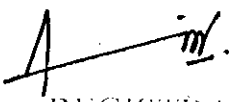


# FORM OF ORDER SHEET

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

**Appeal No.** \_\_\_\_\_

**1311/2023**

S.No.	Date of order proceedings	Order or other proceedings with signature of judge.
1	2	3
1-	13/06/2023	<p>The appeal of Mr. Muhammad Adnan received today by registered post through Mr. Gultiaz Khan Advocate. It is fixed for preliminary hearing before touring Single Bench at D.I.Khan on</p> <p>By the order of Chairman</p> <p> REGISTRAR</p>

**BEFORE THE SERVICE TRIBUNAL KPK PESHAWAR**

Service Appeal No. 1311 /2023

Muhammad Adnan ..... **Appellant**

**VERSUS**

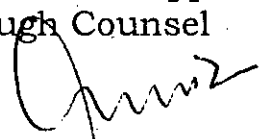
Govt: of KPK through Secretary Home Civil Secretariat  
Peshawar etc. ....**RESPONDENTS**

**INDEX**

S.No	Description	Annexure	Page No
1	Grounds of Appeal		1-17
2	Copies of prescription / medical chits	A,A-1 to A-5	8-14
2	Copies of applications for leave	B&C	15-16
3	Copies of Charge sheet and statement of allegations	D&E	17-18
4	Copy of impugned order dated 01.02.2023	F	19
5	Copies of applications for copies and impugned order dated 11.04.2023	G,H&J	20-24
6	Vakalatnama	-	25

Your Humble Appellant  
Through Counsel

Dated: 08/06/2023

  
**Gul Tiaz Khan Marwat**  
**Advocate High Court**  
**DIKhan**

I

**BEFORE THE SERVICE TRIBUNAL KPK PESHAWAR**

Service Appeal No. 1311 /2023

Muhammad Adnan Ex-Constable No. 8886 FRP D.I.Khan

R/O Village Pai Tehsil & District Tank.

03117016354

..... **Appellant**

**VERSUS**

1. Govt: of KPK through Secretary Home Civil Secretariat Peshawar.
2. The Inspector General of Police KPK Peshawar.
3. Commandant FRP, KPK Peshawar.
4. The Superintendent of Police FRP D.I.Khan

.....**Respondents**

**APPEAL U/S 4 OF KPK SERVICE TRIBUNAL ACT 1974**  
**AGAINST THE ORDER DATED 11.04.2023 PASSED BY**  
**RESPONDENT NO. 3, COPY SUPPLIED TO THE APPELLANT**  
**ON 30.05.2023 VIDE WHICH DEPARTMENTAL APPEAL OF**  
**APPELLANT AGAINST THE IMPUGNED ORDER OF**  
**REMOVAL FROM SERVICE VIDE OB NO. 99/FRP DATED**  
**01.02.2023 PASSED BY RESPONDENT NO. 4, HAS BEEN**  
**REJECTED.**

**Respected Sir,**

- (1) That the Appellant is a citizen of Islamic Republic of Pakistan and being a citizen of the Country has the rights and obligation under the constitution.
- (2) That the Appellant was appointed as Constable in FRP D.I.Khan.

*Amir*

- (3) That the Appellant was performing duties to the entire satisfaction of his superiors and there was no complaint against the appellant.
- (4) That wife of the Appellant was suffering from mental disease and was under treatment with the Psychiatrists. Copies of prescription etc. are enclosed as **Annexure - A,A-1 to A-5**
- (5) That the Appellant made an attempt to seek permission of his superior by submitting an application for earned leave of 60 days vide application dated 23.08.2022 to enable the appellant to remain with his wife but the same was not accepted by the superiors of Appellant. Copies are enclosed as **Annexure - B&C** respectively.
- (6) That facing with these circumstances, the Appellant was under compulsion to remain with his wife for look after and to provide treatment.
- (7) That respondent No. 4 issued charge-sheet and statement of allegation dated 25.11.2022 which were not served upon the appellant, however, copies of the same were later on available to the appellant thorough some private sources. Copies are enclosed as **Annexure - D&E** respectively.
- (8) That as submitted, neither the charge-sheet and statement of allegations were received by the Appellant

Jan 2

prior to order of removal from service nor reply was given by the appellant and the so-called inquiry proceeding was conducted in the absence and at the back of appellant without any show cause Notice or conducting any inquiry and without providing an opportunity of hearing as well as providing inquiry report to the appellant and as a consequence thereof order of removal from service was passed by respondent No. 4 vide OB No. 99 dated 01.02.2023. Copy of impugned order is enclosed as **Annexure-F**.

