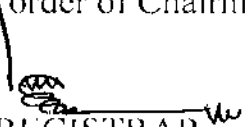


# FORM OF ORDER SHEET

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

Case No.- 354/2023


S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	21/02/2023	<p>The appeal of Mr. Ishtiaq resubmitted today by Mr. Kabir Ullah Khattak Advocate. It is fixed for preliminary hearing before Single Bench at Peshawar on _____. Parcha Peshi is given to appellant/counsel for the date fixed.</p> <p>By the order of Chairman</p> <p> REGISTRAR</p>

The appeal of Mr. Ishtiaq Ex-Constable no. 3376 son of Hukam Khan r/o Swan Dher Tehsil Mardan received today i.e. on 17.02.2023 is incomplete on the following score which is returned to the counsel for the appellatant for completion and resubmission within 15 days.

Annexure-J is illegible which may be replaced by legible/better one.


No. 640 /S.T,

Dt. 20/2 /2023

  
REGISTRAR  
SERVICE TRIBUNAL  
KHYBER PAKHTUNKHWA  
PESHAWAR.

Mr. Kabir Ullah Khattak Adv.  
High Court Peshawar.

objection has  
been removed

  
21-2-2023

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

Appeal No. 354 of 2023

Ishtiaq Ex Constable No. 3376 S/o Hukam Khan R/o Sawan Dher Tehsil  
and District Mardan

..... Appellant

**VERSUS**

- 1) The Provincial Police Officer Khyber Pakhtunkhwa Peshawar.
- 2) Regional Police Officer Mardan.
- 3) District Police Officer Mardan.

..... Respondents


**INDEX**

S.No.	Description of documents	Annexure	Pages
1.	Memo of Appeal		1-5
2.	Addresses of the parties		6
3.	Affidavit		7
5.	Copy of Show cause notice, reply of show cause notice as well as Medical presumption	A To I	8-22
6.	Copy of impugned order.	J	23
7.	Copy of Departmental Appeal and rejection Order	K&L	24-25
8.	Wakalat Nama		

Dated 17/02/2023

Through

  
Appellant

  
Kabir Ullah Khattak  
&  
Roeeda Khan  
Advocates, High Court,  
Peshawar.

①

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

Appeal No. 354 of 2023

Ishtiaq Ex Constable No. 3376 S/o Hukam Khan R/o Sawan Dher Tehsil  
and District Mardan

..... Appellant

**VERSUS**

- 1) The Provincial Police Officer Khyber Pakhtunkhwa Peshawar.
- 2) Regional Police Officer Mardan.
- 3) District Police Officer Mardan.

..... Respondents

**APPEAL UNDER SECTION 4 OF THE KPK SERVICE TRIBUNAL ACT, 1974, AGAINST THE IMPUGNED ORDER DATED 02.12.2022 WHEREBY MAJOR PUNISHMENT OF REMOVAL FROM SERVICE HAS BEEN AWARDED TO THE APPELLANT AGAINST WHICH THE APPELLANT FILED DEPARTMENTAL APPEAL WITHIN ONE MONTH FROM THE DATE OF COMMUNICATION OF THE IMPUGNED ORDER WHICH HAS BEEN REJECTED ON 19/01/2023 ON NO GOOD GROUNDS.**

**Prayer:**

On acceptance of the instant service appeal both the impugned order dated 02.12.2022 and 19/01/2023 may kindly be set aside and the appellant may kindly be reinstated on service along with all back benefits.

Respectfully Sheweth:

FACTS

The appellant respectfully submits as under:

- 1) That the appellant has been appointed as constable on 12/05/2009 with respondent Department.
- 2) That after appointment the appellant performed his duty with full devotion and hard work and no complaint whatsoever has been made against the appellant.
- 3) That while performing his official duty with respondent Department show cause notices 179/PA dated 20/10/2021, 733/PA dated 24/02/2021, 174-75/PA, dated 07/01/2022 and 1669-70/PA dated 24/12/2022 has been issued against the appellant which has been properly replied by the appellant whereby the appellant denied all the allegation level against the appellant. (Copies of Show Cause Notices, reply of show cause notice as, well as Medical prescription are attached as Annexure-A,B,C,D,E,F,G,H,I).
- 4) That after recovery of mother of the appellant as well as of the appellant properly mentioned in reply of show cause notices, the appellant marked his attendance and started his official duty with

respondent Department regularly with effect from 1<sup>st</sup> week of March 2022, till the impugned order.

- 5) That on 02/12/2022 while performing his regular duty with respondent Department the impugned order has been issued against the appellant whereby the appellant has been removed from service. (Copy of impugned order is attached as Annexure-J).
- 6) That the appellant submitted Departmental Appeal with in one month from communication of the impugned order which has been rejected on 19/01/2023. (Copy of Departmental Appeal is attached and rejection order are attached as Annexure-K&L).
- 7) That feeling aggrieved the appellant prepares the instant Service Appeal before this Hon' able Tribunal inter alia on the following grounds.

#### GROUNDS

- A) That the impugned order dated 02/12/2022 and 19/01/2023 is come under the definition of void and illegal order because there is no absentia on part of the appellant as such the impugned order has been issued against the appellant during performing his official duty with respondent Department at Police Station Shahbaz Garhi.
- B) That no opportunity of personal hearing and defense has been provided to the appellant and it is a well settle

principle of law that no one can be condemned un heard.

