


11<sup>th</sup> Oct., 2022

Appellant with counsel present. Mr. Kabirullah Khattak, Addl. AG for the official respondents and private respondent No. 5 in person present.

Private respondent No. 5 seeks adjournment due to non-availability of his learned counsel. Adjourned. To come up for arguments on 09.11.2022 before the D.B.

  
(Fareeha Paul)  
Member (E)

9.11.2022

Since 9<sup>th</sup> November has been declared as public holiday, case is adjourned to 21.12.2022 for the same as before.


  
(Kalim Arshad Khan)  
Chairman


  
Reader

21<sup>st</sup> Dec, 2022

Appellant alongwith his counsel and Mr. Muhammad Jan, District Attorney for official respondents No. 1 to 4 present. Learned counsel for private respondent No. 5 is also present.

Arguments at some length heard. Learned District Attorney is directed to consult the respondents regarding order, if any, passed by the department after the DPC meeting dated 06.06.2017. To come up for further arguments on 03.03.2023 before the D.B.

  
(Salah Ud Din)  
Member (Judicial)

  
(Kalim Arshad Khan)  
Chairman

**SCANNED**  
**KPST**  
**Peshawar**

26.04.2022

Mr. Tariq Aziz, Advocate for the appellant present and submitted fresh Wakalatnama on behalf of the appellant, which is placed on file. Mr. Naseer-ud-Din Shah, Assistant Advocate General for official respondents No. 1 to 4 present. Learned counsel for private respondent No. 5 also present.

Newly engaged learned counsel for the appellant sought adjournment on the ground that he has not gone through the brief of the instant appeal. Adjourned. To come up for arguments on 07.06.2022 before the D.B.



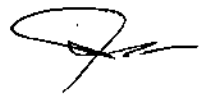
(Rozina Rehman)  
Member (J)



(Salah-ud-Din)  
Member (J)

7.6.22

*Proper D.B is not available, therefore the case is adjourned to 25.8.2022 for same*



25.08.2022

Learned counsel for the appellant present. Mr. Naseer-ud-Din Shah, Assistant Advocate General for official respondents No. 1 to 4 present. Private respondent No. 5 in person present:

Learned Member (Judicial) Ms. Rozina Rehman is on leave, therefore, arguments could not be heard. Adjourned. To come up for arguments on 11.10.2022 before the D.B.



(Salah-Ud-Din)  
Member (Judicial)

Appeal No. 1374/2017  
M. Faheem vs Govt

18.10.2021

Junior to counsel for appellant present.

Asif Masood Ali Shah, learned Deputy District Attorney  
for respondents present.

Lawyers are on general strike, therefore, case is  
adjourned to 10.01.2022 for arguments, before D.B.



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



(Rozina Rehman)  
Member (J)

10.01.2022

Nemo for the appellant.

Mr. Muhammad Adeel Butt, Additional Advocate  
General alongwith Mr. Shahid, Junior Clerk for official  
respondents No. 1 to 4 present. Private respondent No. 5  
alongwith his counsel present.

Notice for prosecution of the appeal be issued to the  
appellant and his counsel for 26.04.2022 before D.B



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





Chairman

08.09.2021

Nemo for the appellant. Mr. Asif, ASI alongwith Mr. Kabirullah Khattak, Additional Advocate General for official respondents No. 1 to 4. Mr. Private respondent No. 5 alongwith his counsel Mr. Nasir Mehmood, Advocate, present.

Representative of official respondents produced copy of Notification dated 12.07.2021 as well as copies of office order dated 30.07.2021 and stated that the grievance of the appellant has been redressed, however, neither the appellant nor his counsel is available. As previous order sheet was changed on Reader Note, therefore, notice for prosecution of the appeal be issued to the appellant as well as his counsel and to come up for further proceedings/arguments before the D.B on 17.09.2021.


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

  
(SALAH-UD-DIN)  
MEMBER (JUDICIAL)

17.09.2021

Junior of learned counsel for the appellant present. Mr. Asif Masood ASI alongwith Mr. Riaz Khan Paindakheil, Assistant Advocate General for official respondents No. 1 to 4 present. Mr. Nisar Mehmood, Advocate for private respondents No.5 present.

Junior of learned counsel for the appellant requested for adjournment on the ground that counsel for the appellant is busy in the august High Court, Adjourned. To come up for arguments before the D.B on 18.10.2021.

  
(ATIQ UR REHMAN WAZIR)  
MEMBER (EXECUTIVE)

  
(SALAH UD DIN)  
MEMBER (JUDICIAL)

08.12.2020

Due to COVID-19, the case is adjourned to 05.03.2021.


  
READER

05.03.2021

Counsel for the appellant and Addl. AG alongwith Muhammad Asif, SI on behalf of the official respondents No. 1 to 4 present.

Mr. Hayatullah, Advocate has submitted Wakalatnama on behalf of respondent No. 5 and in favour of Mr. Nasir Mehmood Advocate. He requests for adjournment as learned counsel for respondent No. 5 is engaged before the Apex Court today. Learned counsel for the appellant opposed the request in a lukewarm manner and stated that on previous so many occasions, the hearing in the matter was postponed resulting in inordinate delay.

The request on behalf of learned counsel for respondent No. 5 is allowed but as last chance. Adjourned to 07.05.2021 for hearing before the D.B.

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

  
Chairman

7.5.2021

*Due to COVID-19, the case is adjourned to 8.5.2021 for the same.*

  
Reader

4.5 .2020

Due to COVID19, the case is adjourned to  
15/7 /2020 for the same as before.

  
Reader

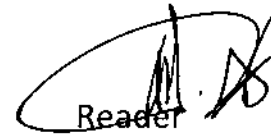
15.07.2020

Due to COVID19, the case is adjourned to 28.08.2020 for  
the same as before.

  
Reader

28.08.2020

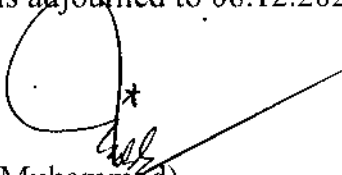
Due to summer vacation, the case is adjourned to  
05.11.2020 for the same as before.


  
Reader

05.11.2020

Appellant in person and Addl: AG alongwith Mr. Asif,  
ASI for respondents present.

The Bar is observing general strike, therefore, the  
matter is adjourned to 08.12.2020 for hearing before the D.B.

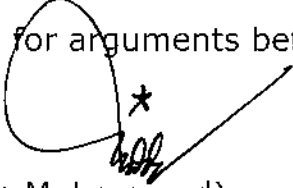
  
(Mian Muhammad)  
Member (E)

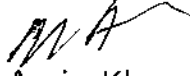
  
Chairman

Service Appeal No. 1374/2017

20.03.2020

Appellant in person and Mr. Kabirullah Khattak, Additional AG alongwith Mr. Umer Sher, Inspector for the respondents present. Appellant seeks adjournment on the ground that his counsel is not available today due to general strike of Khyber Pakhtunkhwa Bar Council. Adjourned to 04.05.2020 for arguments before D.B.