- (9) That the appellant preferred departmental appeal before Appellate Authority/ Respondent No. 3 but the same has been rejected vide order bearing No. 3514 dated 11.04.2023 but the copy has not been provided to the appellant up to 24.05.2023 and the appellant then submitted an application before respondent No. 4 on 24.05.2023 which was sent through registered post and further the appellant also submitted another application dated 29.05.2023 for same purpose where after a copy of impugned order dated 11.04.2023 was provided/supplied to the appellant on 30.05.2023. Copies of applications and impugned order dated 11.04.2023 are enclosed as **Annexure - G,H&J** respectively.

- Jan 2*  
(10) That feeling aggrieved from the impugned order of

4

removal from service dated 01.02.2023 and rejection of departmental appeal by Respondent No. 3, the Appellant seeks the indulgence of this learned Tribunal under its appellate jurisdiction inter alia on the following grounds:

**GROUND:**

- A. That neither any charge sheet, statement of allegations and nor any final show cause notice has been served upon the appellant prior to imposition of major penalty and the impugned order of removal from service of the Appellant has been passed without participation of appellant in inquiry while by now it is a settled principle of law that regular inquiry is must and there should be no punishment without holding regular inquiry.
- B. That the impugned action / office order of removal from service of the Appellant without issuance of final show cause notice and without conducting any inquiry and without providing any opportunity of personal hearing to the appellant is arbitrary, malafide, void ab-initio, without lawful authority, without jurisdiction and of no legal effects qua the rights of Appellant.
- C. That the impugned order, action and inaction of respondent No. 4 is against the provisions of fundamental rights guaranteed under the constitution of Islamic Republic of Pakistan and is thus against the

*June*

5

principles of natural Justice as well as the provisions of General Clauses Act.

- D. That the impugned order of removal from service is not sustainable under the law and rules holding the field but the Appellant being a citizen of the Pakistan, has fundamental rights under the Constitution of Islamic Republic of Pakistan to be treated and be provided justice in accordance with law but here the Appellant has met out discriminatory treatment.
- E. That no opportunity of personal hearing has been provided to the Appellant prior to issuance of order of removal from service of appellant and the impugned order has passed in the absence of Appellant and at the back of Appellant
- F. That the impugned action/order of respondent No.4 of ousting of Appellant from service is not sustainable without holding regular inquiry and without proving an opportunity of personal hearing but the Appellant was punished without observing all these legal and mandatory formalities and requirements of law.
- G. That even the Appellant has not been provided an opportunity personal hearing by the departmental Authority/ respondent No. 3 while deciding the Appeal of appellant and thus the appellant has met out discriminatory treatment and he has not been treated

*Jan 2*

under the law as required under the provisions of fundamental rights guaranteed the Constitution of Islamic Republic of Pakistan.

H. That this Honorable Tribunal is creation of Constitution under which fundamental rights of the citizens of the Country are protected and having vast Constitutional Power, this Honorable Tribunal is competent and authorized to correct the failure, faults, dereliction of duty, laches, defects in jurisdiction denial of justice, bias or disability and to set aside/struck down illegal and order without lawful authority of the Departmental Authorities of Government Offices/ Departments including the Respondents.

J. That the Appellant is jobless from the date of removal from service and he has never been gainfully employed elsewhere.

K. That Counsel for the Appellant may please be allowed to raise additional ground during the course of arguments.

It is, therefore, humbly prayed on acceptance this Appeal this Honorable Tribunal may very graciously be pleased to set aside the impugned order of removal from service bearing OB No. 99 dated 01.02.2023 passed by respondent No. 4 and as a consequence thereof the Appellant may please be reinstated into service with all back benefits as the Appellant is jobless

*Jan 2*



7

since date of his order of removal from service.

Any other relief deemed appropriate in the prevailing circumstances may also be granted.

Your humble appellant,

*M. Adnan*

**Muhammad Adnan**

Through Counsel

Dated: 08/06/2023

*Gul Tiaz Khan Marwat*

**Gul Tiaz Khan Marwat  
Advocate High Court  
DIKhan**

**CERTIFICATE**

Certified that it is a first appeal by the appellant before this learned tribunal against the impugned orders of respondents.

*M. Adnan*

**APPELLANT**

**AFFIDAVIT**

I, Muhammad Adnan Ex-Constable No. 8886 FRP D.I.Khan R/O Village Pai Tehsil & District Tank, the appellant do hereby solemnly affirm and declare on Oath that the contents of appeal are true and correct to the best of my knowledge and belief and nothing has been concealed from this Honorable Tribunal.

