


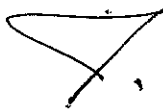
12.05.2023

Appellant in person present. Mr. Asif Masood Ali Shah,
Deputy District Attorney for the respondents present.

Appellant requested for adjournment on the ground that his
counsel had proceeded to his home due to some domestic urgency.
Adjourned. To come up for remaining arguments on
18.05.2023 before the D.B. Parcha Peshi given to the parties.

SCANNED
KEPST
Peshawar


(Muhammad Akbar Khan)
Member (E)


(Salah-ud-Din)
Member (J)


Naeem Amin

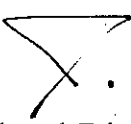
18.05.2023

Learned counsel for the appellant present. Mr. Asif Masood
Ali Shah, Deputy District Attorney for the respondents present.

Learned counsel for the appellant seeks adjournment on the
ground that he has not made preparation. Adjourned. To come up
for arguments on 14.06.2023 before the D.B. Parcha Peshi given to
the parties.

SCANNED
KEPST
Peshawar


(Muhammad Akbar Khan)
Member (E)

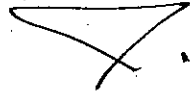

(Salah-ud-Din)
Member (J)

Naeem Amin

13th March, 2023

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

Learned counsel for the appellant seeks adjournment on the ground that he has not made preparation for arguments. Adjourned. To come up for arguments on 09.05.2023 before the D.B. Parcha Peshi given to the parties.



(Salah-ud-Din)
Member (J)



(Kalim Arshad Khan)
Chairman

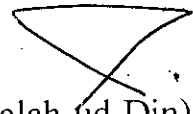
09.05.2023

Ms. Uzma Syed, Advocate for the appellant present. Mr. Abdul Jameel, Assistant alongwith Mr. Asif Masood Ali Shah, Deputy District Attorney for the respondents present.

Partial arguments heard. To come up for remaining arguments on 12.05.2023 before the D.B. Parcha Peshi given to the parties.



(Muhammad Akbar Khan)
Member (E)



(Salah-ud-Din)
Member (J)

Naeem Amin

14th Dec. 2022

Due to strike of the Bar and Mrs. Rozina Rehman, learned Member (J) being on leave, this matter is adjourned to 01.03.2023 before the D.B. Office is directed to notify the next date on the notice board as well as the website of the Tribunal.

SCANNED
KPST
Peshawar

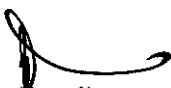

(Fareeha Paul)
Member(E)


01.03.2023

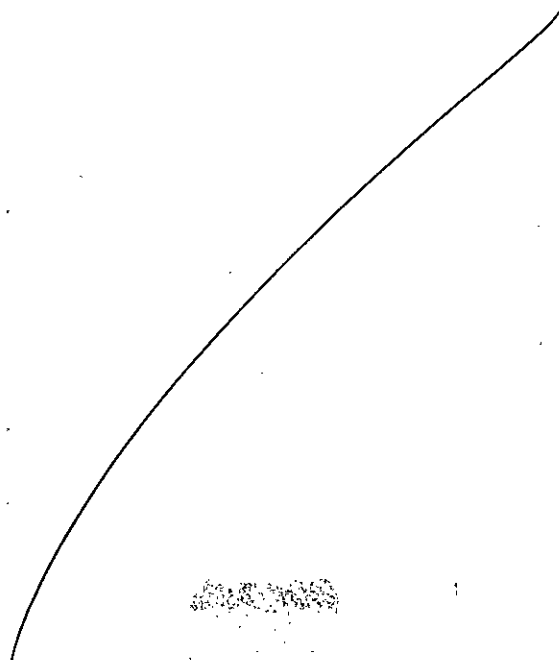
Clerk of learned counsel for the appellant present.
Mr. Muhammad Jan, District Attorney for the respondents present.

Lawyers are on strike. To come up for arguments on 13.03.2023 before the D.B. Parcha Peshi given to the parties.

SCANNED
KPST
Peshawar


(Fareeha Paul)
Member (E)


(Salah-ud-Din)
Member (J)



10th Oct, 2022

Learned counsel for the appellant. Mr. Kabirullah Khattakk, Addl: AG for respondents present.

Learned counsel for the appellant wants to amend the appeal to challenge the order dated 13.12.2017. He may do so within a week. To come up for amended appeal as well as arguments on 14.12.2022 before the D.B.



(Fareeha Paul)
Member(Executive)



(Kalim Arshad Khan)
Chairman

Late Diary

10th Oct, 2022

Despite direction for fixation of the cases for the shortest possible dates, the office has fixed this case for a longer date. The Reader of the court is warned to be careful in future. The date fixed in this case is accelerated to 16 / 11 /2022. Notices be issued to the parties and their counsel for the date fixed.



(Fareeha Paul)
Member (E)



(Kalim Arshad Khan)
Chairman

16.11.2022

Nemo for appellant.

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

Notices be issued to appellant and his counsel for the date fixed. To come up for arguments on 14.12.2022 before D.B



(Fareeha Paul)
Member (E)



(Rozina Rehman)
Member (J)

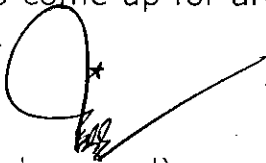
Note
9/10/22
14/11/22

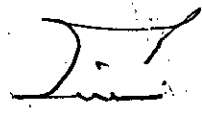
7/10/22
13/11/22
CANNED
IP-POST

17.06.2022

Junior of learned counsel for the appellant present. Mr. Naseer-ud-Din Shah, Assistant Advocate General for the respondents present.

Junior of learned counsel for the appellant requested for adjournment on the ground that learned counsel for the appellant is busy in the august Peshawar High Court, Peshawar. Adjourned. To come up for arguments on 02.09.2022 before the D.B.



(Mian Muhammad)
Member (E)


(Salah-ud-Din)
Member (J)

02.09.2022

Appellant in person present. Mr. Abdul Jalil, Litigation Officer alongwith Mr. Naseer-ud-Din Shah, Assistant Advocate General for the respondents present.

Learned Member (Judicial) Ms. Rozina Rehman is on leave, therefore, arguments could not be heard. Adjourned. To come up arguments on 10.10.2022 before the D.B.


(Salah-Ud-Din)
Member (Judicial)

14.10.2021

Appellant present through counsel.

Muhammad Riaz Khan Paindakheil learned Assistant Advocate General alongwith Sajid ADEO for respondents present.

Former made a request for adjournment in order to prepare the brief; granted. To come up for arguments on 29.11.2021 before D.B.



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



(Rozina Rehman)
Member (J)

29.11.2021 Due to unavailability of DB, the case is adjourned to 01/02/2022.



Reader

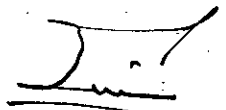
01.02.2022

Appellant alongwith clerk of his counsel present. Mr. Kabirullah Khattak, Additional Advocate General for the respondents present.

Appellant requested for adjournment on the ground that his counsel is busy before D.B-I of this Tribunal. Adjourned. To come up for arguments on 04.03.2022 before the D.B.



(Rozina Rehman)
Member (J)



(Salah-ud-Din)
Member (J)

4-3-22

Due to retirement of the Honble Chairperson the case is adjourned to come up for the same as before on 17-6-22

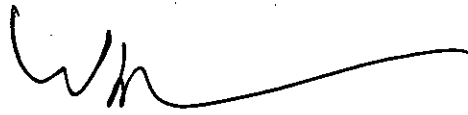


Reader

21.06.2021

Appellant alongwith his counsel Mr. Taimur Ali Khan, Advocate, present. Mr. Sajid, ADO (Litigation) alongwith Mr. Muhammad Adeel Butt, Additional Advocate General for the respondents present.

Both sides stated at the bar that as the issue of retrospectivity is involved in the instant appeal and the matter is already pending adjudication before the Larger Bench of this Tribunal, therefore, the appeal in hand may be adjourned. Adjourned. To come up for arguments before the D.B on 17.09.2021.



(ATIQ-UR-REHMAN WAZIR)
MEMBER (EXECUTIVE)



(SALAH-UD-DIN)
MEMBER (JUDICIAL)

17.09.2021

Mr. Taimur Ali Khan, Advocate, for the appellant present. Mr. Kabirullah Khattak, Additional Advocate General for the respondents present.

Arguments could not be heard due to paucity of time. Adjourned. To come up for arguments before the D.B on 14.10.2021.



(ATIQ-UR-REHMAN WAZIR)
MEMBER (EXECUTIVE)



(SALAH-UD-DIN)
MEMBER (JUDICIAL)

448/18

26.05.2021

The order dated 24.03.2021 was written but could not be signed by the D.B including the then Chairman who due to unforeseen reason could not attend the office in coming days. He died in the meantime and the order sheet was left unsigned. To bring the proceedings of appeal on track, it is become expedient for ex-post facto completion of the order sheet. The unsigned order dated 24.03.2021 is reproduced below which be given effect accordingly:-

"Appellant in person present. Mr. Kabirullah Khattak learned Addl. AG for respondents present.

Former requests for adjournment as his learned counsel is engaged before the Hon'ble High Court in various cases today.

Record shows that on previous many occasions the proceedings were adjourned on the request of appellant/counsel. The request is, therefore, granted but as a last chance.

Adjourned to 21.06.2021 for arguments before the D.B."


(Atiq-ur-Rehman Wazir)
Member


Chairman

24.03.2021

Appellant in person present. Mr. Kabirulalh Khattak learned Addl. AG for respondents present.

Former requests for adjournment as his learned counsel is engaged before the Hon'ble High Court in various cases today.

Record show that on previous many occasions the proceedings were adjourned on the request of appellant/counsel. The request is, therefore, granted but as a last chance.

Adjourned to 21.06.2021 for arguments before D.B.

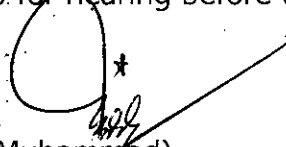
Chairman

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

01.10.2020

Counsel for the appellant and Mr. Muhammad Riaz Paindakhel, Asstt. AG for the respondents present.

Counsel for the appellant seeks adjournment to prepare the brief of instant matter. Adjourned to 21.12.2020 for hearing before the D.B.



(Mian Muhammad)
Member (Executive)

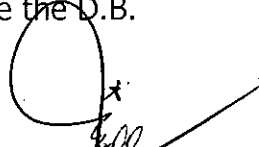


Chairman

21.12.2020

Appellant in person and Addl. AG for the respondents present.