- C) That no Departmental inquiry has been conducted against the appellant.
- D) That there is no illegality and absentia on part of the appellant.
- E) That no charge sheet no statement of allegation has been issued against the appellant and so concerned the absentia mention D.D No. 18 dated 20/12/2021 to D.D No. 36 dated 24/12/2021 in charge Sheet No. 31/PA dated 31/01/2022 mention in the impugned order dated 02/12/2022 has never been communicated to the appellant and the detailed reason has already been mention in reply of show cause notices.
- F) That the impugned order is also come under the definition of void and illegal order because the absence period has been regularized by the respondent Department.
- G) That any other will be raised at the time of arguments with the prior permission of this Hon' able court.

It is therefore most humbly prayed that on acceptance of the instant service appeal both the impugned order dated 02.12.2022 and 19/01/2023

may kindly be set aside and the appellant may kindly  
be reinstated on service along with all back benefits.

Any other remedy which this august tribunal deems fit  
that may also onward granted in favor of appellant.

Dated 17/02/2023

Through

  
Appellant


Kabir Ullah Khattak

  
&  
Rubeeda Khan

Advocates, High Court,  
Peshawar.

**Verification:**

Verified that the contents of the above appeal are true  
and correct to the best of my knowledge and belief.

Deponent 



(B)

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

Appeal No. \_\_\_\_\_ of 2023

Ishtiaq Ex Constable No. 3376 S/o Hukam Khan R/o Sawan Dher Tehsil  
and District Mardan

..... Appellant

**VERSUS**

- 1) The Provincial Police Officer Khyber Pakhtunkhwa Peshawar.
- 2) Regional Police Officer Mardan.
- 3) District Police Officer Mardan.

..... Respondents

**ADDRESSES OF THE PARTIES**


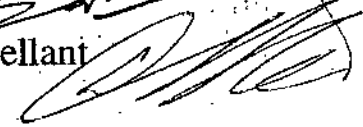

**Appellant**

Ishtiaq Ex Constable No. 3376 S/o Hukam Khan R/o  
Sawan Dher Tehsil and District Mardan

**Respondents**

- 1) The Provincial Police Officer Khyber Pakhtunkhwa Peshawar.
- 2) Regional Police Officer Mardan.
- 3) District Police Officer Mardan.

Dated 17/02/2023

  
Appellant  
Through   
Kabir Ullah Khattak  
&   
Roeda Khan  
Advocates, High Court,  
Peshawar.

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

Appeal No. \_\_\_\_\_ of 2023

Ishtiaq Ex Constable No. 3376 S/o Hukam Khan R/o Sawan  
Dher Tehsil and District Mardan

..... Appellant

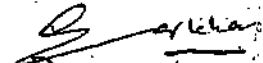
**VERSUS**

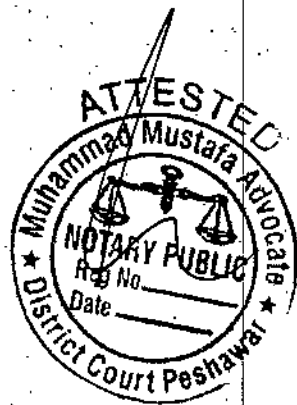
- 1) The Provincial Police Officer Khyber Pakhtunkhwa  
Peshawar.
- 2) Regional Police Officer Mardan.
- 3) District Police Officer Mardan.

..... Respondents

**AFFIDAVIT**

I, Ishtiaq Ex Constable No. 3376 S/o Hukam Khan R/o Sawan Dher  
Tehsil and District Mardan do hereby solemnly and oath that the contents  
of the instant appeal are true and correct to the best of my knowledge and  
belief and nothing has been concealed from this Hon' able Court.

  
Deponent



16 FEB 2023



OFFICE OF THE  
DISTRICT POLICE OFFICER,  
MARDAN

Tel No. 0937-9230109 & Fax No. 0937-9230111  
Email: [dpomdn@gmail.com](mailto:dpomdn@gmail.com)

2021

No. 578 /PA

Dated 20/10/2021

SHOW CAUSE NOTICE

(Under Rule 5 (3) KPK Police Rules, 1975)

1. That you Constable Ishtiaq No.3376, while posted at Police Station City (now PS Shahbaz Garh), have rendered yourself liable to be proceeded under Rule 5 (3) of the Khyber Pakhtunkhwa Police Rules 1975 for the following misconduct:-

Remained absent from special duty of Polio for one day during Polio Campaign in District Mardan from 20<sup>th</sup> to 24<sup>th</sup> September-2021, as intimated by DSP/Security Mardan vide his office letter No.543/Security dated 28-09-2021.

