police,
Khyber Pakhtunkhwa,
Peshawar.

No. S/ 260-66 /18.

Copy of the above is forwarded to the:

1. Commandant, FRP, Khyber Pakhtunkhwa, Peshawar.
2. Supdt: of Police, FRP, Kohat.
3. PSO to IGP/Khyber Pakhtunkhwa, CPO Peshawar.
4. PA to Adl: IGP/HQrs: Khyber Pakhtunkhwa, Peshawar.
5. PA to DE/HQrs: Khyber Pakhtunkhwa, Peshawar.
6. PA to AE/Legal, Khyber Pakhtunkhwa, Peshawar.
7. Office Spdt: E-IV CPO Peshawar.



ایڈریس اور خط:

بار کونسل اہار ایسوسی ایشن نمبر 9 - 66 - Kohat

رابطہ نمبر 0345-9645854



1155



کوہاٹ بار ایسوسی ایشن، خیبر پختونخواہ

بعدالت جناب: صدر محترمہ خواہ سروس ٹرینول سنساور

منجانب: ایڈووکیٹ	دعویٰ:
تصہیر علیہ	علت نمبر:
IGP	مورخہ:
	تھانہ:

بابت تحریر آنکہ

مقدمہ مندرجہ عنوان بالا میں اپنی طرف سے واسطے پیروی و جواب وہی کاروائی متعلقہ

آن مقام سنساور کے بار ایسوسی ایشن کے صدر و کونسل کے مکمل مقرر کر کے اقرار کیا جاتا ہے کہ صاحبہ موصوف کو مقدمہ کی کل کاروائی کا مکمل اہتمام ہوگا، ٹیکس وکیل صاحب کو راضی نامہ کرنے ہتھیار نکالنے پر حلف دینے جواب دعویٰ اقبال و حاکم اور درخواستیہ از ہر قسم کی تصدیق زریں پر دستخط کرنے کا اہتمام ہوگا، نیز بصورت عدم پیروی یا ڈگری کی نظر سے اپنا اپنی اور منسوخ، نیز دائر کرنے اپیل نظر سے اپنی و پیروی کرنے کا اہتمام ہوگا اور بصورت ضرورت سے مقررہ دائرہ کے کل یا جزوی کاروائی کے واسطے اور وکیل یا محامی کا نوٹی کو اپنے ہر اہتمام سے بچانے کے لئے اختیار ہوگا اور صاحب مقرر شدہ کو بھی وہی جملہ مقررہ انتقارات حاصل ہوں گے اور اس کا ساختہ ہر اہتمام سے منظور و قبول ہوگا دوران مقدمہ میں جو خرچہ ہر جانہ التوائے مقدمہ کے اسب سے ہوگا وہ وکیل موصوف وکیل کے ہاتھ سے ہر اہتمام سے منظور و قبول ہوگا کوئی تاریخ پیشی مقام دورہ یا حد سے باہر ہو تو وکیل صاحب یا مقدمہ کے صدر و کونسل کے ہاتھ سے ہر اہتمام سے منظور و قبول ہوگا کوئی تاریخ پیشی مقام



گواہ شد

ال

مقام سنساور

کیلیے منظور ہے۔

Qaiser

103 253

BEFORE THE SERVICE TRIBUNAL PESHAWAR.

SERVICE APPEAL NO. 252/2018

Ex Constable Qaiser AbbassPetitioner.

VERSUS

**1. Addl: IGP/Commandant FRP Khyber
Pakhtunkhwa Peshawar & Others:.....Respondents.**

S. NO	DESCRIPTION OF DOCUMENTS	ANNEXURE	PAGES
1.	Para-wise Comments		03
2.	Charge Sheet	A	01
3.	Statement of Allegation	B	01
4.	Final Show Cause Notice	C	01
5.	Enquiry Report	D	01
6.			
Total			07


RESPONDENTS

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

Service Appeal No. 252/2018

Qasier Abbas Ex- Constable No. 147/Kohat RangeAppellant.

VERSUS

1. Inspector General of Police,
Khyber Pakhtunkhwa, Peshawar.
2. Commandant, Frontier Reserve Police,
Khyber Pakhtunkhwa, Peshawar.
3. Superintendent of Police.
FRP Kohat Range, Kohat.....Respondents.

