


# FORM OF ORDERSHEET

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

Misc. application No. 331/2023

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1	25/05/2023	<p>The Misc. application in appeal no. 242/2023 submitted today by Syed Noman Ali Bukhari Advocate. It is fixed for hearing before Single Bench at Peshawar on _____ . Original file be requisitioned.</p> <p style="text-align: right;"> REGISTRAR</p>

**BEFORE THE KP SERVICE TRIBUNAL, PESHAWAR.**

CM No. 332 /2023

IN

SERVICE APPEAL No. 242/2023

Nasir Khan, DSP (Acting S.P)

VS

Govt: of KP& etc.


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**PETITIONERS**

  
Nasir Khan

THROUGH:-

  
**(M. ASIF YOUSAFZAI)**  
**ADVOCATE SUPREME COURT,**  
**OF PAKISTAN.**

  
& **(S. NOMAN ALI BUKHARI)**  
**ADVOCATE HIGH COURT,**

Room No.FR-08, 4<sup>th</sup> Floor,  
Bilour Plaza Peshawar Cantt:  
Cell # 03339103240

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**BEFORE THE KP SERVICE TRIBUNAL, PESHAWAR.**

CM No. 332 /2023  
IN  
SERVICE APPEAL No. 242/2023

Nasir Khan, Acting SP,  
Director Police School of Investigation,  
Mera Kachori, Peshawar.

Khyber Pakhtunkhwa  
Service Tribunal

Diary No. 5568

Dated 25/5/2023

(APPELLANT)

**VERSUS**

1. The Government of KP through the Chief Secretary, Civil Secretariat, Peshawar.
2. The Provincial Police Officer, Police Lines, Peshawar.
3. The Addl: Inspector General, HQs, Peshawar.
4. The Capital City Police Officer, Peshawar.
5. The Office Superintendent Estt; (Career Planning Branch) C.P.O Peshawar.
6. Nazir Ahmad, SP, *SP/CTD Hazara Range*
7. Saeed Akhtar, SP, *SP Investigation Battagram*
8. Muhammad Ishtiaq, SP, *SP Investigation Abbottabad*
9. Muhammad Maroof, SP, *SP/HQRS: Elite force*
10. Muhammad Ayaz, SP, *Addl: SP Haripur*
11. M. Jamil Akhtar, SP, *Addl: SP Abbottabad*
12. Niaz Muhammad, SP, *Director P.T.S Swabi*
13. Hameedullah, SP, *ATG Welfare CPO Peshawar*
14. Sajjad Ahmed, SP, *SP Investigation Charsadda*
15. Shah Hassan, SP, *SP Investigation Swat*
16. Nazir Khan, SP, *DPO Orakzai*
17. Sajjad Ahmad Sahibzada, SP, *Addl: SP (opps:) Mardan*
18. Shoukat Ali, SP, *D.P.O Bajjawan*
19. Abdul Samad, SP, *D.P.O Kurram*
20. Muhammad Khalid, SP, *SP Investigation Lower Chitral*
21. Zia Hassan, SP, *D.P.O Kolai Palas Kohistan*
22. Shafiullah, SP, *D.P.O Swat*

**APPLICATION FOR RESTRAINING THE RESPONDENTS FROM PASSING ANY ADVERSE ORDER AGAINST THE APPELLANT UNDER THE GARB OF INCORRECT DATES AND SERVICE DATA IN THE SENIORITY LISTS AND IN OTHER RECORD, TILL THE DISPOSAL OF MAIN APPEAL OR STATUS-QUO MAY PLEASE BE MAINTAINED REGARDING THE PRESENT STATUS OF THE APPELLANT.**

R.SHEWETH.

Brief facts of the case are as under:


1. That the above captioned appeal is pending before this august Tribunal and fixed for 25.05.2023
2. That main controversy in the appeal is regarding communication of wrong and incorrect dates and service data of promotions of appellant due to which juniors were regularly promoted as S.P by affecting the rights of the petitioner/appellant.
3. That now, the respondents on the basis of those incorrect dates and service data intends to change the present status of appellant on malafide basis and to save complications will arise and to avoid such complications, this application is necessary and the august Tribunal has got ample powers to pass judicious order by restraining the respondents from passing any adverse order regarding the status of petitioner/appellant.
4. That the appellant/petitioner seeks permission to advance other grounds and facts at the time of hearing.