Former requests for adjournment as his learned counsel is engaged before the Honourable Peshawar High Court today. Adjourned to 24.03.2021 for hearing before the D.B.



(Mian Muhammad)
Member(E)



Chairman

28.02.2020

Appellant in person present. Mr. Riaz Paindakhel learned Assistant Advocate General for the respondents present. Appellant submitted application for adjournment. Application is placed on file. Adjourn. To come up for arguments on 13.04.2020 before D.B.


Member


Member

13.04.2020

Due to public holidays on account of Covid-19, the case is adjourned. To come up for the same on 03.07.2020 before D.B.

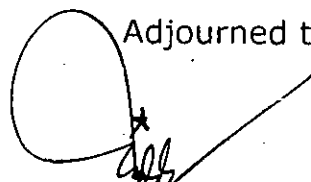

Reader


03.07.2020

Appellant in person and Mr. Kabirullah Khattak learned Addl. AG for the respondents present.

Former requests for adjournment on the ground that his counsel is busy before the Hon'ble Peshawar High Court in many cases today.


Adjourned to 01.10.2020 before D.B.



Member


Chairman

27.08.2019


Appellant with counsel and Mr. Kabir Ullah Khattak learned Additional Advocate General present. Learned counsel for the appellant seeks adjournment. Adjourn. To come up for arguments on 31.10.2019 before D.B.



Member


Member

31.10.2019

Appellant in person present. Mr. Usman Ghani learned District Attorney alongwith Mr. Sajid ADO for the respondents present. Appellant requested for adjournment that his counsel is not in attendance. Adjourn. To come up for arguments on 06.12.2019 before D.B.


Member


Member

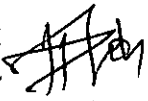
06.12.19

The Bench is incomplete
Therefore case is adjourned
to 16-1-2020


Reader

16.01.2020


Appellant in person 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 23.02.2020 before D.B.



Member


Member

12.02.2019

Appellant in person present and seeks adjournment. Mr. Riaz Ahmad Paindakheil, Assistant AG for the respondents present. Adjourn. To come up for arguments on 14.03.2019 before D.B.


(M. Amin Khan Kundi)
Member


(Muhammad Hamid Mughal)
Member

14.03.2019

Appellant in person present. Mr. Kabirullah Khattak, Additional AG for the respondents present. Appellant seeks adjournment on the ground that his counsel is busy before the Hon'ble Peshawar High Court. Adjourn. To come up for arguments on 02.05.2019 before D.B.


(M. AMIN KHAN KUNDI)
MEMBER


(M. HAMID MUGHAL)
MEMBER


02.05.2019

Appellant in person and Addl: AG for respondents present. Arguments could not be heard due to Learned Member (Executive) is on leave. Adjourned to 01.07.2019 before D.B.


(M. Amin Khan Kundi)
Member

01.07.2019

Counsel for the appellant and Mr. Riaz Ahmad Paindakheil, Assistant AG along with Mr. Sajid, ADO for the respondents present. Learned counsel for the appellant requested for adjournment. Adjourned to 27.08.2019 for arguments before D.B.


(HUSSAIN SHAH)
MEMBER

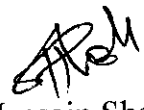

(M. AMIN KHAN KUNDI)
MEMBER


26.07.2018

Appellant, Mr. Asad Ali in person present. Mr. Sajid Khan, ADO alongwith Mr. Muhammad Jan, Deputy District Attorney present. Written reply on behalf of the respondents submitted. To come up for rejoinder/arguments on 18.09.2018 before D.B.


Chairman

18.09.2018 Appellant with counsel Mr. Noman Ali Bukhari, Advocate present. Mr. Muhammad Jan, Deputy District Attorney for the respondents present. Learned counsel for the appellant submitted rejoinder and requested for time for arguments. Adjourned. To come up for arguments on 08.11.2018 before D.B.


(Hussain Shah)
Member


(M. Amin Khan Kundi)
Member

08.11.2018

Due to retirement of Hon'ble Chairman, the Tribunal is defunct. Therefore, the case is adjourned. To come up on 28.12.2018. ~~Written reply not received~~

28-12-18

due to bench is incomplete
infor case is adjourned
to 12-2-2019


READER


Reader

16.04.2018

Counsel for the appellant present: Preliminary arguments heard and case file perused. Learned counsel for the appellant argued that this is the 3rd round of litigation. This Tribunal vide judgment dated 13.12.2016 set aside the impugned order whereby major penalty of compulsory retirement was imposed on the appellant and gave further directions for conducting de-novo enquiry. De-novo enquiry was conducted and again vide impugned order dated 13.12.2017 major penalty of compulsory retirement was again imposed on him w.e.f 05.01.2010. He preferred departmental appeal on 28.12.2017 which was rejected on 27.02.2018 but communicated to the appellant on 12.03.2018, hence, the instant service appeal. De-novo enquiry was not conducted in the mode and manner prescribed in the rules and the penalty imposed on the appellant is harsh as well.

SCANNED
FOR ST
BISHAWAN

Appellant Deposited
Security & Process Fee

Points urged need consideration. Admit, subject to limitation. The appellant is directed to deposit of security and process fee within 10 days, thereafter, notices be issued to the respondents for written reply/comments for 06.06..2018 before S.B.


(AHMAD HASSAN)
MEMBER

06.06.2018



Counsel for the appellant and Addl: AG present. None present on behalf of official respondents. Written reply not submitted. Requested for adjournment. Adjourned. To come up for written reply/comments on **26.07.2018** before S.B


Member

Form-A
FORM OF ORDERSHEET

Court of _____

Case No. 448/2018

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1	04/04/2018	<p>The appeal of Mr. Asad Ali presented today by Mr. Muhammad Asif Yousafzai Advocate may be entered in the Institution Register and put up to the Learned Member for proper order please.</p> <p style="text-align: right;"> REGISTRAR 4/4/18</p>
2-	06/04/18.	<p>This case is entrusted to S. Bench for preliminary hearing to be put up there on <u>16/04/18.</u></p> <p style="text-align: right;"> MEMBER</p>

BEFORE THE KPK SERVICE TRIBUNAL PESHAWAR

APPEAL NO. 448/2018

Asad Ali

V/S

Education Deptt.

INDEX

S.NO.	DOCUMENTS	ANNEXURE	PAGE
1.	Memo of Appeal	-----	01-03
2.	Copy of Judgment dt. 11.02.2018	--A--	04-05
3.	Copy of Judgment dt. 13.12.2016	--B--	06-09
4.	Copy of inquiry report	--C--	10-11
5.	Copy of show cause notice	--D--	12
6.	Copy of reply to show cause notice	--E--	13-14
7.	Copy of 2 nd show cause notice	--F--	15
8.	Copy of reply to show cause notice	--G--	16-17
9.	Copy of order dt. 13.12.2017	--H--	18
9.	Copy of departmental appeal	--I--	19-20
10.	Copy of rejection order	--J--	21
11.	Vaklat Nama	-----	22.

APPELLANT

THROUGH:

Amir

(M. ASIF YOUSAFZAI)

ADVOCATE SUPREME COURT

Taimur

(TAIMUR ALI KHAN)

ADVOCATE HIGH COURT,

Noman
&

(S. NOMAN ALI BUKHARI)

ADVOCATE HIGH COURT

Room No. Fr-8, 4th Floor,
Bilour Plaza, Peshawar Cantt.
Contact No. 03339103240

BEFORE THE KPK, SERVICE TRIBUNAL PESHAWAR

APPEAL NO. 448 /2018

Khyber Pakhtunkhwa
Service Tribunal

Case No. 480

Dated 04-4-2018

Asad Ali Ex-PST, Rustam Mardan.

(APPELLANT)

VERSUS

1. The Secretary Education (E & SE), KPK, Peshawar.
2. The Director Education (E & SE), KPK, Peshawar.
3. The District Education Officer (Male) Mardan.

(RESPONDENTS)

APPEAL UNDER SECTION 4 OF THE KPK SERVICE TRIBUNALS ACT, 1974 AGAINST THE ORDER DATED 27.02.2018 COMMUNICATED TO THE APPELLANT ON 12.03.2018 WHEREBY THE DEPARTMENTAL APPEAL OF THE APPELLANT AGAINST THE ORDER DATED 13.12.2017 HAS BEEN REJECTED FOR NO GOOD GROUNDS.

PRAYER:

THAT ON THE ACCEPTANCE OF THIS APPEAL, THE ORDER DATED 27.02.2018 AND 13.12.2017 MAY BE SET ASIDE AND THE APPELLANT MAY BE REINSTATED INTO SERVICE WITH ALL BACK AND CONSEQUENTIAL BENEFITS. ANY OTHER REMEDY, WHICH THIS AUGUST TRIBUNAL DEEMS FIT AND APPROPRIATE THAT, MAY ALSO BE AWARDED IN FAVOUR OF APPELLANT.

Filed to-day
Registrar
4/4/18

RESPECTFULLY SHEWETH:

FACTS:

1. That the appellant was serving as PST in GPS, Bazar Kaly Mardan was removed from service on 05.01.2010 on the basis of misconduct against which he filed service appeal No. 758/2010 in this august

Tribunal which was partially accepted on 11.02.2014 and the appellant was reinstated and placed to face denovo inquiry. **Copy of the Judgment is attached as Annexure-A.**

2. That After conclusion of inquiry report on 30.08.2014 the penalty of compulsory retirement from service was imposed upon the appellant and against the said penalty the appellant filed service appeal No. 1386/2014 which was decided on 13.12.2016 by the Honorable Service Tribunal and the august Service Tribunal partially accept the appeal and set aside the impugned order of compulsory retirement with the direction of proper denovo inquiry with absolute opportunity to the appellant of defence and of cross examination. **Copy of Judgment dated 13.12.2016 is attached as Annexure-B.**
3. That on the basis of judgment of Service Tribunal, the appellant was reinstated on 18.01.2017 and denovo inquiry was conducted against the appellant in which no proper opportunity of defence was provided to the appellant as no statement was recorded in the presence of the appellant neither the appellant has given the opportunity of cross examination but despite that the appellant was held responsible by the inquiry officer. **Copy of inquiry report is attached as Annexure-C**
4. That show cause notice was issued to the appellant on 25.02.2017 the appellant properly replied the show cause notice in which he denied all allegations. **Copy of show cause notice & reply to show cause notice are attached as Annexure-D& E.**
5. That 2nd show cause notice was issued on 10.08.2017 to the appellant on the same issue which was properly replied the appellant in which he denied all allegations. **Copy of 2nd show cause notice & reply to show cause notice are attached as Annexure-F & G.**
6. That penalty of compulsory retirement was imposed upon the appellant on 13.12.2017 against which he preferred departmental appeal on 28.12.2017 which was rejected on 27.02.2018 and communicated to the appellant 12.03.2018. **Copy of order dated 13.12.2017, Departmental Appeal & Rejection order are attached as Annexure-H,I & J.**
7. That on the basis of improper inquiry the appellant was once again compulsory retired from service vide order dated 13.01.2017 on the following grounds.