PRELIMINARY OBJECTIONS

1. That the appeal is badly time barred.
2. That the appeal is bad for mis-joinder and non-joinder of necessary parties.
3. That the appellant has no cause of action to file the instant appeal.
4. That the appellant has not come to this Honorable Tribunal with clean hands.
5. That the appellant is estopped due to his own conduct to file the instant Service Appeal.
6. That the appellant is trying to conceal material facts from this Honorable Tribunal.

WRITTEN REPLY ON BEHALF OF RESPONDENTS.

RESPECTED SHEWETH.

FACTS:-

Correct to the extent that appellant was charge in criminal case U/S 324 PPC, but the remaining Para is not correct. Proper departmental enquiry was conducted against him through SI Noor Ali Line Officer FRP Kohat. He was issued Charge Sheet with Summary of Allegation. After conducting enquiry he was issued Final Show Cause Notice, and copy of finding report was also provided to him as per rules. As the allegations against him were inquired into by the Enquiry Officer who, after conducting proper departmental enquiry, submitted his findings before respondent No. 3, who thereof awarded punishment of dismissal from service to the appellant for being found guilty of the charges leveled against him. (copies of the charge sheet & statement of allegations, final show cause notice, enquiry report are attached as annexure A, B, C, & D).

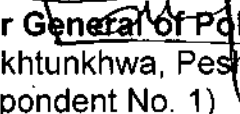
Grounds:-


- A. Correct. Because there is no role of general public in departmental proceedings of a government servant. The allegations ere proved against him as he had compromised with the aggrieved party. Compromise itself is admission of guilt.


- B. Incorrect. The appellant was heard in person by respondent No. 3, during personal hearing he failed to prove his innocence therefore he was awarded the aforesaid punishment.
- C. Departmental and criminal proceedings are two different matters. Each is to be decided on its own merits as held by superior courts in various judgments. He had committed a departmental misconduct which was proved against him and he was awarded punishment for the same.
- D. Incorrect and rejected. As mentioned above, departmental and criminal proceedings are two different matters. He had committed a departmental misconduct which was proved against him and he was awarded punishment for the same. Even after acquitted in the criminal case, departmental proceedings can be initiated against a government official as held by superior court.
- E. Incorrect and rejected. Written statements were received from the appellant in form of reply to Charge Sheet with Summary of Allegation and placed on enquiry file and he was given full opportunity to prove himself innocent but he failed.
- F. Incorrect and rejected. All the evidence was taken into account and in the light of the same the appellant was awarded punishment.
- G. Incorrect and rejected. The respondent No. 3 has not acted whimsically or arbitrary rather he was impartial in passing the order of punishment.
- H. Incorrect and rejected. No such intimation was made to respondent No. 3 through council after passing of order of punishment.
- I. Incorrect and rejected. The order of punishment was passed in the light of facts and evidence against the appellant.
- J. Incorrect and rejected. Disciplinary proceedings against the appellant were conducted in accordance with proper procedure and in light of law and rules.
- K. Incorrect and rejected. The punishment awarded to the appellant was suitable in those circumstances as he was found guilty in the charges leveled against him during departmental enquiry.
- L. Incorrect and rejected. As aforesaid, the order of punishment was passed in the light of facts and evidence against the appellant.
- M. Incorrect and rejected. The subject order is bonafide therefore the appeal for re-instatement in service was rejected by respondent No. 1 & 2 respectively.
- N. Incorrect and rejected. The appellant was awarded suitable punishment on being found guilty of the charges leveled against him.
- O. Not concerned.

PRAYERS:-

It is therefore most humbly prayed that in the light of aforesaid facts/submission the service appeal may kindly be dismissed with cost.


Inspector General of Police,
Khyber Pakhtunkhwa, Peshawar
(Respondent No. 1)


Commandant, FRP,
Khyber Pakhtunkhwa, Peshawar
(Respondent No.2)


Superintendent of Police FRP
Kohat Range, Kohat
(Respondent No.2)

محترم جناب SP صاحب ERP کوٹھاکہ رجسٹر کوٹھاکہ

عنوان، جواب فائنل شنوکار نوٹس

جناب عالی،
حوالہ فائنل شنوکار نوٹس نمبر 304/PA

مورخہ 17-6-6 معروضہ یوں کہ محکمہ نے انکوٹری کے آغاز سے قبل نہ تو گیس سے چارج ٹیسٹ کی تعمیل کرائی گئی ہے اور نہ ہی انکوٹری میں شامل ہونے کا حکم مل رہا ہے۔ مزید یہ کہ گواہ/گولان کا بیانات میں بھی عموماً وہی دیکھے گئے ہیں۔ یوں ہی اپنا دفاع سے محروم رکھا گیا ہے۔ انکوٹری کے طرف سے کوئی بھی