  
(Mian Muhammad)  
Member

  
(M. Amin Khan Kundi)  
Member

06.12.2019

Appellant in person and Mr. Kabirullah Khattak, Additional AG alongwith Mr. Umer Sher, Inspector for official respondents No. 1 to 4 present.

Due to general strike of Khyber Pakhtunkhwa Bar Council learned counsel for the appellant is not available today. Adjourned to 05.02.2020 for arguments before D.B.



(Hussain Shah)  
Member



(M. Amin Khan Kundi)  
Member

05.02.2020

Since 5<sup>th</sup> February has been declared as public holiday on account of (Kashmir Day) therefore, the case is adjourned for the same on 10.02.2020 before D.B. Parties be informed accordingly.



READER

10.02.2020

Appellant alongwith his counsel present. Mr. Kabirullah, Additional AG for official respondents No. 1 to 4 and private respondent No. 5 in person present. Learned counsel for the appellant requested for adjournment. Adjourned to 20.03.2020 for arguments before D.B.



(Hussain Shah)  
Member




(M. Amin Khan Kundi)  
Member



19.07.2019

Junior counsel for the appellant and Mr. Usman Ghani, District Attorney for official respondents present. Junior counsel for the appellant requested for adjournment on the ground that learned senior counsel is busy in the Hon'ble Peshawar High Court, Peshawar. Adjourned to 19.09.2019 for arguments before D.B.

  
(HUSSAIN SHAH)  
MEMBER

  
(M. AMIN KHAN KUNDI)  
MEMBER

19.09.2019

Appellant in person present. Mr. Usman Ghani learned District Attorney alongwith Umar Sher Inspector for official respondents present. Private respondent No.5 in person present. Appellant submitted application for adjournment. Application allowed. Adjourn. To come up for arguments on 31.10.2019 before D.B.

  
Member

  
Member

31.10.2019

Appellant with counsel present. Addl: AG for official respondents and private respondent no. 5 in person present. Private respondent no.5 seeks adjournment as his counsel was busy before the august Supreme Court of Pakistan. Adjourned. To come up for arguments on 06.12.2019 before D.B.

  
(Ahmad Hassan)  
Member

  
(M. Amin Khan Kundi)  
Member

18.12.2018

Appellant in person present. Karam Hayat SI present. Written reply not submitted. Representative of the respondents seeks time to furnish written reply/comments. Adjourn. To come up for written reply/comments on 24.01.2019 before S.B.



Member

24.01.2019

Clerk to counsel for the appellant present. Karam Hayat SI representative of the respondent department present and submitted written reply/comments. Adjourn. To come up for rejoinder/arguments on 11.04.2019 before D.B



Member

11.04.2019


Appellant in person and Mr. Usman Ghani, District Attorney alongwith Mr. Umer Said, Inspector for the respondents present. Due to <sup>on the call</sup> strike of Pakistan Bar Council, learned counsel for the appellant is not available today. Adjourned. To come up for rejoinder and arguments on 27.05.2019 before D.B.

  
(AHMAD HASSAN)  
MEMBER


  
(M. AMIN KHAN KUNDI)  
MEMBER

27.05.2019

Appellant in person and Mr. Muhammad Jan learned Deputy District Attorney alongwith Mr. Umer Said Inspector for the official respondents and private respondent No. 5 in person present. Appellant submitted rejoinder which is placed on file. Due to general strike on the call of Bar Council, learned counsel for the appellant is no in attendance. Adjourned. To come up for arguments on 19.07.2019 before D.B.

  
(Hussain Shah)

Member

  
(M. Amin Khan Kundi)

Member

03.08.2018

Appellant Muhammad Faheem in person present, Mr. Muhammad Raghieb, Inspector alongwith Mr. Addl: AG for official respondents and Mr. Safdar Ali Shah, private respondent-no.5 in person alongwith his counsel Mr. Taimur Ali Khan, Advocate present.


Written reply not submitted despite of last chance and imposition of cost of Rs. 2000/- on the official respondents. In the circumstances, the conduct of the official respondents suggests that they are not obeying the order of this Tribunal. As such, notice of attachment of salary be given to them for next date. Very last chance is given to the respondents to submit written reply/comments and pay of cost of Rs. 2000/- to the appellant on 19.09.2018 before S.B.

  
Chairman

19.09.2018

Clerk of the counsel for appellant and Mr. Kabirullah Khattak, Additional AG alongwith Mr. Sher Alam, S.I for the respondents present. Written reply not submitted. Learned Additional AG requested for further adjournment. Adjourned. To come up for written reply/comments and cost of Rs. 2000/- on 02.11.2018 before S.B.

  
(Muhammad Amin Khan Kundi)  
Member

  
I have recd  
Rs. 2000/- cost

02.11.2018

Due to retirement of Hon'ble Chairman, the Tribunal is defunct. Therefore, the case is adjourned. To come up on 18.12.2018. Written reply not received.

  
READER

**19.04.2018** Appellant in person and Addl: AG present, and private respondent No. 5 in person present. Representative of the respondents department is absent. Therefore, fresh notices be issued to the respondents department to attend the court positively. Written reply already submitted on behalf of private respondent No. 5. Written reply not submitted on behalf of official respondents despite last opportunities. Requested for further adjournment. Last opportunity is further extended subject to payment of cost of Rs. 1000/- which shall be borne by respondents from their own pockets. To come up for written reply/comments on behalf of official respondents on 09.05.2018 before S.B.

  
Member

**09.05.2018** The Tribunal is non functional due to retirement of the Honorable Chairman. Therefore, the case is, adjourned. To come up for the same on **02.07.2018** before S.B.

  
Reader

**02.07.2018** Appellant in person and Mr. Muhammad Jan, DDA and counsel for private respondents No. 5 present. None present on behalf of official respondents. Therefore, fresh notices be issued to the respondents department to attend the Court positively. Written reply already submitted on behalf of private respondent. Written reply not submitted on behalf of official respondent despite last opportunities. Requested for further adjournment. Another last opportunity is further extended subject to payment of cost of Rs. 2000/- which shall be borne by respondents from their own pockets. To come up for written reply/comments on **03..08.2018** before S.B.

  
Member

**19.02.2018**

Clerk of the counsel for appellant and Assistant AG for official respondent and Junior counsel for private respondent No. 5 present and submitted fresh wakalat nama which is placed on file. Written reply not submitted. Learned Assistant AG requested for further time adjournment. Request accepted. To come up for written reply/comments on 06.03.2018 before S.B.

  
(Gul Zeb Khan)  
Member

**06.03.2018**

Clerk of the counsel for appellant present. Mr. Riaz Paimda Khel, Assistant AG & private respondent no. 5 also present. for the respondent present. Written reply not submitted. Learned Assistant AG requested for further time adjournment. Request accepted. To come up for written reply/comments on 19.03.2018 before S.B.

  
(Gul Zeb Khan)  
Member

**19.03.2018**

Appellant in person present. Mr. Kabir Ullah Khattak Additional AG for official respondent present, and junior counsel for private respondent No. 5 also present. Written reply submitted on behalf of private respondent No. 5. Representative of the respondent department is absent. Therefore, fresh notice be issued to the respondent department for attendance. Learned Additional AG requested for adjournment. Adjourned. Last opportunity granted. To come up for written reply/comments on behalf of official respondents on 19.04.2018 before S.B.