GROUNDS:

- A) That the impugned order dated 27.02.2018 and 13.12.2017 are against the law, facts, norms of justice and material on record, therefore not tenable and liable to be set aside.
- B) That no proper inquiry was conducted against the appellant as no proper chance of defence was provided to the appellant as neither statements were recorded in the presence of the appellant nor gave him the opportunity of cross examination which is clear violation of law and rules and also violation of direction of august Service Tribunal, therefore the impugned order is liable to be set aside on this ground alone.
- C) That no charge sheet was issued to the appellant before imposing major punishment of compulsory retirement from service, which is the violation of law and rules.
- D) That two show cause notices were issued to the appellant for same allegations which is not permissible under the law.
- E) That the penalty of compulsory retirement is very harsh which is passed in violation of law and therefore, the same is not sustainable in the eyes of law.
- F) That the appellant has been condemned unheard and has not been treated according to law and rules.
- G) That the appellant seeks permission to advance others grounds and proofs at the time of hearing.

It is, therefore most humbly prayed that the appeal of the appellant may be accepted as prayed for.

APPELLANT

Asad Ali

THROUGH:

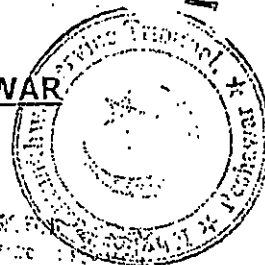
(M. ASIF YOUSAEZAI)

ADVOCATE SUPREME COURT

(TAIMUR ALI KHAN)

ADVOCATE HIGH COURT,

BEFORE THE N.W.F.P. SERVICE TRIBUNAL, PESHAWAR



AC

APPEAL NO. 758/2010

al. No. 819
Date 15/4/10

Mr. Asad Ali (Ex-PST)
GPS, Bazar Killi, Rustam Mardan.

APPELLANT

VERSUS

1. The Secretary Education (ES&E), NWFP, Peshawar.
2. The Director Education Officer (ES&E), NWFP, Peshawar.
3. The District Coordination Officer, Mardan.
4. The E.D.O. (E&SE), Mardan.

RESPONDENTS

APPEAL UNDER SECTION -4 OF THE NWFP SERVICE TRIBUNAL ACT 1974 READ WITH SECTION 10 OF THE RSO-2000. AGAINST THE ORDER DATED 5.1.2010 WHEREBY THE APPELLANT HAS BEEN REMOVED FROM SERVICE AND AGAINST NO TAKING ACTION ON THE DEPARTMENTAL APPEAL OF APPELLANT WITHIN STATUTORY PERIOD.

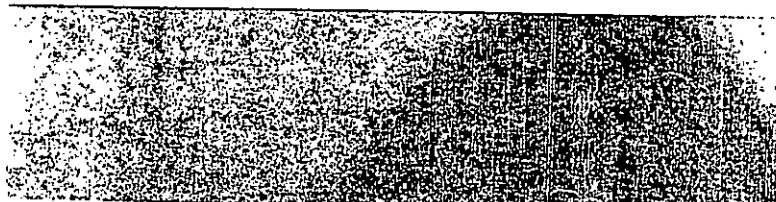
PRAYER:

THAT ON ACCEPTANCE OF THIS APPEAL, THE IMPUGNED ORDER DATED MAY BE SET ASIDE BEING PASSED IN VIOLATION OF LAW, RULES, AND NORMS OF JUSTICE AND THE APPELLANT MAY BE RE INSTATED WITH ALL BACK BENEFITS. ANY OTHER REMEDY WHICH THIS AUGUST TRIBUNAL DEEMS FIT AND PROPER THAT MAY ALSO BE AWARDED IN FAVOUR OF APPELLANT.

ATTESTED
Khalid Ali
Secretary

- FACTS BETWEEN:
1. That the appellant joined the respondent department in the year 1997 and has more than 12 years service at his credit.
 2. That on 2.11.2009 the appellant was served with a show cause notice for explaining his position against the charges mentioned

ATTESTED



Date of Order or proceedings.	Order of other proceedings with signature of Judge or Magistrate and that of parties where necessary.
2	3
11.2.2014	<p align="center"><u>Appeal No. 758/2010</u> <u>(Asad Ali-Vs-Secretary, F&SI, KPK, Peshawar and others)</u></p> <p>Appellant with counsel and AAG for the respondents present.</p> <p>After arguing the case at some length, a consensus appeared with regard to the non-sustainability of the impugned order dated 5.1.2010 whereby major penalty of removal from service was imposed upon the appellant on the basis of preliminary inquiry, without a regular inquiry, preceded by charge sheet and statement of allegations in accordance with the mandatory provisions of NWFP (KPK) Removal from Service (Special Powers) Ordinance, 2000. There are no two opinions that major penalty can be imposed only after conduct of regular inquiry and service of charge sheet and statement of allegations, whatever the nature of allegation may be.</p> <p>In view of the above, without entering into discussion on other merits of the appeal, the appeal needs to be partially accepted for denovo departmental/ inquiry proceedings in accordance with law/rules. Therefore, the appeal is partially accepted and while setting aside the impugned order dated 5.1.2010, the appellant is reinstated in service to face denovo departmental proceedings. However, in view of gravity of charge against the appellant, he shall remain suspended during the departmental/ inquiry proceedings, which shall be conducted by the competent authority in the respondent-department strictly in accordance with law, by providing proper opportunity of defence and hearing to the appellant. The departmental/inquiry proceedings be conducted within the period prescribed by the law.</p> <p>There shall, however, be no order as to costs ///</p> <p align="center">ANNOUNCED 11.2.2014</p>

Date of presentation 18-2-2014

Date of presentation 18-2-2014

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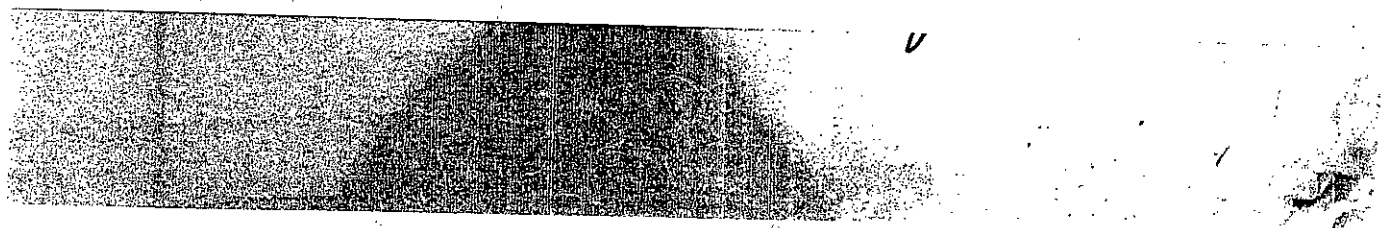
18.2.2014

Sd/-
Members

Sd/-
Chairman

ATTES

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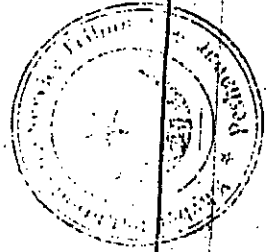


B6

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR.

SERVICE APPEAL NO. 1386/2014

Date of institution ... 01.12.2014
Date of judgment ... 13.12.2016



Asad Khan (Ex-PST)
GPS, Bazar Kili, Rustam, Mardan.

... (Appellant)

VERSUS

1. The Secretary Education (E&SE) KPK, Peshawar.
2. The Director Education (E&SE) KPK, Peshawar.
3. The District Education Officer (Male) Mardan.

... (Respondents)

APPEAL UNDER SECTION-4 OF SERVICE TRIBUNAL ACT, 1974
AGAINST THE ORDER DATED 30.08.2014 AND NOT TAKING ACTION
ON THE DEPARTMENTAL APPEAL OF THE APPELLANT WITHIN
STATUTORY PERIOD OF 90 DAYS.

Mr. Muhammad Asif Yousafzai, Advocate.
Mr. Muhammad Jan, Government Pleader

.. For appellant.
.. For respondents.

MR. ASHFAQUE TAL
MR. MUHAMMAD AAMIR NAZIR

.. MEMBER (JUDICIAL)
.. MEMBER (JUDICIAL)

JUDGMENT

ASHFAQUE TAL MEMBER:-

Asad Khan, Ex-PST hereinafter called appellant has preferred this service appeal against the order dated 30.08.2014 vide which penalty of compulsory retirement from service was imposed upon him.

2. Brief facts of the case are that the appellant was earlier removed from service on 05.01.2010 on the charges of immoral activities. That against the removal order appellant filed an appeal in this Service Tribunal which was partially accepted on 11.02.2014 and appellant was reinstated and placed suspended to face de-novo inquiry.

ATTESTED

That after conclusion of inquiry report on 30.08.2014 the penalty of compulsory retirement from service was imposed upon the appellant and hence the instant appeal.

3. At the very outset learned counsel for the appellant contended that earlier the Worthy Service Tribunal has remanded the case for de-novo departmental proceedings on 11.02.2014 with the following directions:-

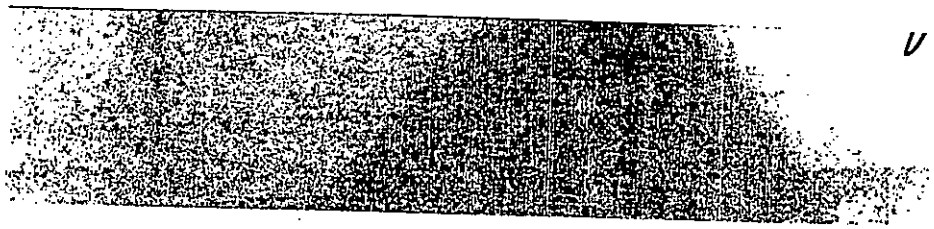
"In view of the above, without entering into discussion on other merits of the appeal, the appeal needs to be partially accepted for de-novo departmental/inquiry proceedings in accordance with law/rules. Therefore, the appeal is partially accepted and while setting-aside the impugned order dated 05.01.2010, the appellant is reinstated in service to face de-novo departmental proceedings. However, in view of gravity of charge against the appellant, he shall remain suspended during the departmental/inquiry proceedings, which shall be conducted by the competent authority and in the respondent-department strictly in accordance with law, by providing proper opportunity of defence and hearing to the appellant. The departmental/inquiry proceedings be conducted within the period prescribed by the law. There shall, however, no order as to costs."