2. That by reasons of above, as sufficient materials are placed before the undersigned; therefore, it is decided to proceed against you in General Police Proceeding without aid of Enquiry Officer.
3. That the misconduct on your part is prejudicial to good order of discipline in the Police Force.
4. That your retention in the Police Force will amount to encourage inefficiency and unbecoming of good Police Officer.
5. That by taking cognizance of the matter under enquiry, the undersigned as competent authority under the said rules, proposes stern action against you by awarding one or more of the kind punishments as provided in the rules.
6. You are, therefore, called upon to show cause as to why you should not be dealt strictly in accordance with the Khyber Pakhtunkhwa Police Rules, 1975 for the misconduct referred to above.
7. You should submit reply to this Show Cause Notice within 07 days of the receipt of the notice, failing which an ex-parte action shall be taken against you.
8. You are further directed to inform the undersigned that you wish to be heard in person or not.
9. Grounds of action are also enclosed with this notice.

Received by \_\_\_\_\_

Dated: / /2021

(Dr. Zahid Ullah) DSP  
District Police Officer  
Mardan

Copy to SDPO/Rural (Attention Steno) to deliver this notice upon the alleged official and the receipt thereof, shall be returned to this office within (05) days positively for further necessary action.



OFFICE OF THE  
**DISTRICT POLICE OFFICER,  
MARDAN**

Tel No. 0937-9230109 & Fax No. 0937-9230111  
Email: [dpomdn@gmail.com](mailto:dpomdn@gmail.com)

2021

**GROUND OF ACTION**

That you Constable Ishtiaq No.3376, while posted at Police Station City (now PS Shahbaz Garh), committed the following misconducts:-

Remained absent from special duty of Polio for one day during Polio Campaign in District Mardan from 20<sup>th</sup> to 24<sup>th</sup> September-2021, as intimated by DSP/Security Mardan vide his office letter No.543/Security dated 28-09-2021.

By reasons of above, you have rendered yourself liable to be proceeded under Khyber Pakhtunkhwa Police Rules, 1975, hence these grounds of action.

  
(Dr. Zaid Ullah) PSP  
District Police Officer  
Mardan

"B" بحوالہ شوکانہ لوش اعزى 47989 شماره از دفتر Dpo صالحان اردان  
20/11/21

موضوع خدمت ہوں۔  
سین سائل حسب الخ سسران الا نقانہ شی اردان سین ڈیوٹی سر اعام  
دے رہے۔

خود 20-9-21 سے 21-09-21 تک ڈیوٹی نہیں ڈیوٹی سر اعام دے رہا تھا۔ کہ  
اعزى اور بر مبرى طبیعت اچانک حرارت ہوئی۔ تو میں اعزى اور ڈیوٹی  
ڈیوٹی سے غیر حاضر رہا۔

سائل نے بعد از اسے خون نقانہ نیز لکھو الطراح ذی نقی۔ کہ مبرى طبیعت حرارت  
دے اور میں ڈیوٹی نہ دے سکتا ہے۔ نقانہ نیز والدوں نے بھی  
اگر بڑے طبیعت اچانک رہا۔

سسران والا سے بعد از اسے درخواست استوری کی جاتی جو کہ سائل کی اس بیماری  
میں تیزی کو نقصت سے بچانے کے لیے اور شوکانہ لوش کو بعد از اسے وارڈ کی  
کی داخل دفتر کو جانے کا یہ معامدہ فرمادیں۔

الغافل

تاریخ 20/11/21  
3376  
موضوع نقانہ شی اردان  
۶۷



**DISTRICT POLICE OFFICER,  
MARDAN**

Tel No. 0937-9230109 & Fax No. 0937-9230111  
Email: [dpomdn@gmail.com](mailto:dpomdn@gmail.com)

2021

No. 733 /PA

Dated 24/11/2021

**SHOW CAUSE NOTICE**

(Under Rule 5 (3) KPK Police Rules, 1975)

1. That you **Constable M. Ishtiaq No.3376**, while posted at Police Station Shabaz Garh, have rendered yourself liable to be proceeded under Rule 5 (3) of the Khyber Pakhtunkhwa Police Rules 1975 for following misconduct:-

Remained absent from duty for (23) days without any leave/permission of the competent authorities vide DD No.34 dated 02-10-2021 to DD No.04 dated 25-10-2021.

2. That by reasons of above, as sufficient materials are placed before the undersigned; therefore, it is decided to proceed against you in General Police Proceeding without aid of Enquiry Officer.
3. That the misconduct on your part is prejudicial to good order of discipline in the Police Force.
4. That your retention in the Police Force will amount to encourage inefficiency and unbecoming of good Police Officer.
5. That by taking cognizance of the matter under enquiry, the undersigned as competent authority under the said rules, proposes stern action against you by awarding one or more of the kind punishments as provided in the rules.
6. You are, therefore, called upon to show cause as to why you should not be dealt strictly in accordance with the Khyber Pakhtunkhwa Police Rules, 1975 for the misconduct referred to above.
7. You should submit reply to this Show Cause Notice within 07 days of the receipt of the notice, failing which an ex-parte action shall be taken against you.
8. You are further directed to inform the undersigned that you wish to be heard in person or not.
9. Grounds of action are also enclosed with this notice.

Received by \_\_\_\_\_

Dated: \_\_\_/\_\_\_/2021

  
(Dr. Zahid Ullah) PSP  
District Police Officer  
Mardan

Copy to SDPO/Rural (Attention Steno) to deliver this notice upon the alleged official and the receipt thereof, shall be returned to this office within (05) days positively for further necessary action.