  
(Muhammad Amin Khan Kundi)  
Member


01.01.2018

Learned counsel for the appellant present. Preliminary arguments heard and case file perused.

Learned counsel for the appellant argued that the appellant was appointed as Constable in Police Department for Crime Laboratory on 20.10.1982 in District Mardan whereas respondent No. 5 was appointed as Constable in Finger Print Bureau (FPB) on 02.11.1988 and as such the appellant was kept and shown senior than respondent no.5 till 2009. That on this seniority, appellant was promoted subsequently to next grade on 21.10.1985. That later respondent no.5 applied for antedating his seniority, which was allowed by official respondents, but without providing any opportunity to the appellant for personal hearing and notified the impugned seniority list vide order dated 17.04.2009. That the appellant preferred departmental appeal on 05.05.2016 and 16.11.2017. That the matter was discussed in the DPC meeting held on 06.06.2017 and filed. That right from the date of appointment, the appellant was continuously kept and shown senior than respondent no.5 till the year 2009 (almost 18 years). That the appellant was kept unaware regarding the impugned order which was passed on his back and no copy was delivered/endorsed to him.



Points raised need consideration. Admitted for regular hearing subject to all legal objections including limitation. The appellant is also directed to deposit security and process fee within (10) days, whereafter notice be issued to the respondents department for written reply/comments on 19.02.2018 before S.B.

Appellant Deposited  
Security & Process Fee

  
(Gul Zeb Khan)  
Member (Executive)

Form-A  
FORM OF ORDERSHEET

Court of \_\_\_\_\_  
Case No. 1374 /2017

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1	13/12/2017	<p>The appeal of Mr. Muhammad Faheem resubmitted today Mr. Muhammad Usman Khan Turlandi Advocate may be entered in the Institution Register and put up to Worthy Chairman for proper order please.</p> <p style="text-align: right;"> REGISTRAR 13/12/17</p>
2-	15/12/17.	<p>This case is entrusted to S. Bench for preliminary hearing to be put up there on <u>01/01/18</u>.</p> <p style="text-align: right;"> CHAIRMAN</p>

The appeal of Mr. Muhammad Faheem Sub-Inspector FSL Peshawar received today i.e. on 29.11.2017 is incomplete on the following score which is returned to the counsel for the appellant for completion and resubmission within 15 days.

- 1- Annexures of the appeal may be attested.
- 2- Wakalat Nama in favour of appellant is not attached with the appeal which may be placed on file.
- 3- One copy/set of the appeal along with annexures i.e. complete in all respect may also be submitted with the appeal.

No. 2586 /S.T,

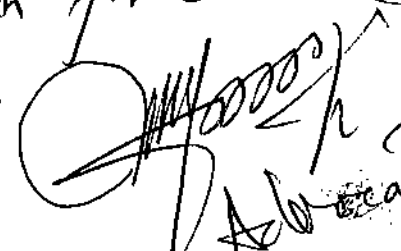
Dt. 30/11 /2017

  
REGISTRAR  
SERVICE TRIBUNAL  
KHYBER PAKHTUNKHWA  
PESHAWAR.

Mr. M.Usman Khan Tourlandi Adv. Pesh.

05-12-2017

Re-submitted with the remarks  
That all the Three (3) objections as  
pointed out above, are hereby removed.  
It is requested to place it before  
the honourable bench for onward  
proceeding please.

  
Advocate



①

**BEFORE THE KPK SERVICE TRIBUNAL PESHAWAR.**

Appeal No: 1374/2017

In Ref: to S.I No. \_\_\_\_\_ of 2017.

Muhammad Faheem.....Versus.....PPO & Others.

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S.No.	DESCRIPTION OF DOCUMENTS	ANNEX	P.NO.
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4.	Departmental representation/Forwarding memo.	"B"	15-17
5.	Rejection order.	"C"	18
6.	Seniority list for the year 2006.	"D"	19-20
7.	Seniority list for the year 2009.	"E"	21-22
8.	Successive representation of the respondent No.5.	"F"	23
9.	First/original impugned order dated 17-04-2009.	"G"	24
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**APPELLANT**

Through;



Muhammad Usman Khan  
Turlandi  
Advocate Peshawar.

Dated; 24/11/2017.

**BEFORE THE KPK SERVICE TRIBUNAL PESHAWAR.**

Appeal No. 1374/2017

In Ref: to WP No. \_\_\_\_\_ of 2017.

Muhammad Faheem, Sub-Inspector Police, presently working and posted as Incharge, SI, Finger Print Bureau (FPB), Forensic Science Laboratory (FSL), Investigation, Khyber Pakhtunkhwa, Hayatabad, Peshawar.....**APPELLANT.**

Khyber Pakhtunkhwa Service Tribunal

**VERSUS**

Diary No. 1361

Dated 29-11-2017

1. Provincial Police Officer (PPO)/IGP Khyber Pakhtunkhwa Province, Central Police Office (CPO) Peshawar.
2. Additional Inspector General of Police, Headquarter, Khyber Pakhtunkhwa, Police Line, Peshawar.
3. Additional Inspector General of Police, Investigation, Khyber Pakhtunkhwa, Police Line, Peshawar.
4. Director, Forensic Science Laboratory, Investigation, Khyber Pakhtunkhwa, Hayatabad, Peshawar.
5. SI Safdar Ali Shah presently working and posted as SI Finger Print Bureau (FPB), Forensic Science Laboratory (FSL), Investigation, Khyber Pakhtunkhwa, Hayatabad, Peshawar.....**RESPONDENTS.**

Filed to-day  
Registrar  
29/11/17

**SERVICE APPEAL U/S 4 OF THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL ACT.AGAINST THE IMPUGNED MINUTES OF THE DPC HELD ON 20-07-2017 DULY APPROVED BY THE RESPONDENT NO. 1, COMMUNICATED TO THE APPELLANT ON 17-11-2017 WHEREBY THE DEPARTMENTAL APPEAL DATED 05-05-2016, FILED BY THE APPELLANT REGARDING CORRECTION/RECTIFICATION IN THE SENIORITY LIST WAS FILED AND AS SUCH THE ORIGINAL IMPUGNED ORDER DATED 17-04-2009 PASSED BY THE RESPONDENT NO. 3 WAS UPHELD.**

Re-submitted to-day and filed.

Registrar  
13/12/17

PRAYERS IN Appeal.

On acceptance of this appeal, the respondents may be directed to rectify the discrepancy in the seniority list by illegally keeping and illogically placing the name of the appellant below the name of the respondent No. 5 (SI Safdar Ali Shah) and they further be directed to keep/maintain the old seniority list already maintained right from the year 1991 till 2009 (almost 18 years) and the legitimate valuable right of the appellant be restored.

RESPECTFULLY SHEWETH:

1. That the Appellant was enlisted in Police Department for Crime Laboratory as Constable on 20-10-19982 in District Mardan while respondent No. 5 was enlisted as Constable in Finger Print Bureau (FPB) on 02-11-1988 and as such the appellant was kept and shown senior than respondent No. 5 till 2009. The diagram showing full candidatures/service particulars of the appellant and that of the respondent No. 5 being self-explanatory and supported by official record are given below for ready reference and worth perusal.