*M. Adnan*

**DEPONENT**



# SAYED PSYCHIATRIC HOSPITAL

PROFESSOR

**Dr. Sayed Mohammad Sultan**

M.R.C. (Psyche) England F.R.C. (Psyche)  
Psychiatrist & Family Therapist  
D.P.M. (Punjab) M.C.P.S. (Pakistan)  
C.O.E. Institute of Psychiatry (London)  
The Bethlem Royal Hospital & The Maudsley Hospital  
& Kings College Hospital London  
Former Chairman Deptt. Of Psychiatry K.T.H.  
Former DEAN (Faculty of Psychiatry)  
College of Physicians & Surgeons Pakistan.

Former President SAARC Psychiatric Federation  
Former President Pakistan Psychiatric Society.

Consultant Syed Psychiatric Hospital



(Consultation by prior appointment)



**Dr. Muhammad Ali Sultan**  
M.B.B.S., M.C.P.S

**Miss. Kulsoom Bangash**  
M.Sc. PMDCP  
M. Phil (Psychology) Psychologist

**Miss. Hafsa Shah Psychologist**  
M. Sc. (Psychology) Psychotherapist

تاریخ 10.5.2022 مشاورت ڈاکٹر محمد علی سلطان

۴

① Tab Proxiten 20 sup

ایک بار 2 بار  
ذخیرہ سے 2 بار

② Tab Lorazepam 3 sup

ایک بار = 1 بار

③ Tab. Olpass 5 sup

ایک بار = 1 بار

④ Tab. Hemislin

ایک بار = 1 بار

⑤ ~~Tab Megalvin~~

ایک بار = 1 بار

⑥ Tab Carferene 8

15 x 1 + 1

⑦ Tab Ascobin

ایک بار = 1 بار

Tab Procladin

ایک بار = 1 بار

Tab Quisil x 2 sup

ایک بار = 1 بار

Amal

دوبارہ معائنہ کیلئے آنے سے پہلے ان نمبرز پر رابطہ کریں۔

0305-5199763  
091-5851551

معائنہ کیلئے طالعہ 1 راہ بعد تشریف لائیں

پروفیسر ڈاکٹر سید محمد سلطان

سید سائیکیاٹرک ہسپتال غفار آباد نزد بی آر ٹی سٹیشن تہ کال بالائی نیورسٹی روڈ پشاور

9

1st visit Here

Age: 18 yrs

Body Aches  
Headache ↑  
Pain on Head  
Agitation  
Low Mood  
Irritability  
Anhedonia  
Aggressive Beh.  
Noise Intolerance  
Tension / worry of  
Death wishes  
Suicidal ideation

Admission  
Case

(Dep ++)

S -  
↓  
A -  
↓

129  
/ 80

1 in 72  
→ 98.1%

Postnatal 2/12  
Dep + e ysb

TD = 3 Months  
PD = "

Past Hx  
NAD

Family Hx

Bs  
Sc

- in family Hx

Personal Hx

Married - 1 yr

- 1 ♂

- (Lactating Mother)  
2 months old

# SAYED PSYCHIATRIC HOSPITAL

## The Laboratory



سید سائیکیاٹرک ہسپتال دی لینبارٹری

Patient Name	Zuhra Bibi	Date	10/05/2022
Referred by:	Prof, Dr. Sayed Muhammad Sultan		

### BLOOD CHEMISTRY

Test	Result	Units	Normal Value
Bilirubion Total	0.6	Mg/dl	Up to 1.0
ALT (GPT)	41	U/L	10---45
Blood Urea	24	Mg/dl	15---50
Creatinine	0.6	Mg/dl	0.5---1.5
Calcium	9.0	Mg/dl	8.5---10.5

### (Widal TO/TH) . (I.C.T Malaria)

Typhoid O =====	1/40
Typhoid H =====	1/40
Widal Test Is -----	Negative(-ve)
MP Test by ICT Method P. Falciparum =====	Negative (-ve)
MP Test by ICT Method P. Vivax =====	Negative (-ve)

Uric Acid 3.5 mg/dl

Male: 3.4 to 7.0  
Female: 2.4 to 5.7

Lab Incharge

سید سائیکیاٹرک ہسپتال غفار آباد نزد بی آر ٹی سٹیشن تہ کال بالا یونیورسٹی روڈ پشاور

Prof Dr Sayed 11  
Mohammad Sultan A/2  
(Psychiatrist)

2G45+377, Tahkal, Peshawar, Khyber  
Pakhtunkhwa  
0305 5199763

**Name:** Zohra Bibi

**MR#:** SPH-9116

**Phone:** 03117572351

**Gender:** Male

**Address:** tank

**Date:** 10/05/2022 - 06:52 PM

**Invoice#:** 110963

**Admitted At:** 10/05/2022 - 06:32 AM

**Discharged By:** Prof Dr Sayed Mohammad  
Sultan

**Anesthetist:**

**Discharged At:** 17/05/2022 - 04:29 AM

**Admission#:** 100258

**Consultant:**

Description	Rate	Quantity	Amount
GI-3 Charges	1,500.0	7	10,500.0
ECT	2,500.0	4	10,000.0