(12)

**OFFICE OF THE  
DISTRICT POLICE OFFICER,  
MARDAN**

Tel No. 0937-9230109 & Fax No. 0937-9230111  
Email: [dpomdn@gmail.com](mailto:dpomdn@gmail.com)


2021

**GROUND OF ACTION**

That you Constable M. Ishtiaq No.3376, while posted at Police Station Shabaz Garh, committed the following misconduct:-

Remained absent from duty for (23) days without any leave/permission of the competent authorities vide DD No.34 dated 02-10-2021 to DD No.04 dated 25-10-2021.

By reasons of above, you have rendered yourself liable to be proceeded under Khyber Pakhtunkhwa Police Rules, 1975, hence these grounds of action.

  
(Dr. Zahid Ullah) PSP  
District Police Officer  
Mardan

سردان مضر و مضر ہوتے ہیں۔

کے مسائل غرض ایک سال سے بڑی عمارت گروہ میں نیکو تھا۔ اور اگر علاج

ہوں۔ حال ہی میں ایسٹرن مروجہ 12/4/21 کو لکھی سطر بیمار سے لڑا ہے

مسائل بڑھتے رہے۔ ایسٹرن مروجہ ایسٹرن بالائے ایک حصے کی چھٹی دی تو  
جب چھٹی ختم ہوئی۔ تو مسائل نے دوبارہ لعزائم درخواست ہے ایسٹرن بالائے چھٹی کی  
درخواست کی۔ لیکن ماضی سے دوبارہ چھٹی منظور ہوئی۔ تو مسائل دوبارہ ~~بڑھ~~ بڑھتے

مسائل جب چھٹی گزری اور دوبارہ سے ڈنڈی جوڑنے کے بعد چھٹی بھر گیا۔ تو  
ایسٹرن بالائے مسائل کا تادم چھٹی بھر سے فنانس کنٹراکٹ اور دیگر مسائل  
مسائل کے لئے ایسٹرن والا کو لعزائم درخواست مطلع کیا تھا۔ کہ فنانس کنٹراکٹ

دوبارہ سے۔ اور آتے جانے میں کچھ شکلات ہوتی ہے۔ تو ایسٹرن بالائے مہری  
درخواست رد کر دی۔ اور لڑائی میں سے 15-25 تک فنانس کنٹراکٹ اور دیگر  
مہری غیر حاضری بوجہ بیماری تھی۔ نے نے قصداً عمر تھی۔

لعزائم مہری ایسٹرن مروجہ مسائل موجود ہیں۔  
کے مسائل کے (23) دن غیر حاضری اجنبی ایسٹرن بالائے مسائل کی بیماری کو مد نظر رکھتے ہوئے مہری ایسٹرن  
معاہدے کا رد ہونے کے احکامات عبادہ فرمائیں۔

ذوالحجہ 1441ھ  
محمد اشفاق  
3376  
فے  
معینہ کنٹراکٹ اور دیگر مسائل





OFFICE OF THE  
DISTRICT POLICE OFFICER,  
MARDAN

Tel No. 0937-9230109 & Fax No. 0937-9230111  
Email: [dpomdn@gmail.com](mailto:dpomdn@gmail.com)

2022

No. 183-24 /PA

Dated 7/1/2022

**SHOW CAUSE NOTICE**

(Under Rule 5 (3) KPK Police Rules, 1975)

1. That you Constable Ishtiaq No.3376, while posted at Police Station Shahbaz Garh, have rendered yourself liable to be proceeded under Rule 5 (3) of the Khyber Pakhtunkhwa Police Rules 1975 for the following misconduct:-

Remained absent from special duty of Polio for one day during Polio Campaign in District Mardan from 10<sup>th</sup> to 14<sup>th</sup> December-2021, as intimated by DSP/ Security Mardan vide his office letter No.662/DSO dated 20-12-2021.

2. That by reasons of above, as sufficient materials are placed before the undersigned; therefore, it is decided to proceed against you in General Police Proceeding without aid of Enquiry Officer.
3. That the misconduct on your part is prejudicial to good order of discipline in the Police Force.
4. That your retention in the Police Force will amount to encourage inefficiency and unbecoming of good Police Officer.
5. That by taking cognizance of the matter under enquiry; the undersigned as competent authority under the said rules, proposes stern action against you by awarding one or more of the kind punishments as provided in the rules.
6. You are, therefore, called upon to show cause as to why you should not be dealt strictly in accordance with the Khyber Pakhtunkhwa Police Rules, 1975 for the misconduct referred to above.
7. You should submit reply to this Show Cause Notice within 07 days of the receipt of the notice, failing which an ex-parte action shall be taken against you.
8. You are further directed to inform the undersigned that you wish to be heard in person or not.
9. Grounds of action are also enclosed with this notice.

Received by \_\_\_\_\_

Dated: \_\_\_/\_\_\_/2022

(Dr. Zahid Ullah) PSP  
District Police Officer  
Mardan

Copy to SDPO Rural Mardan (Attention Steno) to deliver this notice upon the alleged official and the receipt thereof, shall be returned to this office within (05) days positively for further



**DISTRICT POLICE OFFICER,  
MARDAN**

Tel No. 0937-9230109 & Fax No. 0937-9230111  
Email: [dpomdn@gmail.com](mailto:dpomdn@gmail.com)

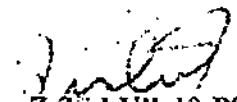
2021

**GROUND OF ACTION**

That you Constable Ishtiaq No.3376, while posted at Police Station Shahbaz Garh, committed the following misconducts:-

Remained absent from special duty of Polio for one day during Polio Campaign in District Mardan from 10<sup>th</sup> to 14<sup>th</sup> December-2021, as intimated by DSP/ Security Mardan vide his office letter No.662/DSO dated 20-12-2021.