He submitted that compliance of order of this Tribunal was still awaited and that the appellant was standing on the stage where he was left earlier. That no proper opportunity had been extended to him in de-novo inquiry for producing his defence and that neither the appellant was associated with the inquiry proceedings nor his statement recorded in presence of the appellant. Even the chance of cross examination was not provided to the appellant which was clear violation of the judgment of this Tribunal and norms of justice.

4. On the other hand, the learned Government Pleader Mr. Muhammad Jan stated that in compliance of decision passed by the Hon'ble Service Tribunal in Appeal No. 758/2010 dated 11.02.2014 the appellant was reinstated in service on 24.04.2014 and kept suspended for departmental inquiry. A two members inquiry committee was constituted, which after recording detail statements of accused official and other

ATTESTED
EXAM
K. J. Khan
Secretary

ATTESTED
[Signature]



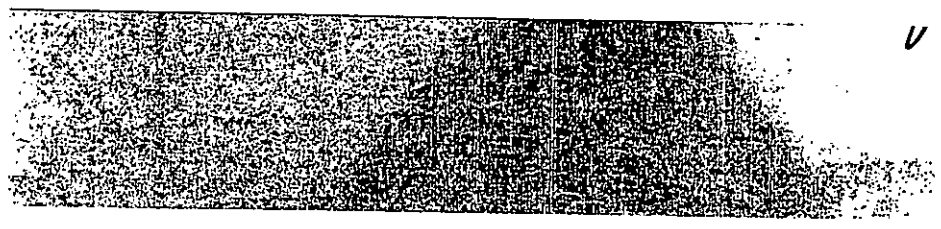
witnesses and vide detail inquiry report dated 16.07.2011 held guilty of the accused official. Proper opportunity was accorded by issuing a proper show-cause notice and that all codal formalities were fulfilled and he was further dispensed with inquiry by the competent authority and this time major penalty was imposed i.e of compulsory retirement from service vide impugned order dated 30.08.2014, hence requested that this service appeal devoid of merit may be dismissed.

5. Perusal of earlier judgment of this Tribunal dated 11.02.2014 transpires that earlier the appellant was removed from service vide order dated 05.01.2010 on the basis of preliminary inquiry without a regular inquiry and it was held that major penalty of removal from service could not be imposed without regular inquiry. This time, albeit two members inquiry committee was constituted, who after recording statements of different connected people held the accused official guilty on 16.07.2014 and show-cause notices were issued, resulting in shape of compulsory retirement. This inquiry was conducted prior to issuing show-cause notice to the appellant. No proper opportunity of defence was provided, in shape of cross-examination in this inquiry so it could be safely assumed that appellant was not associated with inquiry. In show-cause notice at para-4 the competent authority held that he had sufficient documentary evidence against appellant so he dispensed with the inquiry. This dispensation with inquiry and taking action on the basis of inquiry report, without proper opportunity of cross-examination are against the directions of this Tribunal rather it has brought the judgment of this Tribunal to naught.

6. We are of the firm opinion that the charge against the appellant is serious in nature, which needs to be unearthed by way of proper inquiry. Earlier decision of this Tribunal is still intact and the respondents have to comply in scrupulous and veracious manner. Therefore, the appeal in hand is partially accepted and the impugned order dated 30.08.2014 of compulsory retirement is set-aside. The appellant is once again reinstated in service and accordingly he shall remain suspended. Proper de-novo departmental inquiry

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ATTORNEY
[Handwritten signature]



be proceeded with absolute opportunity to appellant of defence and of cross examination and in case of non-compliance of the direction of this Tribunal would be suffice to decide the appeal in hand on the available record on merit. No order as to costs. File be consigned to the record room.

ANNOUNCED
13.12.2016

1 *Sgt Ashfaqur Taj, Member*

(M) *Sgt M. Amir Noor, Member*

Certified to be a true copy
[Signature]

Date of Presentation	05-01-2017
Number of Pages	1600
Copies of	10-0
Cost	2-0
Total	12-0
Name of Copyholder	<i>[Signature]</i>
Date of Copy	05-01-2017
Date of Delivery	05-01-2017

[Signature]

M. J. Khan
Inquiry report

11
5 C

compliance with DEO(M) Mardan No.237-38 dated 11-01-2017, the undersigned visited GPS Bazar and conducted Denove inquiry on 30-01-2017.

Proceeding:

The PSHT of GPS ^{Bazar} was informed vide letter no.24 dated 27-01-2017 to inform all the relevant personnel to be present on the due date i.e 30-01-2017. The undersigned visited on 30-01-2017, all the relevant persons were present as detail below.

1. Syed Muhammad Ayub Ex-PSHT GPS Bazar.
2. Rehman Zada Ex-PST GPS Bazar
3. Amjad Ali Ex-PST GPS Bazar
4. Nigar Ali chowkidar GPS Bazar
5. Muhammad Kashif. Student.
6. Muhammad Shoaib. Uncle of the student.
7. Mr. Farhad F/O the student was not present, according to Muhammad Shoaib uncle of Student: He is Wapda employee, performing his duties in Kohat.

a. Statement of Syed Muhammad Ayub Ex-PSHT GPS Bazar.

Syed Muhammad Ayub stated that this incident was occurred about 08 years ago on 18-03-2009. What he has written 8 years ago is still intact. He was on duty in GMS Bazar in connection with 5th class exam. In the previous statement, he has stated that in the light of Character of Asad Ali, this incident is true as he involved in such cases.

b. Statement of Rehman Zada Ex-PST GPS Bazar.

This incident was occurred on 18-03-2009. According to him, when he reached the school, Asad Ali was present in school and related the story. Kashif (student) and his uncle Shoaib also came to school. According to him, he has not seen Mr. Asad Ali in objectionable position.

c. Statement of Amjad Ali Ex-PST GPS Bazar.

According to Amjad Ali PST, when he came to school, Asad Ali was present in the school and he said that he has punished the student due to his late coming to school and the student has gone to home. Meanwhile M. Shoaib uncle of Kashif along with Kashif came to school.

We, Rehman Zada and Amjad ali tried to make reconciliation between them but invain and they reported the case to ADO circle Shamshad Ali.

d. Statement of Muhammad Kashif

According to the statement of Kashif, when we came to school, no teacher was present except Asad ali who called me to fill the water cooler and the cooler was in office. Asad Ali asked me to see out side the school Gate whether any student or teacher is there or otherwise and then come back. When he came back the teacher Asad Ali has opened his trouser, seeing that he ran

M. J. Khan
M. J. Khan

home and related the story to his mother and uncle Muhammad Shoaib. He and his uncle Shoaib came to school, where Mr. Asad Ali was standing near the gate.

e. Statement of Muhammad Shoaib Uncle of Student Kashif

According to Him he was taking tea in his home while his Bhabhe came and related about the incident. He along with Kashif came to school where Asad Ali was standing near the gate, at that time Kashif was about 12-13 years old. When he came to school he tried to beat him but he ran away to his home and sent Jarga of elders of village but he refused for reconciliation. Mr. Shoaib(uncle) also said that if he is innocent, why he sent Jarga of elders, why he begged for exoneration and if there is no safety to a child in the school, who will provide him the safety. He also stated that he has committed such like Sin in GPS Shaheedan also.

f. Statement of Chowkidar Mr. Nigar Ali

Chowkidar was terminated from service at that time and the school was running without chowkidar.

g. Statement of Asad Ali, the accused

He stated that he had not asked the student Kashif, for filling the cooler. Actually according to Asad Ali, he has beaten the student Kashif on coming late to school and he warned him for taking revenge. According to him being rural population and illiteracy the people tries to have opportunity for taking revenge and this incident also based on such basis. This is only blame according to him. He also stated that on one side(north) the school boundary wall was not available and the residents of the village used to go through the school and on other side in the presence of so many students how it was possible to do so.

On cross examination, he denied of bringing water on Kashif and stated that a few days ago he has punished the student on late coming, on which he has warned him for taking revenge. On the question of opening the trouser, he said that he cannot imagine about this.

Findings:

In the light of all the statements and despite lapse of about 8 years, the student Kashif, his uncle and the Ex-Head teacher of the school are still stand on their statements which proves the occurrence of incident.


Wisal Muhammad

SIDEO(M) Katlang/Inquiry Officer

ATTES

ROOM
Bilour Plaza, Peshawar,
Cantt: Peshawar
Cell: (0333-9103240)

12
@D
12
THE DISTRICT EDUCATION OFFICER (MALE) MARDAN

No. 1976-77/Dir.Asad AE/PSI

Date: 25-02-2012

SHOW CAUSE NOTICE

I, Zia Ud Din District Education officer (Male) Mardan as Competent Authority under the Pakhtunkhwa government servants (Efficiency & Discipline) Rules, 2011, do hereby serve you Mr. Asad Ali Ex-PST GPS Bazar Rustam, show cause notice as follows:

- You called Kashif, student of 4th class for bringing water to the office of the Head Teacher. The student entered in the Office you put off your trouser which caused sexual harassment. And you are also persistently having bad reputation for debauchery and committed such like detestable act previously with your 03 minor boy students for which you were criminally charged, as per your service record.
- In exercise of the power conferred by the KPK Govt servant (Efficiency & Discipline) rules, the Competent Authority is hereby pleased to dispense with conduct of Derve inquiry and you will show cause notice regarding your misconduct with your duty and immoral act with direction to submit your defense in writing within 15 days of the issuance of this notice why the major penalty under Rule 4(b) of the said rules should not be imposed upon you and also intimate whether you desire to be heard in person.
- In case you failed to submit your reply within the stipulated period, it will be presumed that you have no defense to offer and ex parte decision will be taken against you.

ZIA UD DIN

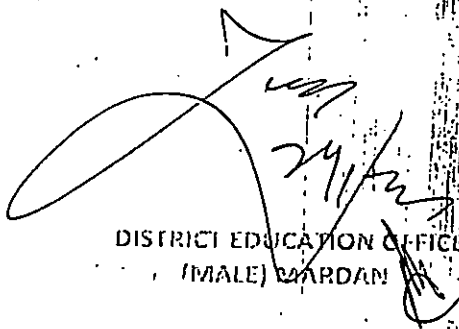
DISTRICT EDUCATION OFFICER
(MALE) MARDAN


To: Mr. Asad Ali s/o Fanoos Khan Ex-PST GPS Bazar Rustam Moh: Juna khel Village

Bazar, P/O Rustam (Registry)

Copy forwarded to:

SD: O(M) Mardan


DISTRICT EDUCATION OFFICER
(MALE) MARDAN

ATTESTED


To

The District Education Officer (Male), Mardan.