S.NO.	Details of candidatures	Appellant	Respondent No. 4	Remarks
1.	Education/Qualification	MA	BA	
2.	Appointment as constable	20-10-1982	02-11-1988	
3.	Date of lien to FPB	02-08-1986		
4.	Confirmation as Constable	21-10-1985	02-11-1991	
5.	Passing C/1	21-01-1989		
6.	Passing A/1	20-03-1990	20-03-1990	
7.	Promotion as H/C	19-09-1991	01-01-1989 Astonishingly, Promoted as H/C prior to the confirmation as Constable.	Promoted just after 02 months which is violative to Police Rule.
8.	Confirmation as H/C	18-09-1993	01-01-1992	
9.	Promotion as ASI	22-01-1994	22-01-1994	
10.	Confirmation as ASI	24-02-1996	24-02-1996	
11.	Promotion as SI	27-03-1999	27-03-1999	
	Confirmation as SI	07-06-2001	07-06-2001	

2. That the facts given above reveals that astonishingly the respondent No. 5 was promoted as Head Constable dated 01-01-1989 prior to the confirmation as Constable dated 02-11-1991 which fact is not only illegal but even not appealable to the prudent mind. Anyhow, the appellant being enlisted as constable dated 20-10-1982 and confirmed dated 21-10-1985 is more senior than respondent No. 5 who was appointed as constable dated 02-11-1988 and confirmed dated 02-11-1991. (Official orders of promotion and confirmation of the appellant and respondent No. 5 showing seniority of the appellant are annexure "A" to "A/5").
3. That the respondent No. 5, the then H/C (Safdar Ali Shah) tried his best to bring/record his seniority than the appellant and accordingly filed/tailed the departmental representation before the Deputy Inspector General, of Police, Crimes Branch NWFP Peshawar which was straightaway rejected hopelessly. However, conversely, while brushing aside his alleged seniority over the appellant, the appellant was clearly declared as senior than respondent No. 5 and all of his colleagues. (Copy of the departmental representation coupled with forwarding memo and its rejection order is annexure "B" & "C" respectively).
4. That right from the date of appointment, the appellant was continuously kept and shown senior than respondent No. 5 till the year 2009(almost 18 years). (Copy of the seniority list for the year 2006 and 2009 showing the appellant at S.No. 11 and respondent No. 5 at S.No. 14 is annexure "D" & "E" respectively).
5. That on 29-01-2009, once again, the respondent No. 5 re-tried and re-filled a successive representation claiming therein his seniority than the appellant and was succeeded to get an illegal and unlawful order in his favour vide first/original impugned order dated 17-04-2009 by bringing the name of respondent No. 5 at serial number 11 and pushing the appellant to S.No. 14 of the seniority list. (Copy of the successive representation and first/original impugned order dated 17-04-2009 passed by the Add; IGP Investigation is annexure "F" & "G" respectively).
6. That the appellant was kept unaware regarding the impugned order which was passed on his back and no copy was delivered/endorsement to him.

7. That the appellant while aggrieved of the discrimination in service and depriving him of his legal right, filed departmental appeal against the first/original impugned order for the redressal of his grievances and tabled before the respondent No.1 dated 05-05-2016. (Copy of the departmental appeal is annexure "G").
8. That the respondent No. 1 forwarded the departmental appeal to the DPC, scheduled on 20-07-2017 and upheld the first/original impugned order dated 17-04-2009 passed by the Add; IGP Investigation and recommended to file the appeal but this time too, the appellant was kept unaware about the fate of his representation and latter on, on his application dated 16-11-2017, the final impugned order was handed-over to the appellant. (Copy of the application and final impugned order passed by the DPC conveyed/communicated to the appellant on 17-11-2017 is annexure "H" & "I" respectively).
9. That in the given circumstances the appellant prefers this service appeal being illegally placed below the name of the respondent No. 5 in the seniority list, for the redressal of his grievances on the following amongst other grounds inter-alia.

### Grounds.

- a. That the Appellant has a proper recurring cause of action and is suffering from continuous injury and his grievances should have been redressed by the Appellate Authority and by not doing so, the impugned order is illegal, unlawful, without lawful authority, without jurisdiction, against the law on the subject and against the norms of natural justice and liable to be declared as such.
- b. That right from the date of appointment, the appellant was continuously kept and shown senior than respondent No. 5 till the year 2009 (almost 18 years) and such sudden change vide impugned order is hit by the command of the fundamental rights enshrined in the constitution of the Islamic Republic of Pakistan 1973 and hence by no stretch of imagination the impugned order is maintainable and alternatively is liable to be set-aside.
- c. That non correction/rectification of the wrong entry by placing the name of the appellant below the name of respondent No. 5 in the seniority list of

Sis is illegal, unlawful, without lawful authority and un-constitutional as the appellant was enlisted as Constable in Finger Print Bureau (FPB) on 20-10-19982 while respondent No. 5 was enlisted on 02-11-1988 and as such the appellant was kept and shown senior than respondent No. 5 till 2009 and as per service law, the name of the appellant should have been placed above the name of respondent No. 5 in the seniority list of his colleagues subsequently wrongly so prepared.

- d. That there is no legal bar as to the correction/rectification in concerned seniority list of Sis by placing his name above the name of respondent No. 5 and this august Tribunal has the jurisdiction to adjudicate upon the matter.
- e. That valuable right was accrued to the appellant whereas his fundamental valuable rights have been encroached by the respondents on their personal whims & wishes and such encroachment is hit by the command of the constitution of the Islamic Republic of Pakistan 1973.
- f. That the Appellant has vested valuable right, accrued to him regarding proper correction as prayed for in his service record and violation thereof would hit the command of constitution and such fundamental rights could not be taken away with a single stroke of pen.
- g. That it has also been held by the apex supreme court of Pakistan that the judgment of the Supreme Court unless reviewed would have binding force so far such previous judgment of the Supreme Court has remained intact--- appellant could not be knocked out on principle of latches. **(2010 SCMR Page 421)**.
- h. That confirmation of the appellant from the date of joining his service as constable should have been considered under police rule 12.2(3) and as such the appellant is deemed to be senior than respondent No. 5.
- i. That the act of respondents by not rectifying the discrepancy in the seniority list by illegally keeping and illogically placing the name of the appellant below the name of the respondent No. 5 (SI Safdar Ali Shah) and on the other hand accommodating the junior to the appellant as senior and as such the appellant has been deprived of his due seniority which is not only deplorable and condemnable but also against the fundamental rights of the appellant guaranteed by the constitution.