By reasons of above, you have rendered yourself liable to be proceeded under Khyber Pakhtunkhwa Police Rules, 1975, hence these grounds of action.

  
(Dr. Zahid Ullah) PSP  
District Police Officer  
Mardan

جو الہ شوقار نوش عمری 24-123-7/11/22  
چارہ از دفتر حساب DPC

سر دائر محترمین حضرت یوں

کہ عن مسائل صحت الحکم امیران بالا تعانہ شخصاز نوش میں ڈیڑی سرائی  
دے رہا ہے۔

عوض  $\frac{12}{21}$  سے  $\frac{14}{21}$  تک پونہ ڈیڑی شروع ہوئی تھی۔ جیلہ میں مسائل نے  
پونہ ڈیڑی گھوبی سرائی کر دی۔ لیکن مسائل پونہ کے آخری دن پر طبیعت  
بچانک صراط ہوئی۔ جس سے مسائل آخری دن پونہ ڈیڑی سے قاصر رہا۔

اور اس دوران مسائل نے بعد از ہم خون تعانہ ہوا کوزی تھی۔ کہ مسائل کا طبیعت  
نوحہ نماہی صراط ہو چکا ہے۔ اس لئے مسائل ڈیڑی دینے سے قاصر رہا۔

اس لئے مسائل کے خلاف شوقار نوش جاری شدہ ہے۔  
مسائل سے غیر طبعی ہے اور حیوانی تھی۔ عن مسائل انہوں نے محسوس کیا۔

آپ سے یہاں سے التماس ہے کہ مسائل کا شوقار نوش بد کسی کاروائی کے داخل  
دفتر کے فرمائی جائے۔

بالک سٹیٹل 3376  
معینہ سعاز گروہ مدد  
FC



167  
2022

**OFFICE OF THE  
DISTRICT POLICE OFFICER,  
MARDAN**

Tel No. 0937-9230109 & Fax No. 0937-9230111  
Email: [dpoamdn@gmail.com](mailto:dpoamdn@gmail.com)

No. 16/18-70 /PA

Dated 21/7/2022

**SHOW CAUSE NOTICE**

(Under Rule 5 (3) KP Police Rules, 1975)

1. That you, Constable Muhammad Ishtiaq No.3376, while posted at Police Station Shahbaz Garh, have rendered yourself liable to be proceeded under Rule 5 (3) of the Khyber Pakhtunkhwa Police Rules 1975 for following misconduct:-

Remained absent from duty for 11 days without any leave/permission of the competent authority vide DD No.30 dated 02-01-2022 to DD No.07 dated 13-01-2022.

2. That by reasons of above, as sufficient materials are placed before the undersigned; therefore, it is decided to proceed against you in General Police Proceeding without aid of Enquiry Officer.
3. That the misconduct on your part is prejudicial to good order of discipline in the Police Force.
4. That your retention in the Police Force, will amount to encourage inefficiency and unbecoming of good Police Officer.
5. That by taking cognizance of the matter under enquiry, the undersigned as competent authority under the said rules, proposes stern action against you by awarding one or more of the kind punishments as provided in the rules.
6. You are, therefore, called upon to show cause as to why you should not be dealt strictly in accordance with the Khyber Pakhtunkhwa Police Rules, 1975 for the misconduct referred to above.
7. You should submit reply to this Show Cause Notice within 07 days of the receipt of the notice, failing which, an ex-parte action shall be taken against you.
8. You are further directed to inform the undersigned that you wish to be heard in person or not.
9. Grounds of action are also enclosed with this notice.

Received by \_\_\_\_\_

Dated: \_\_\_/\_\_\_/2022

  
(Dr. Zahid Ullah) PSP  
District Police Officer

Mardan

Copy to SDPO Rural (Attention Steno) to deliver this notice upon the alleged official and the receipt thereof, shall be returned to this office within (05) days positively for further necessary



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**OFFICE OF THE  
DISTRICT POLICE OFFICER,  
MARDAN**

Tel No. 0937-9230109 & Fax No. 0937-9230111  
Email: [dpomdn@gmail.com](mailto:dpomdn@gmail.com)

2022

**GROUND OF ACTION**

That you Constable Muhammad Ishtiaq No.3376, while posted at Police Station Shahbaz Garh, committed the following misconducts:-

Remained absent from duty for 11 days without any leave/permission of the competent authority vide DD No.30 dated 02-01-22 to DD No.31 dated 13-01-2022.

By reasons of above, you have rendered yourself liable to be proceeded under Khyber Pakhtunkhwa Police Rules, 1975, hence these grounds of action.