Sub - Total: Rs. 20,500

Grand Total: Rs. 20,500/-

Paid Amount: Rs. 20,500/-





کلینک

فدا میڈیکل کمپلیکس

بالتقابل ٹراماسٹرسول ہسپتال ڈیرہ اسماعیل خان

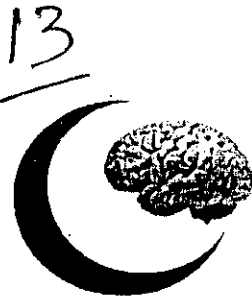
رابطہ نمبر: 0302-8910077

بروز اتوار:

کنڈی مارکیٹ ڈیرہ روڈ بالتقابل ٹاؤن ہال ٹانک

رابطہ نمبر: 0331-5409945

یا (آنے سے پہلے فون پر رابطہ کریں)



A/4

PMDC No. 13778

Follow Ship No. PSY-21-30297

ڈاکٹر کرامت اللہ بی بی

کنسلٹنٹ

نیوکائرسٹ سائیکو تھراپسٹ

ڈاکٹر کرامت اللہ بی بی

ایم بی بی ایس، ایف سی پی ایس

سرٹیفکیٹڈی بی ٹی تھیراپسٹ (کے ایم یو)

سٹرار

ذہنی و نفسیاتی امراض، ترک نشیات

تذکروری جنسیات، سردرد، مرگی، ڈپریشن

پکاٹری یونٹ مفتی محمود میچنگ ہسپتال

میڈیکل کالج ڈیرہ اسماعیل خان

Email: dr.kiramata@yahoo.co

Chronic known Bipolar - (M)

one kid

Tas. Olpin 10

1-1 x بار

1-1 y - Sencor  
y Valium

1-1  
Sart  
SOS

2-1 y - Tas Epival 500

1-1 x بار

مفتی محمود  
داخل کردہ

1-1 y. Dextwat  
1-1 y. Multibit

دوبارہ دن بعد تشریف لائیں

بروز جمعہ المبارک چھٹی ہوگی۔

Not Valid For Legal Purpos

Psychiatrist

Dr. Hafiz Adnan Khan Gandapur

M.B.B.S, F.C.P.S (Pak)

CONSULTANT PSYCHIATRIST

D.H.Q Teaching Hospital D.I.Khan  
Ex-Registrar Mayo Hospital Lahore  
PMDC # 16557-N

14



بروز جمعہ  
صدیق میڈیکل سنٹر بمبئی  
0453-510185

Not Valid For Court

A/5

سائیکیاٹرست

ڈاکٹر حافظ عدنان خان گندہ پور

ایم بی بی ایس، ایف سی پی ایس (پاک)

کنسلٹنٹ سائیکیاٹرست

ڈی ایچ کیو ہنگ ہسپتال ڈیرہ اسماعیل خان

سابقہ رجسٹرار مع ہسپتال لاہور

ماہر امراض ذہنی، گھبراہٹ، سردرد، مری، جنیبات و نشیبات

Patient Name Zohra

Age 20 Sex P Date 08/09/20

Rx

Task

Clinical Record

70 - 5 month

M - 300  
L  
P

1) Tab. Lepinza 10mg

50 1+1

- Headache

- Marked Aggression

& Urine

- Insomnia

- Low mood & occupying Sp

- Dissinhibitor

2) Tab. Quete XR 150f

50 1+1

~~3) Tab. Valerian 10f~~

~~4) Tab. Kampro 5f~~

5) Tab. 1+1

7) Ins. Clopixol Depot 2mg  
100 Stat

20

0307-7173099 (مبئی تار)

ڈی آئی خان ٹائم: دوپہر 2 تا 6 بجے شام

(بروز اتوار) صبح 10 تا 2 بجے دوپہر

خیبر میڈیکل کینکس بالقابل پر انائی بی ہسپتال ڈیرہ اسماعیل خان

بروز جمعہ صدیق میڈیکل سنٹر بمبئی فون نمبر 0333-9086666

بمبئی ٹائم: صبح 9 تا 3 بجے دوپہر



15

B. متا کالی

گزارش و دستاویزات کے

میں کیا گیا ہے

انہیں دیکھ کر

کو جاننے کے لئے

واپس بھیجی

اللہ

سٹیٹس رپورٹ نمبر 8886 P.180

M. Adnan

S/O

Forwarded P/C

[Signature]