کیذا اسٹریٹ کی پائپ لائنیں کہ عین صنف کی گئی انکوٹری واصل دفتر کی جا کر بھی یہ لگانے کے الزام سے سبھی الزوم قرار دیا گیا

سب سے صورت اس کا شکریہ ادا ہے گا
الف سید

کنسٹیبل تحصیل سوات سوات 197/B.R.P

ڈائری سوات کوٹھاکہ

FINAL SHOW CAUSE NOTICE

Whereas you Constable Qaiser Abbas No. 147/FRP, while posted in Patrolling Post Jaozara District Hangu, were reported to be involved/arrested in case FIR No. 256 dated 05.05.2017 U/S 324/PPC P.S City District Kohat vide DD No. 04 dated 06.05.2017 FRP Lines Kohat.

Accordingly, Departmental Inquiry was conducted against you. The E.O in his finding report have found you guilty of the charges leveled against you and recommended you for suitable punishment.

NOW, THEREFORE, I, Mian Imtiaz Gul, Superintendent of Police, FRP Kohat Range, Kohat in exercise of the powers vested in me under the Khyber Pakhtunkhwa Police Rules – 1975 hereby call upon you Constable Qaiser Abbas No. 147/FRP, through this Final Show Cause Notice to explain your position within 07 days of the receipt of notice as to why you should not be awarded one or more Major or Minor Punishment mentioned in Rule (4) of KP Police Rules 1975. In case of non receipt of reply within stipulated period, an ex-parte action will be taken against you. Also state in writing as to whether you desire to be heard in person or not. Copy of finding report of Enquiry Officer is enclosed herewith.

No. _____/PA

Dated 21.5.2017

(Mian Imtiaz Gul)
Superintendent of Police, FRP,
Kohat Range, Kohat

Handwritten notes:
7-6-17
033-965853

خطات عالی

دولت انگریزی اور ان کا انٹیمیل قیود عدلیہ 147 سپ 1977

مقررین خدمت ہوں کہ محمد عثمان شیخ کو چھ ماہ کی سزا دینا اور اس کی سزا کو عمل میں لانے کے لئے

دفعہ 206 کے تحت 324/1977 نمبر کے حکم کو عمل میں لانے کے لئے حکم صادر کیا گیا ہے۔

06/07/77 تاریخ کو عدالت نے حکم کو عمل میں لانے کے لئے حکم صادر کیا ہے۔

یہ حکم عدالت نے عدالت کو حکم 05 No-397 سپینڈر کے اور دیگر حکم کو عمل میں لانے کے لئے

دفعہ 206 کے تحت عدالت نے حکم صادر کیا ہے۔

عدالت نے حکم صادر کیا ہے کہ عدالت کو حکم 324/1977 نمبر کے حکم کو عمل میں لانے کے لئے

دفعہ 206 کے تحت عدالت نے حکم صادر کیا ہے۔

عدالت نے حکم صادر کیا ہے کہ عدالت کو حکم 324/1977 نمبر کے حکم کو عمل میں لانے کے لئے

دفعہ 206 کے تحت عدالت نے حکم صادر کیا ہے۔

عدالت نے حکم صادر کیا ہے کہ عدالت کو حکم 324/1977 نمبر کے حکم کو عمل میں لانے کے لئے

دفعہ 206 کے تحت عدالت نے حکم صادر کیا ہے۔

عدالت نے حکم صادر کیا ہے کہ عدالت کو حکم 324/1977 نمبر کے حکم کو عمل میں لانے کے لئے

دفعہ 206 کے تحت عدالت نے حکم صادر کیا ہے۔

عدالت نے حکم صادر کیا ہے کہ عدالت کو حکم 324/1977 نمبر کے حکم کو عمل میں لانے کے لئے

دفعہ 206 کے تحت عدالت نے حکم صادر کیا ہے۔

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دفعہ 206 کے تحت عدالت نے حکم صادر کیا ہے۔

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دفعہ 206 کے تحت عدالت نے حکم صادر کیا ہے۔

عدالت نے حکم صادر کیا ہے کہ عدالت کو حکم 324/1977 نمبر کے حکم کو عمل میں لانے کے لئے

دفعہ 206 کے تحت عدالت نے حکم صادر کیا ہے۔

عدالت نے حکم صادر کیا ہے کہ عدالت کو حکم 324/1977 نمبر کے حکم کو عمل میں لانے کے لئے

دفعہ 206 کے تحت عدالت نے حکم صادر کیا ہے۔

BEFORE THE HONOABLE KPK SERVICE TRIBUNAL PESHAWAR.