(Dr. Zahid Ullah) PSP.  
District Police Officer  
Mardan

حوالہ شوٹنگ ٹوشن نمبر 1669-7019 مجاہدہ اردو دفتر صواب DP15 دہلی

24-2-22

اردن مفروضہ صورت ہوں۔ تمہیں 22-1-22 سے 22-1-22 تک کے 13 دن کے بارے میں  
تعمانہ شمارہ ٹوشن سے نمبر 1669-7019 دیا گیا تھا۔

جیکے جلیغہ نمبر حاضر ہے جس کے بوجھ دائرہ کی بیماریاں آچکی ہیں۔ نہ  
فرد "بھرا" اور جیکے یہ امر بھی قابل ذکر ہے کہ مسائل ٹوشن اور غیر  
ایسے افسران بالکے اندر ہے کہ مسائل خانگی نمبر حاضر ہے جس کے  
شمار کیا جائے اور شوٹنگ ٹوشن کو نمبر سے فارغی کی داخل دفتر نمبر

صالح سردار فرما رہے ہیں۔

العارضین

بالیہ  
مستقبل محمد انیسٹان 3376  
۴۷  
مستقبل سید احمد سردار -

20

# INSTITUTE OF KIDNEY DISEASES (IKD) HAYATABAD PESHAWAR, PAKISTAN

## OPERATION NOTES

No. 147

Patient Name Ishtiaq Age 30yr Sex M

Adm No PNL Bed No      Unit E Date 17/6/21

Diagnosis Post ~~UTI~~ + DJS (Right)

Operation (R) DJS removal + follow up URS

Surgeon Dr. Raheel Consultant Dr. Liaqat Ali

Assistant Dr. Mohsin Nurse     

Anaesthetist      Anaesthesia GA/LA/Spinal ✓

Surgical Approach Per urethral endoscopy

Findings (N) Meatus, (N) Urethra, (N) Bladder Mucosa,

(R) DJS in situ. No stone found in (R)

Ureter upto pelvis

Procedure: Under ASM and Spinal Anesthesia

Patient Draped

(R) DJS removed + follow up by URS done

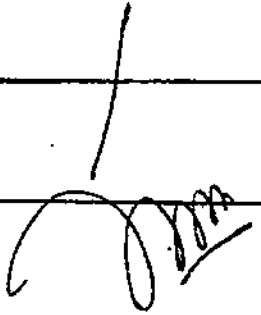
No stone found in (R) ureter upto pelvis

patient Catheterized

Plan Remove Catheter after 6 hr

Blood Loss     

Drain     



Surgeon's Name      Signature

(21)

# INSTITUTE OF KIDNEY DISEASES (IKD) HAYATABAD PESHAWAR, PAKISTAN

## OPERATION NOTES

146

No \_\_\_\_\_

Patient Name M. Ishaq IBP Age \_\_\_\_\_ Sex \_\_\_\_\_

Adm No \_\_\_\_\_ Bed No \_\_\_\_\_ Unit \_\_\_\_\_ Date \_\_\_\_\_

Diagnosis Ⓡ Renal Stone @ Home Shooli

Operation Ⓡ PCNL

Surgeon Dr. Layath Consultant Dr. Khas

Assistant Zoha / Aziz Nurse \_\_\_\_\_

Anaesthetist Dr. Azhar Anaesthesia GALA/Spinal

Surgical Approach \_\_\_\_\_

Findings Ⓡ Renal Stone @ Home Shooli

Procedure:

Ⓡ PCNL done  
- Nephrostomy inserted  
- DRB placed

Plan Nil

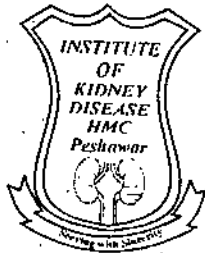
Blood Loss \_\_\_\_\_

Drain \_\_\_\_\_

Doctor's Name [Signature] Signature [Signature]



IBP



DISCHARGE CARD UNIT-C

Professor & Incharge  
Dr. Nasir Orakzai  
F.R.C.S.  
D.Urology (London)

Senior Registrar

1) Dr. Mir Abid Jan  
FCPS Urology  
Fellowship in Male Infertility & Andrology

Associate Professor

2) Dr. Kamran Khan  
FCPS Urology  
Fellowship in Paediatric Urology (USA)

1) Dr. Liaqat Ali  
FCPS Urology

Junior Registrar

2) Dr. Muhammad Shahzad  
FCPS Urology

1) Dr. Muneeb Hassan  
FCPS Urology

2) Dr. Qudrat Ullah  
FCPS Urology

MO's

- Dr. Umair
- Dr. Mazhar
- Dr. M. Ali
- Dr. Naveed
- Dr. Junaid
- Dr. Khalil
- Dr. Intesham
- Dr. M. Aslam
- Dr. Majid
- Dr. Hamid
- Dr. Haseeb
- Dr. Sakhi Kareem
- Dr. Shaheer
- Dr. Asad

MO's

- Dr. Mehboob
- Dr. Kifayat
- Dr. Husan
- Dr. Falza
- Dr. Naveed
- Dr. Sami
- Dr. Gul Nawaz