EST/AC/DIC

28/08/02

مخبر این است که در این سال 1303 تا به حال  
در تمام کوی وقت مدرسه اش گذرای است  
پسوند بوی می دیند و آنرا طایر علی است  
که این سال و حتی بی استه طایر است

باز اینها در صورت استماع این سال  
که به نام و وقت طایر است و کاملاً  
نویسند و این است

سازمان پست و تلگراف ایران 8886  
P.180

Sir Farmaled

M. Ashwan

علی افشار

23. 8 - 22

2094-95 /FRP

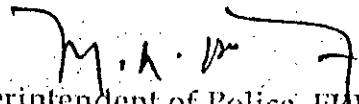
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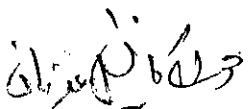
17

dated: 25/6 /2022

CHARGE SHEET

- I. Superintendent of Police of FRP DIKhan as competent authority, am of the opinion that you Constable Muhammad Adnan No.8886/FRP of FRP DIKhan Range have committed the following acts/omission as defined in Rule 2 (iii) of Police Rules 1975.
- II. According to daily diary report No.13 dated 11.09.2022 of Police Station Gul Imam Tank, you remained absent from law full duties with effect from 11.09.2022 to till date without any leave or permission from the High up's.
- III. It is a gross "Misconduct" on your part as defined in Rule 2 (iii) of Police Rules 1975 and has rendered yourself liable to be proceeded against departmentally.
- IV. By reason of the above, you seem to be guilty as sufficient materials is placed before the undersigned; therefore, it is decided to proceed against you in general police proceeding.
- V. You are therefore, required to submit your written reply within 07 days of the receipt of this charges sheet to the Enquiry Officer.
- VI. Your written reply, if any, should reach the Enquiry Officer within specific period, failing which it shall be presumed that you have no defense to offer and in that case ex-parte action shall follow against you.
- VII. Intimate as to whether you desire to be heard in person or not?
- VIII. A statement of allegation is enclosed.

  
Superintendent of Police, FRP  
DIKhan Range DIKhan  
23/11



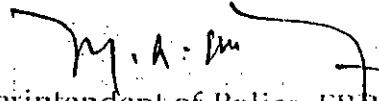
E      18

DISCIPLINARY ACTION

I, Superintendent of Police of FRP DIKhan as competent authority, am of the opinion that you Constable Muhammad Adnan No.8886/TRP of FRP DIKhan Range of FRP have committed the following acts/omission as defined in Rule 2 (iii) of Police Rules 1975.

STATEMENT OF ALLEGATION

1. According to daily diary report No.13 dated 11.09.2022 of Police Station Gul Imam Tank, you remained absent from law full duties with effect from 11.09.2022 to till date without any leave or permission from the High up's.
2. It is a gross "Misconduct" on your part as defined in Rule 2 (iii) of Police Rules 1975 and has rendered yourself liable to be proceeded against departmentally.
3. For the purpose of scrutinize the conduct of said Constable with reference to the above allegation, SI Sajid Hussain of FRP DIKhan Range is appointed as Enquiry Officer.
4. The Enquiry Officer shall conduct proceeding in accordance with provision of Police Rules 1975 and shall provide reasonable opportunity of defense and hearing to the accused official, record it is finding and make with twenty five (25) days of the receipt of this order, recommendation as to punishment or other appropriate action against the accused official.
5. The delinquent official/officer shall join the proceeding on the date, time and place fixed by the Enquiry Officer.

  
Superintendent of Police, FRP  
DIKhan Range DIKhan  
23/11

ORDER:-

F

FRP D.I.KH

19

My this order will dispose off departmental enquiry conducted against Constable Muhammad Adnan No.8886/FRP under Khyber Pakhtunkhwa Police Disciplinary Rules-1975 (Amended in 2014).

According to daily diary report No.13 dated 11.09.2022 of Police Station Gul Imam Tank, he remained absent from law full duties with effect from 11.09.2022 to till date without any leave or permission from the High-up's.

On the basis of above, Show Cause Notice was served upon him. He was required to submit the reply of said Show Cause Notice within stipulated period but he failed. He was charge sheeted, SI Sajid Hussain of FRP DIKhan Range was nominated as Enquiry Officer to dig out the real facts. The Enquiry Officer summoned him time and again to join the enquiry process, but he did not attend the enquiry proceedings willfully. After completion of all codal formalities. The Enquiry Officer submitted his finding report along with other relevant papers wherein the defaulter Constable was found guilty of the charges leveled against him and the Enquiry Officer recommended him for issuance of Final Show Cause Notice against the delinquent Constable. Final Show Cause Notice was also served upon him on 09.01.2023, but he did not submit his reply to the Final Show Cause Notice. He was called in orderly room for personal hearing and he also failed to appear before the undersigned.