It is, therefore, most humbly prayed that on acceptance of instant application, the respondents may be restrained from passing any adverse order which affect the present appeal as well as present status of the petitioner/appellant on the basis of wrong dates and service data till the disposal of main appeal.

**APPELLANT/PETITIONER**

  
Nasim Khan.

THROUGH:-

  
(M. ASIF YOUSAFZAI)  
ADVOCATE SUPREME COURT,  
OF PAKISTAN.

  
&  
(S. NOMAN ALI BUKHARI)  
ADVOCATE HIGH COURT,

(3)

**BEFORE THE KP SERVICE TRIBUNAL, PESHAWAR.**

CM No. \_\_\_\_\_/2023  
IN  
SERVICE APPEAL No. 242/2023


Nasir Khan, DSP (Acting S.P) VS Govt: of KP& etc.

**AFFIDAVIT**

I, Nasir Khan, DSP (Acting SP) (Appellant) do hereby affirm that the contents of this application are true and correct and nothing has been concealed from this august Tribunal.

  
DEPONENT

**IDENTIFY BY:**

  
**M. ASIF YOUSAFZAI**  
**ADVOCATE SUPREME COURT,**  
**OF PAKISTAN.**



**BEFORE THE KP SERVICE TRIBUNAL, PESHAWAR**

APPEAL NO. 2427/2023

Nasir Khan, Acting SP,  
Director Police School of Investigation,  
Mera Kachori, Peshawar.

(APPELLANT)

**VERSUS**

1. The Government of KP through the Chief Secretary, Civil Secretariat, Peshawar.
2. The Provincial Police Officer, KP, Peshawar.
3. The Addl: Inspector General, HQs, Peshawar.
4. The Capital City Police Officer, Peshawar.
5. The Office Superintendent Estt; (Career Planning Branch) C.P.O Peshawar.
6. Nazir Ahmad, SP,
7. Saeed Akhtar, SP,
8. Muhammad Ishtiaq, SP,
9. Muhammad Maroof, SP,
10. Muhammad Ayaz, SP,
11. M. Jamil Akhtar, SP,
12. Niaz Muhammad, SP,
13. Hameedullah, SP,
14. Sajjad Ahmed, SP,
15. Shah Hassan, SP,
16. Nazir Khan, SP,
17. Sajjad Ahmad Sahibzada, SP,
18. Shoukat Ali, SP,
19. Abdul Samad, SP,
20. Muhammad Khalid, SP.
21. Zia Hassan, SP,
22. Shafiullah, SP,

Respondents No. 6 to 22 C/o CCPO, Peshawar.

(RESPONDENTS)

Certified to be true copy

EXAMINED  
Khyber Pakhtunkhwa  
Service Tribunal  
Peshawar

07.03.2023

Learned counsel for the appellant present. Mr. Muhammad Riaz Khan Paindakhel, Assistant Advocate General for official respondents No. 1 to 5 present. Nemo for private respondents No. 6 to 22.

Reply/comments on behalf of official respondents as well as private respondents No. 6 to 22 not submitted. Learned Assistant Advocate General seeks time to contact official respondents No. 1 to 5 for submission of reply/comments. Notices have not been issued to private respondents No. 6 to 22, therefore, they be summoned through TCS. The expenses of which be deposited by the appellant within three days. Adjourned. To come up for reply/comments on 06.04.2023 before S.B. P.P given to the parties.

(Muhammad Akbar Khan)  
Member (E)

06<sup>th</sup> April, 2023

Clerk of counsel for the appellant present. Mr. Asad Ali Khan, Assit. AG alongwith Wisal, HC and Tehseenullah, H.C for the respondents present. Nemo for private respondents No. 6 to 22.

Reply/comments on behalf of the respondents not submitted. Learned AAG requested adjournment in order to contact the respondent. Granted. To come up for written reply/comments on 25.05.2023 before the S.B. Parcha Peshi given to the parties.

Certified to be true copy  
Khyber Pakhtunkhwa  
Service Tribunal  
Peshawar

(Fatecha Paul)  
Member(E)