- j. That discrimination in service as observed by the respondents in the matter of seniority of the appellant is highly deplorable and condemnable, being unlawful, unconstitutional, without lawful authority, without jurisdiction, against the norms of natural justice and equity hence to be declared as such.
- k. That the appellant being deserving and eligible candidate for his due seniority while no adverse remarks whatsoever has ever been assigned to him from any quarter and thus valuable right has been accrued to him and such rights could not be taken away in an arbitrary and fanciful manner.
- l. That there is sheer discrimination in the matter of seniority of appellant and the respondents have acted according to their own sweet will, whims, wishes, discretion and innovation.
- m. That the appellant has not been dealt with in accordance with law and equity and the appellant has been made as scapegoat who has been penalized for no fault on his part.
- n. That Islamic State is under obligation to establish a society, which is free from exploitation wherein social and economic justice is guaranteed to its citizens. {2005 SCMR 100 (c & d)}.
- O. That further submission will be advanced at the time of hearing the Appellant at the bar.

It is therefore, humbly prayed, that on acceptance of this appeal the Respondents may please be directed to accord proper correction for granting the appellant his due seniority to rectify the discrepancy in the seniority list by illegally keeping and illogically placing the name of the appellant below the name of the respondent No. 5 (SI Safdar Ali Shah) and they further be directed to keep/maintain the old seniority list already maintained right from the year 1991 till 2009 (almost 18 years) and the legitimate valuable right of the petitioner be restored and or any other remedy if available may also be extended in favour of the appellant.

APPELLANT

Through;

Muhammad Usman Khan  
Turlandi  
Advocate Peshawar

Dated; 24/11/2017

*Muhammad Usman Khan*  
*(Appellant)*

**BEFORE THE KPK SERVICE TRIBUNAL PESHAWAR.**

In Ref: to WP No. \_\_\_\_\_ of 2017.

Muhammad Faheem.....Versus.....PPO & Others.

**AFFIDAVIT.**

I, Muhammad Faheem, Sub-Inspector Police, presently working and posted as SI, Finger Print Bureau (FPB), Forensic Science Laboratory (FSL), Investigation, Khyber Pakhtunkhwa, Hayatabad, Peshawar, do hereby solemnly affirm and declare on oath that the contents of the accompanying service appeal are true and correct to the best of my knowledge and belief and that nothing has been kept secret or concealed therein from this august Tribunal.

*M. Faheem*

**IDENTIFIED BY:**

*Muhammad Usman Khan*

Muhammad Usman Khan  
Turlandi  
Advocate Peshawar..

**DEPONENT:**

CNIC No. \_\_\_\_\_





(9)

Annex - A

ORDER.

PROMOTION LISTS:- The names of the following Lower Subordinates of F.P.B. are brought on promotion list on the dates noted against their names:-

S.No.	NAME AND RANK.	PROMOTION LIST.		
		A-I.	B-I.	C-I.
1.	Mohammad Fahim. HC.	20.3.90.	-	21.1.89.
2.	Shahadat Hussain. HC.	20.3.90.	-	8.2.89.
3.	Irfanullah. HC.	31.3.89.	-	10.10.90.
4.	Zahoorul Islam. HC.	20.3.90.	-	26.11.91.
5.	Safdar Ali Shah HC.	20.3.90.	-	-
6.	Said Rasool. HC.	-	-	-

CONSTABLES.

1.	Riaz-ur-Rehman. Const:	20.3.90.	-	-
2.	Alamgir. Const:	20.3.90.	-	-
3.	Fiaz Ahmed. Const:	-	-	5.11.91.

*(Signature)*  
 (S. SAEED AKHTAR ZAIDI)  
 Superintendent of Police,  
 Crimes Branch NWFP, Pesh:

No. 3681-82 / Crimes dt: Pesh: the 2/12 /91.

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

1. Director Forensic Science Laboratory, Crimes Branch N.W.F.P., Peshawar.
2. S.R.C. Crimes Branch, Peshawar.

RECORDED  
 No. 567/FSC  
 Dt. 3.12.91

noted sir

*(Signature)*  
3.12.91

**TESTED TO BE  
TRUE COPY**

*(Signature)*  
 M. Usman Khan Turlandi  
 M. A. LL. B Advocate  
 Peshawar.

*(Signature)*  
3/12/91

(10)

A/I

ORDER.

The following Lower Subordinates of Fingee Bureau Crimes Branch NWFP, Peshawar (Technical Cad) are hereby confirmed as Constable/Head Constable with effect from the dates noted against their names.

*Lien transferred to FPB on 1986.*

*Promoted as HC on 19-09-1991  
D.O.A = 20-10-1982*

S.No.	NAME AND RANK.	CONSTABLE.	H/COM
1.	H/C Mohammed Fahim.	21.10.1985	-
2.	H/C Shahadat Hussain.	31.5.1983.	-
3.	H/C Irfanullah.	17.9.1991.	-
4.	H/C Zahoorul Islam.	26.10.1991.	-
5.	H/C Safdar Ali Shah.	2.11.1991.	-
6.	H/C Saïd Resool.	18.6.1971.	19.

*D.O.A  
02-11-88 (Lien)  
Promoted as HC  
01-01-1989, (at that  
time his qualification  
was F.Sc)*

(S. SAEED AKHTAR ZAIDI)  
Superintendent of Police,  
Crimes Branch NWFP, Peshawar

No. 3679-80 / Crimes dt: Pesh: the 2/12/91

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

1. Director Forensic Science Laboratory, Crimes B N.W.F.P., Peshawar.
2. S.R.C. Crimes Branch NWFP, Peshawar.

FFP  
No. 566/P.26  
15 3-12-91

*All concerned to be informed  
Promoted to  
3/12/91*

*Sir, H.C. Saïd Resool  
is on 11 days of leave  
from 2.12.91.  
M. Usman Khan  
Head Clerk  
31/12/91*

*Noted Sir,  
3-12-91*

*3/12/91*

ATTESTED TO BE  
TRUE COPY  
M. Usman Khan Turand  
M. A. LL.B Advocate  
Peshawar.

(11)

A/II

CRIME BRANCH N.W.F.P.

CRIME BRANCH N.W.F.P., PESHAWAR

FOR PUBLICATION IN THE N.W.F.P. POLICE GAZETTE PART II

ORDERED BY THE D.I.G./CRIMES BRANCH N.W.F.P., PESHAWAR.

Dated Pesh: the 22/1/194.

NOTIFICATION.

No. 285 /CRIM S:OFFG:PRONOTION:-The following

Head Constables of the Fingerprint Bureau N.W.F.P., Peshawar are hereby promoted to Officiate as Asstt:Sub-Inspectors against the Technical Posts in the F.P.B. with immediate effect till further orders:-

- |                         |      |
|-------------------------|------|
| 1. Mohammad Faheem Khan | H.C. |
| 2. Shahadat Hussain     | H.C. |
| 3. Irfanullah           | H.C. |
| 4. Saffdar Ali Shah.    | H.C. |
| 5. Khan Sher.           | H.C. |

On promotion they are remain posted to the Fingerprint Bureau N.W.F.P., Peshawar.

(GHULAM SANJAR KHAN BATOCHI)  
Superintendent of Police,  
Crimes Branch N.W.F.P., Peshawar.  
(M.F)

No. 286-90 /Crimes dt:Pesh:the 22/1/194.