From the perusal of his service record it revealed that he was enlisted as Constable on 17.09.2013, during his service he remained absent from lawful duties for (161) days, awarded minor punishment of fine Rs.1000/-, also awarded major punishment of removal from service and reinstated by the competent authority previously.

Keeping in view the facts stated above, I, MR. MUHAMMAD ARIE, Superintendent of Police FRP D.I.Khan Range, D.I.Khan, in exercise of powers vested in me under Khyber Pakhtunkhwa Police Disciplinary Rules-1975 amended-2014 by taking Ex-parte action against Constable Muhammad Adnan No.8886/FRP awarded him major punishment of Removal from Service.

Dated                      /2023.

OB No. 99 /FRP

Dated at                      /02/2023

Copy to:-

1. Pay Officer
2. SRC
3. OHC
4. OB Clerk

M. A. Arie  
(MUHAMMAD ARIE)  
Superintendent of Police,  
FRP, DIKhan Range DIKhan.

To

20 I 9 Legal: AD  
The Superintendent of Police,  
FRP, D.I.Khan

Subject: REQUEST FOR PROVISION OF CERTIFIED/ATTESTED COPIES OF ORDER DATED 11.04.2023 VIDE WHICH DEPARTMENTAL APPEAL OF THE APPELLANT FOR REINSTATEMENT IN TO SERVICE HAS BEEN REJECTED BY THE COMMANDANT FRP KPK PESHAWAR.

Respected Sir,

That applicant submits as under:

1. That the applicant filed a Departmental Appeal for reinstatement in to service against his order of removal from service passed by S.P FRP D.I.Khan.
2. That the Applicant came to know through some private sources that departmental appeal of the Applicant has since been rejected on 11.04.2023 by the Commandant FRP KPK Peshawar but no such order has so far been communicated to the Applicant due to which the Applicant is handicapped to seek further legal remedy.
3. That it is legal requirement of law / rules that certified / attested copies of rejection/ dismissal order of Appeal is to be provided / supplied to the concerned employees and it is not the responsibility of employees to beg for copies of order so passed by the departmental Authorities but it is very strange that the law on the subject had not been followed in true sense and the Applicant has not been provided / supplied any order of rejection of departmental appeal till today.

21

4: That the applicant has to seek remedy of further appeal before the proper forum as provided under the law and for which the applicant is in need of certified copy of order dated 11.04.2023 of rejection of departmental appeal of Applicant.

It is therefore, requested that certified copy of order dated 11.04.2023 of rejection of Appeal may please be provided to the applicant so as to enable the applicant to seeks further legal remedy against the order of removal from service.

Your Humble Applicant

Dated: 24.05.2023

M. Adnan

**Muhammad Adnan**

No. 8886

Ex-Constable

FRP D.I.Khan

No. 1462

For Insurance Notices see reverse.

RGL94247013

Rs. Ps. APJ

Weight of not more than the initial weight prescribed in the Post Office Guide or on which no acknowledgement is due.

Received a registered parcel addressed to

[Signature] Date Stamp [Stamp]

Name of Receiving Officer Write here "letter", "postcard", "packet" or "parcel" with the word "insured" before it when necessary.

Insured for Rs. (in figures) 200 (in words) Two hundred

Insurance fee Rs. 20 Weight 200 Grams

Name and address of sender [Signature]

H

22

مقامی

گزارش کے ساتھ اس سے مراد  
اس کے ساتھ اس کے ساتھ اس کے ساتھ  
اس کے ساتھ اس کے ساتھ اس کے ساتھ

پرواز کے ذریعہ اس کے ساتھ اس کے ساتھ

Rejection اور اس کے ساتھ اس کے ساتھ

اس کے ساتھ اس کے ساتھ اس کے ساتھ

تاریخ 29-05-2023

8886  
Admin

Allowed  
Du

30-5-2023  
OB: 3514  
11-4-2023



خدمت جناب کا سروسٹ FRP خیر پختہ خواہ پشاور

محکمہ ایمل ایل آر حم ایمل بر خلاف حکم مورخہ 01/02/2023 صدرہ الاہل سہ شہزادہ آفرینہ پیمیس  
FRP ڈیڑھ اسامیل خان ریٹائرڈ ایمل خان۔ جس کی رو سے من اپلانٹ کو ٹوکری سے  
Removal کروا گیا ہے۔ من اپلانٹ حکم ڈیڑھ کو منسوخ کرنے کی استدعا کرتا ہے۔ اور ساتھ  
ساتھ تمام معاملات کے ساتھ بیانی کی استدعا کرتا ہے۔