DECI

SUBJECT: **Reply to show cause notice received on dated 0N**
05.03.2017

Most profoundly, it is stated that Denovo departmental inquiry was ordered by they august Service Tribunal on 13.12.2016 with clear directions of providing absolute opportunity to me of defence and cross examination, but again inquiry was not conducted according the direction of Service Tribunal as the inquiry officer admitted himself in **para b** of the show cause that the competent authority is hereby please to dispense with of Denovo inquiry which is clear violation of Service Tribunal judgment. However my reply to show cause is as under.

- a. Incorrect. I have not made any sexual assault on the students and statement if any taken in my absence/ at my back and that too with crossed examined by me have no evidentiary value, therefore denied the same and my reputation cannot be judged without taking any statement of my co-villagers or other associate, but since no statement has been taken in my presence in this regard nor cross examined by me, therefore para 1 of show cause notice is baseless and without proof as well as based on presumption. As for the criminal charge is concerned I was acquitted by the Magistrate in that criminal charge and previously adjudicated issue cannot be based for imposing penalty especially when the acquittal is made by the competent authority and that is still remaining in field without being challenged in Superior forum, moreover the same would also be violation of article 13 of the Constitution.
- b. Incorrect. The Honourable clearly directed the department to conduct Denovo inquiry, then such like order of dispensing with the Denovo inquiry proceeding cannot be passed. Moreover I have not committed any misconduct and immoral act, therefore imposition of penalty under Rule 4 (b) is not according to law and rules.
- c. I have also not been given the copy of inquiry report along with show cause notice which amounts to great miscarriage of justice and such

ATTESTED

[Signature]

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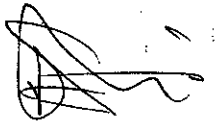
action has been declared violation of principles of justice by the superior courts.

It is most humbly prayed, that show cause notice so issued to me may be dropped/filed and I may be allowed to keep continue my service by exonerating me from the charges.


I also request for personal hearing.

Date 09-3-17

Sincerely yours
Asad Ali
PST, GPSBazar
Rustam Mardan



ATTESTED



OFFICE OF THE DISTRICT EDUCATION OFFICER (MALE) MARDAN

No. 6771 /File.Asad Ali PST

Dated: 10-08-2017

F 15

SHOW CAUSE NOTICE

I IJAZ ALI KHAN District Education officer (Male) Mardan as Competent Authority under the Khyber Pakhtunkhwa government servants (Efficiency & Discipline) Rules, 2011, do hereby serve you Mr. Asad Ali Ex-PST GPS Bazar Rustam, show cause notice as follows:

- a. WHERE As, you Mr. Asad Ali while serving as PST BPS-12 at GPS Bazar on 18-03-2009 at 08:00 AM asked Kashif, the student of Grade-4 to fill the water cooler lying in the office of the head teacher. As the student entered the office, you put off your trouser with intent to sexually assault the boy student.
- b. WHERE As, you are also persistently having bad reputation for debauchery and for which you were criminally charged though later on acquitted by the Magistrate due to the failure of prosecution.
- c. Where As, a Denve inquiry was conducted by the inquiry officer against you in the light of court order issued from the Honorable Service Tribunal Khyberpakhtunkhwa, Peshawar. Where in you were proved guilty of the charges.
- d. By reason of the above you appear to be guilty of misconduct under the E^D revised rules 2011 (Removal from service) and have rendered yourself to be all or any of the penalties specified in the E^D revised rules 2011 (Removal from service.).
- e. Therefore in view of the above facts I have tentatively decided to impose upon you the major penalty of compulsory retirement from service. You are therefore required to submit your written defense within 07 days of the receipt of this show cause notice as to why should not the aforesaid penalty be imposed upon you failing which it shall be presumed that you have no defense to put in that case, ex-parte action will be taken against you.
- f. Intimate whether you desired to be heard in person if so, appear before the undersigned within 07 days of the receipt of this show cause notice.

sd
(IJAZ ALI KHAN)

DISTRICT EDUCATION OFFICER
(MALE) MARDAN

To Mr. Asad Ali s/o Fanoos khan Ex-PST GPS Bazar Rustam Moh:Juna khel Village
Bazar, P/O Rustam (Registry)

Asad Ali 21/8/17
DISTRICT EDUCATION OFFICER
(MALE) MARDAN

ATTESTED
[Signature]

To
The DEO (M) Mardan

G (16)

SUBJECT: Reply to show cause received on dated 19.8.2017

Most profoundly it is stated that denovo inquiry was ordered by Hon'able Tribunal on 13.12.2016 with clear directions of providing proper opportunity of defence and hearing to me, but again no proper inquiry with proper defence to me was conducted, even copy of inquiry report has not been given to me along with show cause for proper defence, which is not only the violation of natural justice, but also of various judgments of Superior Courts. However my reply to show cause is as under.

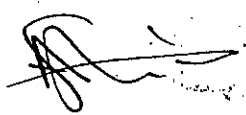
1. Incorrect. I have not made any sexual assault on the students and statement if any taken in my absence/ at my back and that too without cross examined by me have no evidentiary value, Therefore denied the same.
2. Incorrect and baseless. My reputation can't be judged without taking statements of my co-villagers or other associates, but since no statement has been taken in my presence in this regard nor cross examined by me, therefore para 2 of show cause is baseless and with out proof as well as based on presumption. As for the question of acquittal by Magistrate is concerned, in this regard the law is very clear that no one can axed twice for an offence, especially when the acquittal is made by competent forum and that is still remaining in field without being challenged in Superior fora, moreover the same would also be violation of Article 13 of Constitution.
3. Incorrect and misconceived. The Hon'able Tribunal set aside the previous punishment, which was based on preliminary inquiry and ordered a denovo inquiry with full defence opportunity to me, but again no proper defence was provided to me nor any statement taken in my presence, therefore again the whole inquiry proceeding is null and void.
4. Incorrect. When the Hon'able Tribunal directed for a regular full fledged inquiry, then such like order of dispensing with the inquiry proceeding can't be passed.

ATTESTED

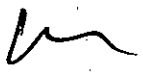
5. Incorrect and misconceived. As stated above no proper inquiry with proper chance of defence to me was conducted as directed by Hon'able Tribunal, therefore someone can't be held guilty on presumption and with out obtaining proper evidence. It is also stated that E&D Rules 1973 have already been stood repealed on 16.9.2011. Similarly Removal from Service Ordinance (RSC) 2000) repealed on 15.9.2011, and there is no law of removal from Service 2011 exists. So the punishment imposed if any would be illegal

6. I also request for personal hearing.

It is most humbly prayed that show cause so issued to me may be dropped/filed and I may be allowed to keep continue my service by exonerating me from the charges..

Date: 
22-8-17

Sincerely yours
Asad Ali
PST, GPS Bazar
Rustam Mardan.

ATTESTED


OFFICE OF THE DISTRICT EDUCATION OFFICER (MALE) MARDAN

NOTIFICATION

I Ijaz Ali Khan District Education officer (Male) Mardan as Competent Authority under the Khyber Pakhtunkhwa Government servants (Efficiency & Discipline) Rules, 2011, do hereby serve Mr. Asad Ali PST GPS Bazar Rustam, follows:

- Where As Mr. Asad Ali PST GPS Bazar Rustam involved in immoral activities.
- And Where As a Denve inquiry was conducted in the light of Honorable Service Tribunal Khyberpakhtunkhwa Peshawar decision issued on 13-12-2016.
- And Where As In the light of inquiry report, a show cause notice regarding involvement in i activities penalty was tentatively proposed under rules 4(b) of Khyberpakhtunkhwa Govt servai rules 2011.
- And where As your response to the show cause notice was not satisfactory.
- And Where As you were directed to attend the office of the undersigned for personal hearing.
- And where As you attend the office of the undersigned for personal hearing.
- And where As the Competent Authority is not satisfied from your written statement at the personal hearing, after having considered the charges and evidence on record.
- And Where As you found guilty of gross misconduct under KPK Govt servant E&D rules 2011.

Now in exercise of the power conferred to me under rules 4(b) sub rules (II) of the KPK Govt servai rules 2011, being competent authority is pleased to impose the major penalty of Compulsory Retirement the service upon Mr. Asad Ali PST GPS Bazar Rustam w.e.f 05-01-2010.

SA

(Ijaz Ali Khan)
District Education Officer
(Male) Mardan

Endst: No. 11061/R P.F

Dated 13/12/2017

Copy forwarded to the:-

1. Registrar, Service Tribunal Khyberpakhtunkhwa Peshawar for information in Service appeal No. 1386/2014.
2. SDEO(M) Mardan
3. District Accounts Officer Mardan.
4. Mr. Asad Ali PST GPS Bazar Rustam.

[Signature]

District Education Officer
(Male) Mardan

ATTESTED

To

The Director (E&SE),
Khyber Pakhtunkhwa Peshawar.

**SUBJECT: DEPARTMENTAL APPEAL AGAINST THE ORDER
DATED 13.12.2017, WHEREBY THE APPELLANT
WAS COMPULSORY RETIREMENT FROM
SERVICE.**

Respected Sir,

1. That the appellant was removed from service on 5.1.2010 on the charges on immoral activities against which the appellant filed service appeal which was partially accepted on 11.2.2014 and the appellant was reinstated and placed to face denovo inquiry. After conclusion of inquiry report on 30.08.2014 the penalty of compulsory retirement from service was imposed upon the appellant.
2. That against the compulsory retirement the appellant again filed service peal No.1386/2014 which was decided on 13.12.2016 by the Honourable Service Tribunal and the august Service tribunal partially accept the appeal and set aside the impugned order of compulsory retirement reinstate the appellant and proper departmental inquiry be proceeded with absolute opportunity to the appellant of defence and cross examination.
3. That on the basis of judgment of Service Tribunal, the appellant was reinstated on 18.1.2017 and show cause notice was issued to the appellant on 25.2.2017 in which DEO (male) Mardan mentioned that the competent authority is hereby pleased to dispense with conduct denovo inquiry. The appellant properly replied the show cause notice in which he denied all allegations.
4. That denovo inquiry was conducted against the appellant in which no proper opportunity of defence was provided to the appellant as no statement was recorded in the presence of the appellant neither the appellant has given the opportunity of cross examination but despite that the appellant was held responsible by the inquiry officer.
5. That 2nd show cause notice was issued to the appellant on the same issue which was properly replied the appellant in which he denied all allegations.
6. That on the basis of improper inquiry the appellant was once again compulsory retired from service vide order dated 13.1.2017. *copy of order dated 13.12.17 is attached as enclosure B.*

ATTESTED

[Signature]

695
29/12/17

I

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7. That now the appellant wants to file departmental appeal against the order dated 13.12.2017 on the following grounds.