Pt's Name M. Shahzad S/o. D/o. W/o \_\_\_\_\_

Bed No. PK12 Age 31y Sex M Address Peshawar

D/A 12/4/21 D/O \_\_\_\_\_ D/Discharge 14/4/21

Admission No. 1790421 Disease (R) Renal stones & horse shoe kidneys

Operation: (R) PCNL

**OFFICE OF THE  
DISTRICT POLICE OFFICER  
MARDAN**

**Tel No. 0937-9230109 & Fax No. 0937-9230111**

**Email dpomdn@gmail.com**

No. 9780-83/PA

Dated 7/12/2022

**OFFICE OF SCN/ENQUIRY OF CONSTABLE ISHTIAQ NO. 3376**

Constable Ishtiaq No. 3376, while posted at Police Station Shahbaz Garhi was served with the under-mentioned (5) Show Cause Notices, under Khyber Pakhtunkhwa Police Rules-1975, to which, he was bound to submit his reply in compliance of each Show Cause Notice to this office within stipulated time of (07) days, but he failed to comply with till date as per details given below:-

S#	S.C.N Number date	Delivery Date	Allegations
1.	197/PA dated 20/10/2021	26/10/2021	One day absence's period during September,-2021's polio campaign in Mardan
2.	733/PA dated 24-11-2021	10-12-2021	(23) days absence's period vide DD No. 34 dated 21-10-2021 to DD No. 04 dt 25/10/2021 PS Shahbaz Garh
3.	123-24/PA dated 07-01-2022	03-02-2022	One day absence's period during December-2021's polio campaign in Mardan
4.	174-75/PA dated 07-01-2022	03-02-2023	(05) days absence's period during October -2021's polio campaign in Mardan
5.	1669-70/PA dated 24-02-2022	02-03-2022	(11) days absence's period vide DD No. 30 dt 02-01-2022 PS Shahbaz Garh

Besides the above misconduct, Constable Ishtiaq was also proceed against Departmentally through Mr. Adnan Azam SDPO City Mardan vide this Office Statement of Disciplinary Action/Charge Sheet No. 31/PA dated 31-01-2022 on account of DD No. 18 dated 20-12-2021 to DD No. 36 dated 31-01-2021 & and inquiry officer after fulfillment necessary process, submitted his findings to this office vide his office letter No. 569/S dated 31-05-2022 concluding that the alleged Constable didn't brother to appear before him (Enquiry officer) despite repeated information, while on the other hand, declared him as habitual absence by earning (50) bad with no good entry in his service record, so recommended ex-parte action against him.

**Final Order**

Constable Ishtiaq was called for hearing in OR on 06-07-2022, 21-07-2022, 27-07-2022, 17-08-2022, 07-09-2022, & 17-11-2022 respectively, but he failed to comply with which besides disobedience on his part, also indicated that he has nothing to offer in his defense, and is no wailing worker, therefore, awarded him major punishment of reveal from service in the light of above discussion & counted his (45) days absence period as leave without pay with immediate effect, in exercise of the power vested in me under Police Rules 1975.

(Haroon Rashid Khan) T,ST/PSP  
District Police Officer, Mardan

Copy forwarded for information & n/action to:-

- 1) The DSP/HQ Mardan.
- 2) The P.O (DPO Officer) Mardan.
- 3) The Incharge HRMIS DPO Mardan

ORDER ON S.C./ENQUIRY OF CONSTABLE ISHTIAQ NO.3376

Constable Ishtiaq No.3376, while posted at Police Station Shahbaz Garh was served with the under-mentioned (05) Show Cause Notices, under Khyber Pakhtunkhwa Police Rules-1975, to which, he was bound to submit his reply in compliance of the Show Cause Notice to this office within stipulated time of (07) days, but he failed to comply with the date, as per details given below:-

S.N.	S.C. number & date	Delivery date	Allegations
1.	179/PA dated 20-10-2021.	26-10-2021	One day absence's period during September-2021's polio campaign in Mardan.
2.	733/PA dated 24-11-2021	10-12-2021	(23) days absence's period vide DD No.34 dt:02-10-2021 to DD No.04 dt: 25-10-2021 PS Shahbaz Garh.
3.	123-24/PA dated 07-01-2022	03-02-2022	One day absence's period during December-2021's polio campaign in Mardan District.
4.	174-73/PA dated 07-01-2022	03-02-2022	(05) days absence's period during October-2021's polio campaign in District Mardan.
5.	1069-70/PA dated 24-02-2022	02-03-2022	(11) days absence's period vide DD No.30 dt: 02-01-2022 to DD No.07 dt: 13-01-2022 PS Shahbaz Garh.

Besides the above gross misconduct, Constable Ishtiaq was also proceeded against departmentally through Mr. Adnan Azam SDPO City Mardan vide this office Statement of Disciplinary Action/Charge Sheet No.51/PA dated 31-01-2022 on account of four days absence's period from duty without any leave/permission of the competent authorities vide DD No.18 dt: 20-12-2021 to DD No.36 dt: 24-12-2021 & the Enquiry Officer after fulfillment necessary process, submitted his findings to this office vide his office letter No.569/S dated 21-05-2022, concluding that the alleged Constable didn't bother to appear before him (Enquiry Officer), despite repeated information, while on the other hand, declared him as habitual absentee by earning (33) bad entries with no good entry in his service record, so recommended departmental action against him.