جناب مال اپلانٹ حسب ذیل عرض رساں ہے۔

- ۱۔ یہ کہ من اپلانٹ حکم پیمیس FRP میں سال 2013 سے خوش اسلوبی سے اپنی ایوی سرائی انجام دیتا چلا آ رہا ہے۔
- ۲۔ یہ کہ من اپلانٹ کی بیوی کی دماغی توازن خراب اور تھکی ہے اور من اپلانٹ کو اللہ تعالیٰ نے آزمائش میں ڈال دیا ہے کیونکہ بیوی کو جب دور آجاتا ہے تو ان کو کوئی بھی سنبھال نہیں سکتا ہے کیونکہ من اپلانٹ کے والدین بڑھے ہیں اس لئے من اپلانٹ از خود بیوی کو دورے کے دوران قابو کرتا ہے۔ مزید یہ بیوی واضح کرتا ہے کہ من اپلانٹ نے اپنی بیوی کی ہر قسم کی روہانی اور میڈیکل علاج سجا کر پھینکا ہے۔
- ۳۔ ریکورڈ اصل اگست 2022 کی آخر میں من اپلانٹ کی بیوی کو دورے زیادہ ہو گئے اور دریں نسبت من اپلانٹ نے باقاعدہ طور پر درخواست گزارنی چونکہ بیوی کا دماغی توازن خراب ہو چکا ہے جس میں من اپلانٹ 60 یوم چھٹی کی استدعا کرتا ہے۔ اور باقاعدہ طور پر درخواست منک نے آ کے Forward بھی کر دیا اور من اپلانٹ نے اپنی بیوی کی دیکھ بھال شروع کی۔ چونکہ من اپلانٹ کی بیوی دماغی توازن کے دورے کے دوران میرے والدین کو مارتی ہے دریں نسبت من اپلانٹ کا لہجہ فریضہ تھا کہ وہ بیوی کی دیکھ بھال کر سکے اور والدین کو بیوی کے مارنے سے بچا سکے۔ اور اسی طرح من اپلانٹ ستمبر 2022 کے اوکے اوائل میں بیوی کی تیمارداری میں اور والدین کی دیکھ بھال میں مصروف ہو گیا۔ اور واضح کرتا ہے کہ من اپلانٹ نے پہلے ہی سے 60 یوم کی چھٹی کے لئے درخواست بھی گزارنی تھی۔ من اپلانٹ نے دریں حالات میں حکم ڈیڑھ مورخہ 01/02/2023 موصول ہو گیا۔ من اپلانٹ نے تصور ہے اور اللہ تعالیٰ کی آزمائش کی وجہ سے کوئی تصور دار نہ ہے۔ اور اللہ کی آزمائش کی وجہ سے بے گناہ ہے۔ کیونکہ من اپلانٹ حادثات مذکورہ بالا کی وجہ سے آزمائش میں آیا ہے۔ اور اللہ تعالیٰ کسی گناہ سے۔

الغرض

محمد عزیزان صاحب کنوینشن  
38856  
FRP  
ڈیڑھ ایمل خان

24 J

This order will dispose of the departmental appeal preferred by ex-constable Muhammad Adnan No. 8886 of FRP DI Khan Range, against the order of SP FRP DI Khan Range, DI Khan, issued vide OB No. 99, dated 01.02.2023, wherein he was awarded major punishment of removal from service. The applicant was proceeded against on the allegations that he absented himself from lawful duty with effect from 11.09.2022 till the date of removal from service i.e 01.02.2023 for total period of 04 months 20 days without any leave or prior permission of the competent authority.

In this regard, he was issued Show Cause Notice and served upon him. He was required to submit the reply of said Show Cause Notice within stipulated period, but he failed to do so. Proper departmental proceedings were initiated against him as he was issued Charge Sheet alongwith Summary of Allegations and SI Sajid Hussain of FRP DI Khan Range was nominated as Enquiry Officer to dig out the actual facts. He was summoned by the Enquiry Officer time and again to join the enquiry proceedings, but he did not attend the enquiry proceedings. After completion of enquiry, the Enquiry Officer submitted his findings report, wherein he was found guilty of the charges leveled against him and recommended that to issue him Final Show Cause Notice.

Upon the findings report of Enquiry Officer, Final Show Cause Notice was served upon him on 09.01.2023, but he did not submit his reply to the Final Show Cause Notice. He was called in orderly room for personal hearing, but he also failed to appear before the competent authority.

Keeping in view the above narrated facts and other material available on record, he was awarded major punishment of removal from service vide OB No. 99, dated 01.02.2023.