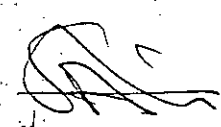
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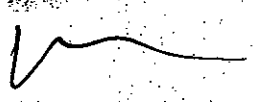
GROUND:

- A) That the impugned order dated 13.12.2017 is against the law, rules, facts and material on record, therefore not tenable and liable to be set aside.
- B) That no regular inquiry was conducted against the appellant as no proper chance of defence was provided to the appellant as neither statements were recorded in the presence of the appellant nor gave him the opportunity of cross examination, which is clear violation of law and rules and also violation of direction of august Service Tribunal, therefore the impugned order is liable to be set aside on this ground alone.
- C) That no charge sheet was issued to the appellant before imposing major punishment of dismissal from service, which is the violation of law and rules.
- D) That two show cause notices were issued to the appellant for same allegations which is not permissible under the law.
- E) That the penalty of compulsory retirement is very harsh which is passed in violation of law and, therefore, the same is not sustainable in the eyes of law.
- F) That the appellant has been condemned unheard and has not been treated according to law and rules.

It is therefore, most humbly requested that on acceptance of this departmental appeal the impugned order dated 13.12.2017 may be set aside and reinstate the appellant with all back and consequential benefits.

Date: 28-12-17


Appellant
Asad Ali Ex- PST,
Rustam Mardan.

ATTESTED




**DIRECTORATE OF ELEMENTARY AND SECONDARY
EDUCATION KHYBER PAKHTUNKHWA.**

No. 4786/F.No.162/Vol:XI/Appeal of
PST(M)General.
Dated Peshawar the 27/2/2018.

To:

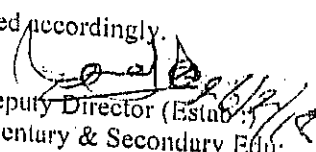
The District Education Officer (M)
Mardan..

Subject:- **DEPARTMENTAL APPEAL.**

Memo:-

I am directed to refer to your letter No.880 dated 30.01.2018 on the subject cited above and to state that the appeal of Mr. Asad Ali Ex-SPST GPS Rustam Mardan in light of DEO(M) Mardan report is hereby rejected.

I am further directed to ask you to inform the teacher concerned accordingly.

J. 30.1.18

Deputy Director (Estab.)
Elementary & Secondary Edu:
Khyber Pakhtunkhwa Peshawar.
23/2/18


Endst: No. _____

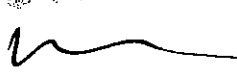
OFFICE OF THE DISTRICT EDUCATION OFFICER (MALE) MARDAN

Endst: No. 2104-5 /Dated: 12-3-/2018

Copy for information is forwarded to the:-

1. Director E&SE Khyberpakhtunkhwa Peshawar with above cited letter No. and date.
2. SDEO(M) Mardan.
3. Asad Ali s/o Fanoos Khan, Ex-PST GPS Rustam R/O Moh: Juna Khel, Village Bazar, P/o Rustam


DISTRICT EDUCATION OFFICER
(MALE) MARDAN

ATTESTED


VAKALAT NAMA

NO. _____/20

IN THE COURT OF Service Tribunal Peshawar

Asad Ali (Appellant)
(Petitioner)
(Plaintiff)

VERSUS

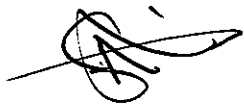
Education Deptt. (Respondent)
(Defendant)

I/We, Asad Ali

Do hereby appoint and constitute **M. Asif Yousafzai, Advocate Supreme Court Peshawar**, to appear, plead, act, compromise, withdraw or refer to arbitration for me/us as my/our Counsel/Advocate in the above noted matter, without any liability for his default and with the authority to engage/appoint any other Advocate/Counsel on my/our costs.


I/We authorize the said Advocate to deposit, withdraw and receive on my/our behalf all sums and amounts payable or deposited on my/our account in the above noted matter. The Advocate/Counsel is also at liberty to leave my/our case at any stage of the proceedings, if his any fee left unpaid or is outstanding against me/us.

Dated _____/20



(CLIENT)

ACCEPTED


M. ASIF YOUSAFZAI
Advocate Supreme Court
Peshawar.


Taimur Ali Khan
Advocate High Court


Syed Nauman Ali Bukhari
Advocate

OFFICE:
Room # FR-8, 4th Floor,
Bilour Plaza, Peshawar,
Cantt: Peshawar
Cell: (0333-9103240)

307
40
6-6-18

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR

Service Appeal No: 448/2018

Asad Ali (Ex- PST) Rustam MardanAppellant.

VERSUS

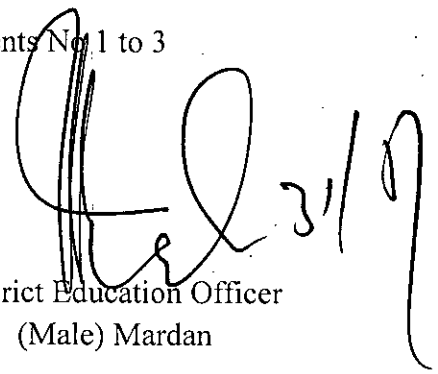
Govt of KPK through Secretary Elementary & Secondary Education KPK &
OthersRespondents.

INDEX

S.NO	DESCRIPTION OF DOCUMENTS	ANNEXURE	PAGES	
1.	Para wise comments along with affidavit		01	04
4	copy of Enquiry Report	"A"	05	06
5	copy of compulsory retirement	"B"	07	--
6	copy of personal hearing	"C"	08	11

Respondents No 1 to 3

Through


District Education Officer
(Male) Mardan

Dated:

31/8/18

lit - 11

362
8-6-2018

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BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR

Service Appeal No: 448/2018

Asad Ali (Ex- PST) Rustam MardanAppellant.

VERSUS

Govt of KPK through Secretary Elementary & Secondary Education KPK &
OthersRespondents.

Para Wise Comments on Behalf of Respondents No 1 to 3.

Respectfully, Sheweth,

PRELIMINARY OBJECTIONS:

1. That the appellant has got no cause of action as well as locus standi, to file the instant appeal.
2. That the instant appeal is incompetent in its present form, hence the appeal is liable to be dismissed.
3. That the instant appeal is badly time barred.
4. That the appeal is not maintainable in its present form.
5. That the appellant has not come to this Honorable Tribunal with clean hands.
6. That the appellant is estopped by his own conduct.
7. That the appellant has concealed the material facts from this Honorable tribunal hence the appeal is liable to be dismissed.
8. That the instant appeal is against the prevailing law and rules.

FACTS:

1. Para No 1 pertains to record, hence need no comments.
2. Para No 2 pertains to record, hence need no comments.
3. Para No 3 is incorrect, baseless, against law and facts as after passing decisions by the Honorable Service Tribunal in Appeal No 1386/2014 dated 13-12-2016, the respondent No 3 fully obeyed the directions of Hon'ble Service Tribunal in true letter and spirit, and conducted another enquiry about the subject matter, after conducting the De-novo enquiry, the allegations of immoral acts were proved against the appellant by the statement which is recorded in the De-novo enquiry. The appellant was again declared to be compulsory retired after adopting proper procedure of being heard and defence to the appellant, hence


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denied. (Copy of enquiry, compulsory retirement & personal hearing is as Annex "A", "B" & "C").

4. Para No 4 pertains to record, hence need no comments.
5. Para No 5 pertains to record, hence need no comments.
6. Para No 6 pertains to record, hence need no comments.
7. Para No 7 need no comments, However detail reply of the grounds is as under:

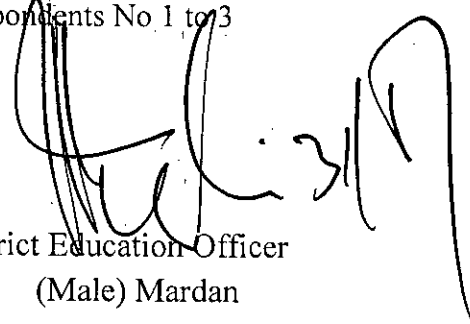
GROUND:


- A. Para A is incorrect, baseless, against fact & law, as the order dated 27-02-2018 and 13-12-2017 issued on the basis of proofs of charges leveled against the appellant which proved during the De-novo enquiry, hence denied.
- B. Para B is incorrect, baseless, against facts as proper enquiry was conducted against the appellant and proper opportunity has been given to the appellant for his defence, hence denied.
- C. Para C is incorrect, baseless, against law and facts as the major penalty compulsory retirement is sustainable in the eye of law, according to the charges leveled and proved against the appellant, hence denied.
- D. Para D is incorrect, baseless, against the fact & law, as the respondent being responsible government officers acted in accordance with law, hence denied.
- E. Para No E is incorrect, baseless, against fact as the penalty of the compulsory retirement is not harsher than the immoral act done by the appellant which is proved against him, hence denied.
- F. Para F is incorrect, baseless, against fact as the appellant has not been condemned unheard and the appellant has given full and proper opportunity of his defence, hence denied.
- G. That the respondent seeks permission to raise additional grounds at the time of arguments.

It is therefore humbly prayed that in the light of above facts, the appeal may please be dismissed with cost.


Director E & S E,
Peshawar. 2

Respondents No 1 to 3
Through


District Education Officer
(Male) Mardan


Secretary E & S E,
Peshawar KPK.

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BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR

Service Appeal No: 448/2018

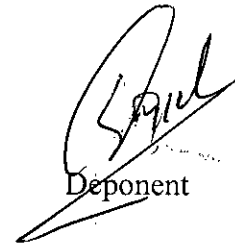
Asad Ali (Ex- PST) Rustam MardanAppellant.

VERSUS

Govt of KPK through Secretary Elementary & Secondary Education KPK &
OthersRespondents.

AFFIDAVIT

I, Mr Sajid Khan Litigation Officer Education Department Mardan do hereby solemnly affirm and declare that the contents of Para Wise Comments submitted by on behalf of Respondents No 1, 2 and 4 are true to the best of my knowledge and belief and nothing has been concealed from this Honorable Court.