Findings

Constable Ishtiaq was called for hearing in OR on 06-07-2022, 07-07-2022, 07-08-2022, 17-08-2022, 07-09-2022, 19-10-2022, & 17-11-2022 respectively, but he failed to comply with, which besides disobedience on his part, also indicated that he has nothing to offer in his defence & is not willing worker, therefore, awarded him major punishment of removal from service in the light of above discussion & counted his (45) days absence's period as leave without pay with immediate effect, in exercise of the power vested in me under Police Rules-1975.

Off No. 7/12/2022  
Dated 7/12/2022

  
(Maroof Rashid Khan) T.ST/PSI  
District Police Officer, Mardan.

Copy forwarded for information & action to:-

- 1. The DS, PHQ, Mardan.
- 2. The PO & S.I. (DPO) Office, Mardan.
- 3. The In-charge, (S.I./DPO) Office, Mardan.
- 4. The S.I. (DPO) Office, Mardan.

Application / appeal against impugned order dated 07-12-2022 of worthy SDPO/DPO Masdan:-

R/S,

① that the one constable Esthiaz having left no. 3376 has been removed by the worthy SDPO/DPO Masdan through his impugned order dated 07-12-2022 which is against the law / services laws. (copy of impugned order annexed)

② that the impugned order dated 07-12-2022 by the inquiry officer is against the very norms of justice as embodied in maxim "No one should be condemned unless" which is liable to be set aside.

③ that the Petitioner seeks guidance from the worthy / esteemed authority for redressal as well for having a fair opportunity to be heard by the esteemed authority and to be reinstated back to his post. Done all the honors

Signature: Petitioner / 0343-715851

(25)

punishment of removal from service in light of above discussion and counted his 45 days absence's period as leave without pay vide OB: No. 2548 dated 02.12.2022..

Feeling aggrieved from the order of District Police Officer, Mardan, the appellant preferred the instant appeal. He was summoned and heard in person in Orderly Room held in this office on 11.01.2022.

From the perusal of service record of the appellant, it has been found that allegations leveled against the appellant have been proved beyond any shadow of doubt. The service record of the appellant revealed that he was enlisted in Police Department on 12.05.2009 and earned 55 bad entries with no good entry. Besides, the appellant in his short span of service remained absent for 01 year, 03 months and 31 days including the instant absence period, on different occasions which depicts his lethargic attitude towards his official duties with paying no attention of the directives of Senior Officers. On perusal of previous service record of the appellant, it was noticed that he is habitual absentee and prior to this, the appellant was also dismissed twice from service on account of same allegations i.e absence. Hence, the very conduct of appellant is unbecoming of a disciplined Police Officer. Therefore, the order passed by the competent authority does not warrant any interference.

Keeping in view the above, I, Muhammad Ali Khan, PSP Regional Police Officer, Mardan, being the appellate authority, find no substance in the appeal, therefore, the same is rejected and filed, being devoid of merit.

**Order Announced.**

  
Regional Police Officer,  
Mardan.

No. 300 /ES, Dated Mardan the 19 /01 /2023.

Copy forwarded to District Police Officer, Mardan for information and necessary action w/r to his office Memo: No. 344/LB dated 30.12.2022. His Service Record is returned herewith.

(~~redacted~~)

# بعدالت سرویس ٹرانسپورٹ سٹاف



3222 منجانب اللہ

اسٹاف بٹام

مورخہ

مقدمہ

دعویٰ

جرم

## باعث تحریر آنکہ

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

آن مقام پشاور سندھ ہائی کورٹ کے لیے لکھنا کہ

مقرر کر کے اقرار کیا جاتا ہے۔ کہ صاحب موصوف کو مقدمہ کی کل کاروائی کا کامل اختیار ہوگا۔ نیز وکیل صاحب کو راضی نامہ کرنے ق نقرہ ثالث و فیصلہ پر حلف دیئے جواب دہی اور اقبال دعویٰ اور بصورت ڈگری کرنے اجراء اور وصولی چیک و روپیہ ارضی دعویٰ اور درخواست ہر قسم کی تصدیق ذرا میں پر دستخط کرانے کا اختیار ہوگا۔ نیز بصورت عدم پیروی یا ڈگری یکطرفہ یا اپیل کی بزدگی اور منسوخی نیز دائر کرنے اپیل نگرانی و نظر ثانی و پیروی کرنے کا محتاج ہوگا۔ از بصورت ضرورت مقدمہ مذکور کے کل یا جزوی کاروائی کے واسطے اور وکیل یا مختار قانونی کو اپنے ہمراہ یا اپنے بجائے تقرر کا اختیار ہوگا۔ اور صاحب مقرر شدہ کو بھی وہی جملہ مذکور با اختیارات حاصل ہوں گے اور اس کا ساختہ پر داختم منظور قبول ہوگا دوران مقدمہ میں جو خرچہ ہر جانہ التوائے مقدمہ ہوں گے سب سے وہوگا۔ کوئی تاریخ پیشی مقدمہ پر ہو یا حد سے باہر ہو تو وکیل صاحب پابند ہوں گے۔ کہ پیروی مذکور کریں۔ لہذا وکالت نامہ لکھ دیا کہ سند ہے۔

2023

ماہ

المرقوم

العبد

کے لئے منظور ہے۔

ACCEPTED BY

مقام