Copy of above is forwarded to the:-

1. Director F.S.L. Crime Branch N.W.F.P., Peshawar.
2. Accountant Crime Branch Peshawar.
3. S.R.O. Crime Branch, Peshawar.
4. Steno to DIG/Crimes Branch Peshawar.
5. Gazette Clerk with two spare copies for publication in the N.W.F.P. Police Gazette Part.II

*h sanjar*  
(GHULAM SANJAR KHAN BATOCHI)  
Superintendent of Police,  
Crimes Branch N.W.F.P., Pesh:

**ATTESTED TO BE  
TRUE COPY**

Usman Khan T...  
LL. L Advocate  
Peshawar.

FOR PUBLICATION IN THE POLICE GAZETTE PART-II.  
ORDER BY THE D.I.G./CRIMES BRANCH, NWFP, PESHAWAR.

## NOTIFICATION

No. 1592 /Crimes, CONFIRMATION AS A.S.Is:- The following  
Offg:Sub-Inspectors/Offg:Asstt:Sub-Inspectors of FPB are  
hereby confirmed as A.S.I. against the permanent post of  
FPB from the dates as noted against their names.

- |                         |            |
|-------------------------|------------|
| 1. SI Kafoor Khan.      | 20.9.1991  |
| 2. SI Khalid Jan        | 20.9.1991  |
| 3. SI Mohammad Khan.    | 24.10.1993 |
| 4. ASI Sabz Ali         | 24.10.1993 |
| 5. ASI Abbas Khan       | 24.10.1993 |
| 6. ASI Sher Azam        | 24.10.1993 |
| 7. ASI Mohammad Fahim   | 24.2.1996  |
| 8. ASI Shahadat Hussain | 24.2.1996  |
| 9. ASI Khan Sher        | 24.2.1996  |
| 10. ASI Safdar Ali Shah | 24.2.1996  |
| 11. ASI Irfan Ullah     | 24.2.1996  |

(SHAUKAT ALI KHAN)  
Dy:Inspector General of Police,  
Crimes Branch, N.W.F.P, Peshawar.  
(F.A.)

No. 1593-95 /Crimes, dt: Peshawar, the 26-6 /1996.

Copy of above is forwarded for information

to the:-

1. Director, F.S.L, NWFP, Peshawar.
2. S.R.C/Crimes Branch, NWFP, Peshawar.
3. Gazette Clerk with two spare copies for publication  
in the NWFP Police Gazette Part-II.

(SHAUKAT ALI KHAN)  
Dy:Inspector General of Police,  
Crimes Branch, N.W.F.P, Peshawar.

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(13)

A/IV

From: The Director,  
Forensic Science Laboratory,  
Crimes Branch, NWFP, Peshawar.

To: The Dy: Inspector General of Police,  
Crimes Branch, NWFP, Peshawar.

NO. 6325/FSL, Dated Peshawar the 8.2/1997.

Subject:- RECOMMENDATION FOR PROMOTION.

Memo:-

There are two vacancies of S.Is in Finger Print Bureau, Crimes Laboratory NWFP, Peshawar due to the retirement of S.I Sher Rehman and S.I Sher Azam.

The Service record of the following officers were perused and it was found that ASI Mohammad Fahim and ASI Shahadat Hussain are senior to other ASIs posted in FBB, Crimes Laboratory Peshawar.

1. Mohammad Fahim ASI/FPB.
2. Shahadat Hussain ASI/FPB
3. Irfanullah ASI/FPB.
4. Safdar Ali Shah ASI/FPB.

It is therefore, requested that both the above named officers (mentioned at S.NO.1 and 2) may please be promoted to the rank of S.I.

The Seniority list and service record of all the ASIs, received in this office with your office letter No.2192/Crimes dated 18.6.97 are returned herewith for your perusal and order please.

Director,  
Forensic Science Laboratory,  
Crimes Branch, NWFP, Peshawar.

ATTESTED TO BE  
TRUE COPY

M. Usman Khan Turlandi

M. A. B. D. J. S. P.

P. S. P.

POLICE DEPTT:

14

A/E

CRIMES BRANCH, NWFP, PESHAWAR.

ORDERS BY THE DIG/CRIMES BRANCH, NWFP, PESHAWAR.

DATED THIS: THE 27/3 /1999.

NOTIFICATION.

NO. 1453 / CRIMES: PROMOTION AS S.I:- The following ASI's of Finger Print Bureau Peshawar are hereby promoted to as offg: Sub-Inspectors in the existine vacancies of Finger Print Bureau Peshawar with immediate effect:-

1. Mohammad Fahim
2. Shahadat Hussain
3. Irfanullah
4. Saffdar Ali Shah

264/ESL  
1-4-99  
PESHAWAR

BY: A. M. Y.  
DIG/CRIMES BRANCH, NWFP, PESHAWAR.

NO. 1454-55 / Crimes Dated 27/3 /1999.

Copy of above is forwarded to the:-

1. Director/SSL, Crimes Branch, NWFP, Peshawar.
2. Accountant Crime Branch, Peshawar.
3. S.R.O Crime Branch, Peshawar.
4. Steno to DIG/Crimes Branch, Peshawar.

O.B.NO.

Dt: 27-3- /1999

BY: A. M. Y.  
DIG/CRIMES BRANCH, NWFP, PESHAWAR.

REFESTED TO AT  
TRUE COPY

M. Usman Khan Turfandi  
M. A. L. B Advocate  
Peshawar.

From The Director,  
Forensic Science Laboratory,  
Crimes Branch NWFP, Peshawar.

(15)

Annex - B

To The Deputy Inspector-General of Police,  
Crimes Branch NWFP, Peshawar.

No. 571 /FSL, Dated Peshawar the 20 /11/1992.

Subject:- REPRESENTATION.

Memo.

The representation preferred by H.C.  
Safdar Ali Shah of F.P.B. Section, Crime Laboratory Peshawar  
is submitted herewith for favour of your perusal please.

(Encl: Representation).

*[Signature]*  
DIRECTOR,

Forensic Science Laboratory,  
Crimes Branch NWFP, Peshawar.

12  
1911

(D.Asiam)

**ATTESTED TO BE  
TRUE COPY**

*[Signature]*  
**M. Usman Khan Turlandi  
M. A. LL. B Advocate  
Peshawar.**

10:-

The Deputy Inspector, General of Police,  
Crimes Branch, N.W.F.P., Peshawar.

Through Proper Channel.

Subject: - REPRESENTATION FOR AWARDED SENIORITY  
AND PROMOTION LIST.

Respected Sir,

Your kind attention is invited to the revised Seniority List notified vide Endst: No. 3690-92/C, dated 2.12.91, order of confirmations Endst: No. 3679-90/C, and order of Promotion Lists Endst: No. 3631-82/C, dated 2.12.91, wherein the petitioner has been placed at serial No. 5 of the Offg: H.C. thereby depriving him of his due seniority and promotion, which is against the Law/Rules on the following grounds:-

1. That the petitioner joined the Police Force in the F.S.D. NWFP, Peshawar on 2.11.88 and being as F. Sc promoted to the rank of Offg: H.C. on 1.1.89 in the existing vacancy. Besides qualified proficient and Searcher courses on 5.12.88 and 1.9.90 respectively.