Deponent

Sajid Khan
16101-6005318-5

Inquiry report

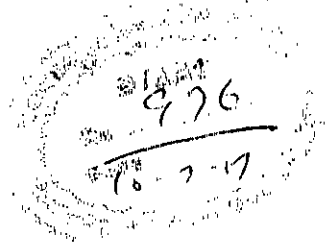
In compliance with DEO(M) Mardan No.237-38 dated 11-01-2017, the undersigned visited GPS Bazar and conducted Denove inquiry on 30-01-2017.

Proceeding:

The PSHT of GPS/^{Bazar} was informed vide letter no.24 dated 27-01-2017 to inform all the relevant personnel to be present on the due date i.e 30-01-2017.

The undersigned visited on 30-01-2017, all the relevant persons were present as detail below.

1. Syed Muhammad Ayub Ex-PSHT GPS Bazar.
2. Rehman Zada Ex-PST GPS Bazar
3. Amjad Ali Ex-PST GPS Bazar
4. Nigar Ali chowkidar GPS Bazar
5. Muhammad Kashif, Student.
6. Muhammad Shoaib, Uncle of the student.
7. Mr. Farhad F/O the student was not present, according to Muhammad Shoaib uncle of Student; He is Wapda employee, performing his duties in Kohat.

**a. Statement of Syed Muhammad Ayub Ex-PSHT GPS Bazar.**

Syed Muhammad Ayub stated that this incident was occurred about 08 years ago on 18-03-2009. What he has written 8 years ago is still intact. He was on duty in GMS Bazar in connection with 5th class exam. In the previous statement, he has stated that in the light of Character of Asad Ali, this incident is true as he involved in such cases.

b. Statement of Rehman Zada Ex-PST GPS Bazar.

This incident was occurred on 18-03-2009. According to him, when he reached the school, Asad Ali was present in school and related the story. Kashif (student) and his uncle Shoaib also came to school. According to him, he has not seen Mr. Asad Ali in objectionable position.

c. Statement of Amjad Ali Ex-PST GPS Bazar.

According to Amjad Ali PST, when he came to school, Asad Ali was present in the school and he said that he has punished the student due to his late coming to school and the student has gone to home. Meanwhile M. Shoaib uncle of Kashif along with Kashif came to school.

We, Rehman Zada and Amjad ali tried to make reconciliation between them but invain and they reported the case to ADO circle Shamshad Ali.

d. Statement of Muhammad Kashif

According to the statement of Kashif, when we came to school, no teacher was present except Asad ali who called me to fill the water cooler and the cooler was in office. Asad Ali asked me to see out side the school Gate whether any student or teacher is there or otherwise and then come back. When he came back the teacher Asad Ali has opened his trouser, seeing that he ran

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home and related the story to his mother and uncle Muhammad Shoaib. He and his Shoaib came to school, where Mr. Asad Ali was standing near the gate.

c. Statement of Muhammad Shoaib Uncle of Student Kashif

According to Him he was taking tea in his home while his Bhabhe came and related about the incident. He along with Kashif came to school where Asad Ali was standing near the gate, at that time Kashif was about 12-13 years old. When he came to school he tried to beat him but he ran away to his home and sent Jarga of elders of village but he refused for reconciliation. Mr. Shoaib(uncle) also said that if he is innocent, why he sent Jarga of elders, why he begged for exoneration and if there is no safety to a child in the school, who will provide him the safety. He also stated that he has committed such like Sin in GPS Shaheedan also.

f. Statement of Chowkidar Mr. Nigar Ali

Chowkidar was terminated from service at that time and the school was running without chowkidar.


g. Statement of Asad Ali, the accused

He stated that he had not asked the student Kashif for filling the cooler. Actually according to Asad Ali, he has beaten the student Kashif on coming late to school and he warned him for taking revenge. According to him being rural population and illiteracy the people tries to have opportunity for taking revenge and this incident also based on such basis. This is only blame according to him. He also stated that on one side(north) the school boundary wall was not available and the residents of the village used to go through the school and on other side in the presence of so many students how it was possible to do so.

On cross examination, he denied of bringing water on Kushif and stated that a few days ago he has punished the student on late coming, on which he has warned him for taking revenge. On the question of opening the trouser, he said that he cannot imagine about this.

Findings:

In the light of all the statements and despite lapse of about 8 years, the student Kashif, his uncle and the Ex-Head teacher of the school are still stand on their statements which proves the occurrence of incident.


Wisal Muhammad
SDEO(M) Katlang/Inquiry Officer

Annex B

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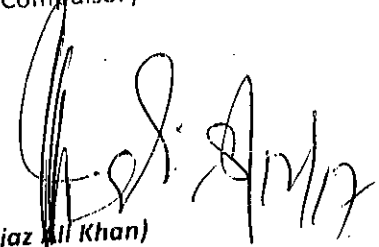
OFFICE OF THE DISTRICT EDUCATION OFFICER (MALE) MARDAN

NOTIFICATION

I Ijaz Ali Khan District Education officer (Male) Mardan as Competent Authority under the Khyber Pakhtunkhwa Government servants (Efficiency & Discipline) Rules, 2011, do hereby serve Mr. Asad Ali PST GPS Bazar Rustam, follows:

- Where As Mr. Asad Ali PST GPS Bazar Rustam involved in immoral activities.
- And Where As a Denve inquiry was conducted in the light of Honorable Service Tribunal Khyberpakhtunkhwa Peshawar decision issued on 13-12-2016.
- And Where As In the light of inquiry report, a show cause notice regarding involvement in immoral activities penalty was tentatively proposed under rules 4(b) of Khyberpakhtunkhwa Govt servant E&D rules 2011.
- And where As your response to the show cause notice was not satisfactory.
- And Where As you were directed to attend the office of the undersigned for personal hearing.
- And where As you attend the office of the undersigned for personal hearing.
- And where As the Competent Authority is not satisfied from your written statement at the time of personal hearing, after having considered the charges and evidence on record.
- And Where As you found guilty of gross misconduct under KPK Govt servant E&D rules 2011.

Now in exercise of the power conferred to me under rules 4(b) sub rules (II) of the KPK Govt servant E&D rules 2011, being competent authority is pleased to impose the major penalty of Compulsory Retirement from the service upon Mr. Asad Ali PST GPS Bazar Rustam w.e.f 05-01-2010.

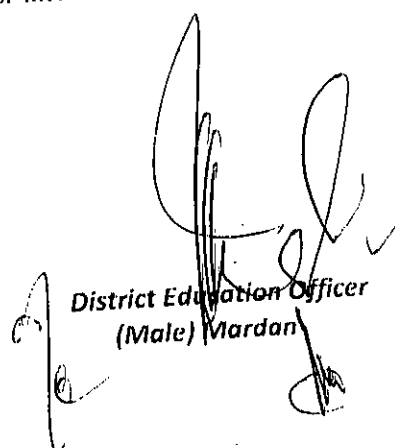

(Ijaz Ali Khan)
District Education Officer
(Male) Mardan

Endst: No. 11061/R P.F

Dated 13/12 2017.

Copy forwarded to the:-

1. Registrar, Service Tribunal Khyberpakhtunkhwa Peshawar for information in Service appeal No.1386/2014.
2. SDEO(M) Mardan
3. District Accounts Officer Mardan.
4. Mr. Asad Ali PST GPS Bazar Rustam.


District Education Officer
(Male) Mardan

Annex C

(8)

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Registered

OFFICE OF THE DISTRICT EDUCATION OFFICER
(MALE) MARDAN

No. 8195 / Dated 27-9-2017

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TO

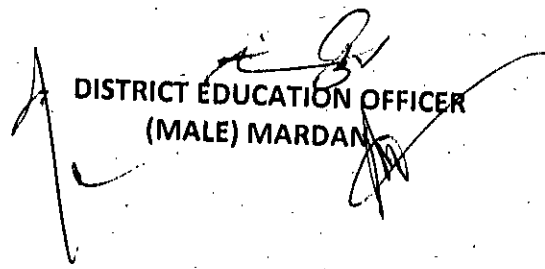
Mr. Asad Ali s/o Fanoos Khan
Moh: Juna khel village Bazar p/o Rustam, Mardan.

Subject:

PERSONAL HEARING

Memo:

You are hereby directed to attend the office of the undersigned on any working day within a week time for personal hearing.


DISTRICT EDUCATION OFFICER
(MALE) MARDAN

15/10



Personal Hearing of Mr. Asad Ali (PST) Ex-
Gps Bazar Rustam dated 09-11-2017

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P-1

Q No. 1. original CNIC No: 16101-1297749-7

185

Asad Ali s/o Faras Khan

Present Address: Mahalla Ajoon Khel, Bazar, P/o Rustam
Tal & Dist Nardan.

Q No. 1. Have you copy of court case?

Ans: Yes, I have copy of court judgement dated
13/12/2016.

Q No. 2. Mr. Asad Ali, on 18-3-2009, Mr. Kashif a
student of 4th class of Gps Bazar Blamed
you with immoral ^{act} attitude with him.

Ans: on 18-3-2009, as usual I attended the school
at 8:00 AM, as there was no teacher at the
school at that time, I recorded the
attendance of all the ~~class~~ class.

post of chowkidar was vacant in the
school. for this reason the water filling
for the classes was made by class monitors,
I have not asked Mr. Kashif (student)
to fill the water cooler, as we have enmity
with their parents in our locality.

P.T.O

The said student is our relative also.

He blamed me taken the advantage of this opportunity.

There were 120 students in the school. It is most difficult to do such immoral act with the student in the presence of 120 students.

It is the nature of students that in presence of teacher they remain inside the class and in the absence of teacher they make their mischievous.

As the morning time, there is rush of students in and out of classrooms.

The school Bopla was destroyed, and the villagers have to use the school ground as thoroughfare. It was impossible to do such an act with such unsafe conditions of the school.

I am resident of that village, and the villagers have enmity with each other. The parents of the students are our neighbours and have enmity with us on land issues so they take the opportunity.

our culture we do not blame each other
for such act which effecting our children?
What is your opinion?


P-3

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Ans. If the act was true, they may make quarrel
with me, and have to kill me. In previous
(near past) there were some FIRs logged
against me, on the basis of which they
blammed me.

Q. Is there any FIR against you logged by
parents of students?

Ans. No.


09/11/17 Adad Ali
S.P.S. Bazar

W

844/18
Before Khyber Pakhtunkhwa Service Tribunal, Peshawar

Appeal No. 448/2018

Asad Ali (Ex-PST) Rustam, Mardan.

.....APPELLANT

VERSUS

Govt of KPK through Secretary Elementary & Secondary Education Khyber Pakhtunkhwa & others.