Feeling aggrieved against the impugned order of SP FRP DI Khan Range, DI Khan, the applicant preferred the instant appeal. The applicant was summoned and heard in person in Orderly Room held on 07.04.2023.

During the course of personal hearing, the applicant failed to present any justification regarding to his prolong absence. From perusal of enquiry file it has been found that the allegations leveled against him were fully established by the Enquiry Officer during the course of enquiry. Perusal of record reveals that he was previously dismissed from service due to involve in a criminal case vide FIR No. 852, dated 09.07.2020 U/S 419/420 PPC Police Station Cantt: District DI Khan, which he later on reinstated in service on departmental appeal. Furthermore, in past he also remained absent from service for a long period of 161 days on different occasions, which he awarded different punishments. Thus there doesn't seem any infirmity in the order passed by the competent authority, therefore no ground exist to interfere in same.

Based on the findings narrated above, I, **Commandant FRP Khyber Pakhtunkhwa, Peshawar**, being the competent authority, has found no substance in the appeal, therefore, the same is rejected and filed being meritless.

Order Announced.

*Handwritten signature and date*  
12.4.2023

*Handwritten signature and date*  
13.4.2023

*Handwritten signature*  
**Commandant**  
Frontier Reserve Police  
Khyber Pakhtunkhwa, Peshawar.

No 3514 /SI Legal, dated Peshawar the: 11/14/2023.

Copy of above is forwarded for information and further necessary

action to the:-

1. SP FRP DI Khan Range, DI Khan. His service record alongwith D-file sent herewith.
2. Ex-constable Muhammad Adnan No. 8886 S/o Mumtaz Khan R/o Village Akbari, Police Station Mu azai, District Tank.



KHYBER PAKHTUNKHWA  
BAR COUNCIL

ADVOCATE HIGH COURT

GUL TIAZ KHAN

Advocate  
bc-11-2787  
Date of issue: June 2020  
Valid upto: June 2023



KP Bar Council

In the event of joining or carrying on any other profession, service or business, the holder will not be entitled to use the name and shall forthwith surrender it to the KP Bar Council

Father's Name: MUHAMMAD NAWAZ KHAN  
Address: E-27, COMMISSIONERS COLONY NORTH CIRCULAR ROAD D.I. KHAN

Contact No:  
Enrolment Date L.C.03-July-2008  
Enrolment Date H.C.08-November-2010  
Place of Practice: D.I. KHAN  
Date of Birth: 01-November-1961  
Blood Group: B+ VE  
C.NIC No: 12101-5311190-1

KHYBER PAKHTUNKHWA BAR COUNCIL  
Office: Council Building, Khyber Road, Peshawar, 25011-021192-2211115 Fax: 011-9117114  
E-mail: kpbcc@kpbcc.com, www.kpbcc.com

VAKALATNAMA

IN THE COURT OF

*KPK Service Tribunal Peshawar*

*Mohammad Adnan* VERSUS *Govt. of KPK BZ*

Title

*Service Appeal*

I/we

*Mohammad Adnan*

The above named *Appellant* hereby appoint Gul Tiaz Khan Marwat Advocate High Court D.I.Khan, in the above mentioned case to all or any of the following acts, deeds and things.

1. To appear, act and plead for me/us in the above mentioned case in this court/tribunal in which the same may be tried or heard or any other proceedings out of our connected therewith.
2. To sign and verify and file or withdraw all proceedings, petitions, appeals, affidavits, and applications for compromise or withdrawal, or for the submission to arbitration of the said case or any other documents, may be deemed necessary or advisable by them by the conduct, prosecution or defense of the said case at all its stages.
3. To receive payments of and issue receipts for all moneys that may be or become due and payable to us during the course on conclusion of the proceeding.  
To do all other acts and things, which may deemed necessary or advisable during the course of proceedings.

AND hereby agree:

- a. To ratify whatever advocates may do the proceedings.
- b. Not to hold the advocates responsible if the said case be proceed ex-parte or dismissed in default in consequence of their absence from the court when it is called for hearing.
- c. That the advocates shall be entitled to withdraw from the prosecution of the said case if the whole or any part of the agreed fee remains un<sup>3</sup>-paid.
- d. That advocates may be permitted to argue any other point at the time of arguments.

In witness whereof I/we have signed this vakalatnama here under the contents of which have been read/explained to me/us which is fully understood by me/us.

Date: *8/6/2023*

*M. Adnan*  
Signature of Executants (s)

Attested & Accepted:

*Gul Tiaz Khan*  
Gul Tiaz Khan Marwat  
Advocate High Court D.I.Khan (KPK)  
Cell No. 0300-9092488 / 0345-9853488