2. That the seniority of members of FSD/FPD has previously fixed and the petitioner was senior to Offg: HC's Mohammad Fahim, Shahadat Hussain and Irfanullah. All the three officials were First deputationists and recently they have been transferred to FPD while the petitioner was on the permanent staff of FPD and qualified him-self as Searcher before all the above persons.

3. That in the previous seniority list notified vide No. 2521-23/C, dated 21.9.91 the petitioner has shown senior to all the above officials because of having Promotion as Offg: Head Constable, while Mohammad Fahim and Shahadat Hussain were simply constables and have recently been promoted as Offg: Head Constables on 19.9.91 and Offg: Irfanullah was shown on the strength of Crime Branch and his lien has also transferred to F.S.D. on 17.9.91.

4. That the petitioner declared the Proficient course on 5.12.88, while Serial No. 1, 2 & 3 have qualified the same Course as follow:-

- |                      |           |
|----------------------|-----------|
| 1. Mohammad Fahim.   | 21.1.89.  |
| 2. Shahadat Hussain. | 8.2.89.   |
| 3. Irfanullah.       | 10.10.89. |

N. Page No. 2 pl:

**ATTESTED TO BE  
TRUE COPY**

*M. Usman Khan Torlandi*  
**M. A. EL. B Advocate**  
Peshawar.



(2)

5. That all the above three persons made senior to the petitioner were brought on promotion List G-1 from the dates they qualified the Proficient course mentioned in Para (4) above, while the Petitioner has also qualified the said Course before them, having the rank of Offg; Head Constable before them & qualified the Searcher course before them. But the petitioner has brought on Promotion List G-1 after the expiry of 3 years has totally been deprived of Right full seniority for un-known reasons which is against the Law Rules and justice.

6. That the petitioner is from the permanent staff of F.P.O. while all the afore-said officials were first ~~de~~ deputationists and subsequently the lien of SI: No. 2 & 3 were transferred to FPO on 17.9.91 except Muhammad Fahim, while his lien was transferred on 2.8.86, but promoted as Offg; Head Constable later than the petitioner recently on 19.9.91 and the petitioner was also promoted since 1.1.89.

7. That SI: No. 1 & 2 of the revised seniority list notified on 2.12.91 were qualified the Proficient course later than the petitioner and promoted as OHC later than the petitioner and SI: No. 3 of the said Seniority List was qualified Proficient course and transferred his lien later than the petitioner.

8. That the basic point date of transfer of lien has been ignored while fixing seniority and has thus resulted in great in-justice, to the appellant and adverse effect on his future carrier.

It is therefore, requested that the case may be re-considered and the petitioner may be given his due seniority and Promotion lists which he deserves.

Your's obediently.

(SAFAR ALI SHAH)  
Head Constable,  
FPO, Crime Branch NAF, Peshawar.

*Handwritten notes on the left margin:*  
Bilal  
FPO  
SI: No. 2 & 3  
SI: No. 1 & 2  
SI: No. 3  
SI: No. 4  
SI: No. 5  
SI: No. 6  
SI: No. 7  
SI: No. 8  
SI: No. 9  
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SI: No. 98  
SI: No. 99  
SI: No. 100

Forwarded for Consideration

ATTESTED TO BE TRUE COPY

M. Usman Khan Turlandi  
M. A. EL. B Advocate  
Peshawar.

FPO

(18)

Annex - "C"

From:- The Deputy Inspector General of Police,  
Crimes Branch N.W.F.P. Peshawar.

To:- The Director,  
Fornsic Science Laboratory,  
Crimes Branch N.W.F.P. Peshawar.

No. 880 / Crimes, dated Peshawar the 5/3 / 1992

Subject:- REPRESENTATION.

Memo:-

Please refer to your memo: No. 1444/FSL,  
dated 17.2.92.

Offg: Head Constable Saifdar Ali Shah of FP  
has Claimed his seniority over Offg: Head Constables Mohamma  
Fahim Shahadat Hussain Irfanullah of FPB.

HC Fahim was recruited as Constable  
on 20.10.1982 and was confirmed in the same rank on 21.10.85  
while all the three Head Constables were recruited/confirmed  
earlier than the petitioner. Hence he has no valid grounds  
for his seniority.

In view of the above, the appellant is  
Junior to them, as such his representation was considered and  
rejected.

He may be informed accordingly.

*(Signature)*  
Deputy Inspector General of Police,  
Crimes Branch N.W.F.P. Peshawar. (J)

*M. C. Saifdar Ali Shah*

*To note*

*Director*  
*FSL, C.B. Peshawar*

2.00 P.K.  
7.3.92

REGISTERED TO MR  
SERVIS COPY

M. Usman Khan Turlandi  
M. A. LL. B Advocate  
Peshawar,

02/03/1980  
16202-0986564  
16202-0986564

Annex - "D"

19

SENIORITY LIST OF SIS, ASIS, HCS AND CONSTABLES OF FPB  
 No. 2242 /SRC/Inves: the seniority list of FPB

Is here by published for information.