..... RESPONDENTS

REJOINDER ON BEHALF OF APPELLANT

PRELIMINARY OBJECTIONS:

All objections raised by respondents are incorrect and baseless rather estopped by their own conduct.

Respectfully Sheweth,

FACTS:

1. Admitted correct as the fact pertaining to the service record available with respondents department.
2. Admitted correct as the fact pertaining to the service record available with respondents department.
3. Incorrect, hence denied. De-novo enquiry was ordered by Service Tribunal through its decision in the service appeal no. 1386/2014 and directed the respondent's department to conduct proper regular enquiry satisfying the codal procedure but department fails to adopt a proper procedure by affording appelland full opportunity of defense and cross examination the witness which made enquiry null and void in the eyes of law. Hence, penalty order of compulsory retirement in violation of law is not tenable in the eyes of law.

4. Admitted correct as the fact pertaining to the service record available with respondents department.
5. Admitted correct as the fact pertaining to the service record available with respondents department.
6. Admitted correct as the fact pertaining to the service record available with respondent's department.
7. That the penalty order of compulsory retirement is illegal, unlawful and liable to be set aside on the grounds inter alia:


GROUND:

- A. Incorrect, hence denied. Orders dated 27.02.2018 and 13.12.2018, on the basis of defective enquiry, are null and void in the eyes of law, hence liable to be dismissed.
- B. Incorrect, while para-B of appeal is correct.
- C. Reply being irrelevant is liable to be struck down.
- D. Incorrect. Law does not permit to issue two show cause notices on the same charges, hence illegal act of government warrants to be set aside.
- E. Incorrect while Para-E of appeal is correct.
- F. Incorrect while Para-F of appeal is correct.
- G. Being legal.


It is, therefore, most humbly prayed that a appeal may kindly be accepted as prayed for.

Through


APPELLANT


M. Asif Yousafzai
Advocate Supreme Court

Asad Mahmood
Advocate High Court


Noman Bukhari
Advocate High Court

Taimur Ali Khan
Advocate High Court

AFFIDAVIT

It is solemnly affirm that contents of this appeal are true and correct to the best of my knowledge and belief.


DEPONENT

ATTESTED



۱۶/۴
گورنمنٹ جنرل سٹیٹس سروس ٹریبونل KPC سٹیٹس سروس

اسٹریٹ جی ایچ او

درخواست نمبر ۱۰۰۰/۲۰۲۰

صاحب علی درخواست صوبائی ٹی این ہے۔

۱۔ ایک ریٹیل عمارت میں ایک کارکن سٹیٹس عورت ہے۔

۲۔ بیکر سٹیٹس کا ریٹیل ایک عمارت میں شہرہ نامی عورت

شہرہ میں معروف ہے۔

اس کے ساتھ ساتھ درخواست عمارت نامی

سٹیٹس تبدیل کرانے کے احکام صادر و قابل ہے۔

۲۸-۲-۲۰۲۰

اسٹریٹ جی ایچ او

(4)

**BEFORE THE KHYBER PAKHTUNKHWA SERVICES TRIBUNAL PESHAWAR
AT CAMP COURT SWAT**

Service Appeal No. 1204/2019
Date of Institution ... 30.09.2019
Date of Decision ... 08.02.2023



Fakhr Alam Shah S/O Nisar Bacha (Ex-Constable No. 247 Buner Police)
Resident of Village Gadar, Mardan. ... (Appellant)

VERSUS

The District Police Officer, Buner and 01 another. ... (Respondents)

MS. UZMA SYED,
Advocate

For appellant.

MR. MUHAMMAD RIAZ KHAN PAINDAKHEL,
Assistant Advocate General

For respondents:

MR. SALAH-UD-DIN
MR. MUHAMMAD ANWAR KHAN

MEMBER (JUDICIAL)
MEMBER (EXECUTIVE)

JUDGMENT:

SALAH-UD-DIN, MEMBER:- Precisely stated the facts surrounding the instant service appeal are that the appellant was appointed as Constable in Police Department vide order dated 09.03.2009. The appellant was dismissed from service by the District Police Officer on 11.08.2014 on the basis of a complaint filed by one Sher Zamin alleging therein that the appellant had attempted to commit sodomy upon his nephew namely Bilal Khan. The appellant challenged his penalty through filing of Service Appeal bearing No. 241/2015 before this Tribunal, which was allowed vide judgment dated

REGISTERED

Member (Judicial)
Khyber Pakhtunkhwa Services Tribunal
Peshawar

06.11.2017 with the directions to the respondent to hold de-novo inquiry within a period of four months, failing which the appellant shall be deemed to have been reinstated in service. De-novo inquiry was thus conducted in the matter and the appellant was again dismissed from service vide order dated 12.02.2018. The appellant after availing departmental remedy, has now approached this Tribunal through filing of instant service appeal for redressal of his grievance.

2. Notices were issued to the respondents, who submitted their para-wise comments, wherein they denied the assertions raised by the appellant in his appeal.

3. Learned counsel for the appellant has addressed her arguments supporting the grounds raised by the appellant in his service appeal. On the other hand, learned Assistant Advocate General for the respondents has controverted the arguments of learned counsel for the appellant and has supported the comments submitted by the respondents.

4. Arguments have already been heard and record perused.

5. A perusal of the record would show that during the de-novo inquiry, Mr. Darvesh Khan Head of Investigation Buner issued show-cause notice to the appellant on 10.01.2018, wherein it is mentioned that he being competent Authority had decided to proceed against the appellant in general Fdlo proceedings without aid of inquiry officer. Similarly, grounds of action were also conveyed to the appellant, however later on statement of allegations and charge sheet were issued to the appellant on 15.01.2018, by the same Darvesh Khan

ATTESTED


 NAME
 Tribunal
 2000

Head of the Investigation Buner. While going through the contents of statement of allegations, we have observed that on one hand, Mr. Darvesh Khan Head of Investigation issuing the same as competent Authority but on the other hand he is also an inquiry officer in the matter. If Mr. Darvesh Khan was an inquiry officer in the matter, then he was legally not competent to issue statement of allegations and charge sheet to the appellant as it was the job of the competent Authority and not the inquiry officer. It is also interesting to note that the inquiry officer has issued final show-cause notice to the appellant on 16.01.2018, which was the job of the competent Authority. Furthermore, charge sheet as well as statement of allegations were issued to the appellant on 15.01.2018 and whole exercise of de-novo inquiry was completed by submitting inquiry report to the District Police Officer Buner on 19.01.2018. While going through the available record, we have observed that inquiry proceedings were conducted in a hasty and slipshod manner without complying the mandatory provisions of Police Rules, 1975 rendering the impugned order of dismissal of the appellant as void ab-initio. One of the main dent in the previous inquiry proceedings as pointed out in the judgment rendered in previous service appeal of the appellant was non-provision of an opportunity to the appellant for cross-examination of the witnesses examined during the inquiry. It is, however, astonishing that as per the available record, the appellant was again not provided any opportunity of cross-examination of complainant namely Sher Zamin. Although, the complainant Sher Zamin has been cross-examined, however it



TESTED
 [Signature]
 District Police Officer
 Buner

7

appears that order examination has been conducted by the inquiry officer and not the complainant. As far as the question of limitation is concerned, the same would not be attracted in the instant case for the reason that the impugned order dated 12.02.2018 is void ab-initio and no limitation runs against a void order.

6. According to the charge sheet as well as statement of allegations, complainant's nephew namely Bilal was taken by the appellant to a field for sodomy, however in his statement recorded during the inquiry, complainant namely Sher Zamin has not at all mentioned that his nephew was taken by the appellant to a field for commission of sodomy. Moreover, in case any attempt was made by the appellant for commission of sodomy upon Bilal, it is not understandable that why any FIR was not registered against the appellant.

7. In view of the above discussion, orders dated 12.02.2018, 14.06.2018 and 04.12.2018 are set-aside and the appellant stands reinstated in service with all back benefits. Parties are left to bear their own costs. File be consigned to the record room.

ANNOUNCED
08.02.2023

(MUHAMMAD AKBAR KHAN)
MEMBER (EXECUTIVE)
CAMP COURT SWAT

(SALAH-UD-DIN)
MEMBER (JUDICIAL)
CAMP COURT SWAT

Certified to be true copy

MEMBER
Number
Service Tribunal
Peshawar

Date of Presentation of Application

Number of Pages 5

Copying Fee 25/-

Urgent 5/-

Total 30/-

Name of

Date of Completion

Date of Delivery of Copy

28/2/23

28/2/23
28/2/23

Personal Hearing of Mr. Asad Ali (PST) Ex-
Gps Bazar Rustom dated 09-11-2017

30

P-1

Q No. 1 original CNIC No: 16101-1297749-7

185

Asad Ali s/o Fanos Khan
Present Address: Mahalla Aqoon Khol, Bazar, P/o Rustom
Tal & Dist Mandana

Q No. 1. Have you copy of court case?

Ans: Yes, I have copy of court judgement dated
13/12/2016.

Q No. 2. Mr. Asad Ali, on 18-3-2009, Mr. Kashif a.
Student of 6th class of Gps Bazar Blamed
you with immoral ^{act} attitude with him.

Ans: on 18-3-2009, as usual I attended the school
at 8:00 AM, as there was no teacher at the
school at that time, I recorded the
attendance of all the ~~6th~~ class
part of ~~classroom~~ was vacant in the
school. For this reason the water filling
for the classes was made by class monitors.
I have not asked Mr. Kashif (Student)
to fill the water cooler, as we have enmity
with their parents in our locality.

P.T.O

U.T - 11



The said student is our relative also.

He blamed me taken the advantage of the opportunity.

There were 120 students in the school.

It is most difficult to do such immoral act with the student in the presence of 120 students.

It is the nature of students that in presence of teacher they remained inside the class & in the absence of teacher they make their mischiefs.

As the morning time, there is rush of students in and out of classrooms.

The school B.P. road was destroyed, & the villagers have to use the school ground as thoroughfare. It was impossible to do such an act with such unsafe conditions of the school.

I am resident of that village, & the villagers have enmity with each other. The parents of the student are my neighbours & I have enmity with us on local issues & so they take the opportunity.

P.T.O.


... culture we do not blame much other
For such act which affecting our children?
What is your opinion?

P-3
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Ans. If the act was true, they may make quarrel with me, not have to kill me. In previous (near past) there were some FIRs logged against me, on the basis of which they blamed me.

Q. Is there any FIR against you logged by parents of students?

Ans. No


09/11/17
Asad Ali
S.P.S. Bazar

W

16.11

7-1-2018