Service Appeal No: 252/2018

Qaiser Abbas Ex-Constable No: 147/ Kohat Range _____ Appellant.

Versus

**The Inspector General of Police
KPK Peshawar**

**Commandant, Frontier Reserve Police
Khyber Pakhtunkwah, Peshawar**

**Superintendent of Police
FRP Kohat Range, Kohat _____ Respondent.**

Rejoinder for and on behalf of appellant to the comments, filed by respondents

Respected Sheweth,

Rejoinder to the comments of respondent are as under.

Reply to Preliminary Objection :-

- 1:- That Para No-1 in preliminary Objection is incorrect because the appellant has good cause of action and balance of convenience is also in favor of present appellant and the appeal with in time.
- 2:- That Para No-2 is incorrect to the extent that the appellant properly made respondent as a necessary party
- 3:- That Para No-3 is incorrect ,the appellant has properly file departmentally appeal to the respondent above but in vain having no other alternate remedy except the instant appeal and remaining objection is already discussed in Para No: 1.
- 4:- That the Para No-4 is incorrect, the appellant feeling aggrieved from the impugned order having no alternate remedy hence approach to the honorable tribunal with clean hand.
- 5- That Para No: 5 is incorrect, the appellant has file the department presentation which was not entertain hence approach to this tribunal for the redressal of his greavience.
- 6- The Para No:6 is incorrect the appellant has stated material facts and all relevant circumstances and junctures in the service appeal as well as in the departmental representation.

Facts Reply:-

- 1:-Facts Para No- 1, of the facts is incorrect. The facts reply mentioned above in the comments is totally incorrect as the respondent intents to mislead the honorable tribunal just to achieve their nefarious designs and make their progress before their high ups as well as it is a material fact that the representative appear on the

behalf of the respondent mentioned above is also not well conversant with the facts and in hasty manner falsely deposed allegations against the appellant and this fact will be agitated at the time of arguments.

Reply to reply to reply of grounds:-

1:- That the Para No-1 of the grounds is self explanatory and not consonance with the version of the appellant and the respondents admits the version of the appellant. Remaining paragraph is incorrect

2:- That Para No- b is incorrect appellant was not heard in person and the annexure which attached with the comments is a proof of aggrieved person being Govt. Official and this fact will also discussed in length at the time of arguments.

3:- That Para No- C of the grounds of comments of respondents is correct to the extent that the superior court judgment are still intact but another superior court judgment is also intact that every acquittal is honorary acquittal and the case of appellant the complainant was unable to proof the guilt against the present appellant hence the complainant of that case step back for further prosecution against the appellant.

4:- That Para No- D is incorrect on the basis that the reply of the ground is different from the reply hence need no comments.

5:- That Para No- E is incorrect nothing available on record which proof the stance of the respondent and it is also a material fact that respondent always submit their gracious comments in all service appeals which is apparent from record.

6:- That Para No- F of the grounds of comments is incorrect nothing is available on record which connect the appellant with guilt.

7:- That Para No- G of the grounds of comments is incorrect and proof against the present respondent while awarding the impugned punishment.

8:- That Para No-H of the grounds is incorrect all the facts and circumstances where produced in writing to the respondent but in vain hence need no comments.

9:- That Para I, J, K of the grounds is incorrect no proper enquiry was conducted nor statement of any relevant persons recorded in this regard the whole proceeding become defective.

10- That Para L, M, N is incorrect to the extent that no single piece of evidence is available on record which Connect the appellant with guilt.

11- it is worth mentioning here that in Para- O of the ground of the appeal of the appellant consist of various legal points but the respondent don't have any material facts hence respondent mentioned in their comments as no concerned. Hence they are not allowed for arguments.

Prayer:- On acceptance of this rejoinder the appeal may kindly graciously be accepted and appellant may please be reinstated in service with all back benefits for the end of justice and any other remedy as deemed proper by the honorable tribunal respectively.

Appellant

Through

Syed Mudasir Pirzada
Advocate District Courts
Kohat

DT:- 28/8/19