S#	Name & Rank	Home District	Education	Date of Birth	Date of Enlist	Date of Transfer of Lien to FPB	Date of Promot as H.C.	Date of Confirm as H.C.	Date of Promot as ASI	Date of Confirm as ASI	Date of Promot to List "B"	Date of Promot as SI	Date of Confirm as SI	Date of Promot as Insp.	Date of Confirm as Insp.
1.	SI Bahader Sher Khan	Peshawar	MA	08.02.49	29.06.69 as Constable	05.04.80	06.05.74	-	01.05.78	04.05.79	04.06.79	01.10.79	04.06.89	-	-
2.	SI Muhammad Aslam	Mardan	FA	05.01.55	28.04.77 as ASI	28.04.77	-	-	28.04.77	28.04.80	30.07.85	01.07.78	30.07.90	-	-
3.	SI Larif Ullah	Mardan	BA LLB	14.08.53	20.06.78 as Constable	18.09.79	15.01.79	20.06.1984	01.05.79	12.12.86	12.01.87	10.02.81	12.01.91	-	-
4.	SI Zahir Ahmed	Abbotabad	FA	29.10.57	29.10.75 as Constable	13.01.79	01.05.77	-	01.10.78	05.05.85	05.08.85	20.09.79	20.09.91	-	-
5.	SI Zakir Ullah	Peshawar	10 <sup>th</sup>	02.02.55	02.09.76 as Constable	18.09.79	01.05.77	-	16.11.78	04.06.91	01.11.91	21.04.85	05.06.93	-	-
6.	SI Hassan Khan	Bannu	MA	12.12.55	22.10.75	02.08.80	01.02.78	-	01.06.80	20.10.87	22.11.87	23.09.91	24.09.93	-	-
7.	SI Niaz Muhammad	Peshawar	FA	21.11.52	06.01.73 as Constable	08.07.80	01.10.76	01.10.79	02.12.85	01.02.90	01.03.90	23.09.91	24.09.93	-	-
8.	SI Kadir Khan	Charsadda	10 <sup>th</sup>	01.05.60	16.11.78 as Constable	25.09.91	15.08.80	-	07.08.85	20.09.91	-	18.10.92	19.10.94	-	-
9.	SI Khalid Jan	Charsadda	10 <sup>th</sup>	05.01.61	09.04.79 as Constable	25.09.91	15.08.80	09.04.85	07.08.85	20.09.91	-	01.02.93	02.02.95	-	-
10.	SI Muhammad Abbas	Peshawar	FA	15.06.55	26.10.76 as Constable	08.07.80	15.08.80	15.08.83	23.09.91	23.09.91	24.10.93	11.08.96	12.08.98	-	-
11.	SI Muhammad Fahim	Peshawar	MA	01.05.64	20.10.82 as Constable	02.08.86	19.09.91	19.09.95	22.01.94	24.02.96	-	27.03.99	07.06.01	-	-
12.	SI Shahid Hussain	Peshawar	10 <sup>th</sup>	15.12.61	31.05.80 as Constable	25.09.91	19.09.91	19.09.94	22.01.94	24.02.96	-	27.03.99	07.06.01	-	-
13.	SI Brian Ullah	Peshawar	10 <sup>th</sup>	20.05.65	17.09.88 as Constable	25.09.91	01.10.88	01.10.91	22.01.94	24.02.96	-	27.03.99	07.06.01	-	-
14.	SI Saifdar Ali Shah	Karak	FSc	20.04.69	02.11.88 as Constable	02.11.88	01.01.89	01.01.92	22.01.94	24.02.96	-	27.03.99	07.06.01	-	-
15.	SI Khan Sher	Swabi	FA	20.12.60	16.12.85 as Constable	28.09.92	07.09.91	07.09.93	22.01.94	24.02.96	-	03.04.01	04.04.03	-	-
16.	SI Riaz ur Rehman	Peshawar	10 <sup>th</sup>	10.10.70	21.11.88 as Constable	21.11.88	22.01.94	23.01.93	03.04.96	04.04.98	-	25.07.01	30.07.2003	-	-
17.	SI Alamgir Khan	Mardan	10 <sup>th</sup>	13.01.65	10.12.88 as Constable	25.09.91	22.01.94	23.01.96	24.03.97	25.03.99	-	15.09.01	16.09.2003	-	-
18.	ASI Fiaz Ahmad	Peshawar	BA	13.03.66	18.12.88 as Constable	16.09.91	22.01.94	23.01.96	27.03.99	09.05.01	-	-	-	-	-
19.	ASI Habib-ur-Rehman	Peshawar	FA	01.04.71	25.10.92 as Constable	25.10.92	22.01.94	23.01.96	27.03.99	28.03.2001	-	-	-	-	-
20.	ASI Alamgir	Mardan	10 <sup>th</sup>	05.01.68	02.11.92 as Constable	02.11.92	03.02.94	04.02.96	27.03.99	28.03.2004	-	-	-	-	-
21.	ASI Sher Ali	Peshawar	FA	20.01.73	25.01.94	25.01.94	04.09.97	04.09.99	27.03.99	-	-	-	-	-	-
22.	ASI Muhammad Ijaz	Mardan	FA	11.02.74	01.03.94	01.03.94	04.09.97	04.09.99	27.03.99	28.03.2001	-	-	-	-	-
23.	ASI Noor Zada	Malakand Agency	FA	22.02.75	01.03.94	01.03.94	27.03.99	25.06.04	09.05.01	-	-	-	-	-	-

TESTED TO BE TRUE COPY  
 M. Usman Khan Turlandi  
 M. A. T. B Advocate  
 Peshawar

S.#	Name & Rank	Home District	Education	Date of Birth	Date of Enlist:	Date of Transfer of Lien to FPB	Date of Promot: as IIC	Date of Confirm: as HC	Date of Promot: as ASI	Date of Confirm: as ASI	Date of Promot: to List "E"	Date of Promot: as SI	Date of Confirm: as SI	Date of Promot: as Ins.	Date of Confirm: as Ins.
24.	ASI Mukhtiar Ali	Mardan	FA	18.05.68	07.09.87	17.03.94	27.03.99	25.06.04	25.07.01						
25.	ASI Muhammad Yousaf	Mardan	BA	06.01.65	06.12.92	11.04.94	27.03.99	27.01.01	15.09.01	16.09.2003					
26.	HC Saïd Rasool No. 151	D.I.Khan	7 <sup>th</sup>	01.11.47	18.06.68	25.09.91	06.12.94								
27.	HC Mohammad Islam No. 155	Malakand Agency	10 <sup>th</sup>	17.03.76	04.12.94	13.09.95	27.03.99	25.06.2004							
28.	HC Siraj Mohammad No. 154	Mardan	10 <sup>th</sup>	20.03.73	09.09.92	01.11.95	27.03.99	25.06.2004							
29.	HC Ishtiaq Ahmad No. 156	Peshawar	10 <sup>th</sup>	07.02.79	10.07.98	10.04.99	25.05.2001								
30.	HC Niaz Ali No. 152	Mardan	FA	11.02.73	10.07.91	07.06.2000	25.07.2001								
31.	HC Hameed Khan No. 153	Peshawar	BA	08.07.70	29.08.93	10.06.2000	15.09.2001								
32.	FC Ajmer Shah	Malakand Agency	FA	09.04.1966	15.01.1995	15.06.2000									
33.	FC Zar Mohammad	Peshawar	10 <sup>th</sup>	25.04.68	27.03.89	14.12.2000									
34.	FC Asad Ali	Mardan	D.Com.	01.10.78	11.07.2001	11.07.2001									
35.	FC Masood-Ur-Rehman	Charsadda	BA	01.03.74	10.08.2001	10.08.2001									
36.	FC Syed Ijaz Hussain Shah	Peshawar	10 <sup>th</sup>	01.09.83	21.09.2001	21.09.2001									

20.

*[Signature]*

(FIAZ AHMAD KHAN TORU)  
Addl: Inspector General of Police.  
Investigation, NWFP, Peshawar.

*[Signature]*  
20/10

All Staff of F.P.B.

To note U.I.

No. 2243-47/SRC/INVES: dated 1/12/2006

Copy of above is forwarded for information n/a to the :-

1. Provincial Police Officer NWFP, Peshawar.
2. Dy: Inspector General of Police Investigation. Director FSL.
4. SSP/Investigation.
5. SRC/Investigation.

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M. A. LL. B Advocate  
Peshawar;

*[Signature]*  
Director FSL

31-10-06

692/FSL  
30-10-06

**SENIORITY LIST OF INSPRS, SIS, ASIS, HCS AND CONSTABLES OF FPB**  
/SRC/Inves: the seniority list of FPB

No. \_\_\_\_\_

Is here by published for information.

Sl. No.	Name	Home District	Education	Date of Birth	Date of Enlistment	Date of Promotion		Date of Confirmation		Date of Promotion to List		Date of Confirmation to List		Date of Promotion as Insp.	Date of Confirmation as Insp.
						Transfer of Post as HC	as HC	as HC	as ASI	as SI	as SI	as Insp.	as Insp.		
1	Insp. Bahadar Sher	Peshawar	MA	08.02.49	29.06.65 as FC	05.04.80	06.05.74	-	01.05.78	04.05.79	04.06.79	01.10.79	04.06.89	14.01.08	R.T. 2024
2	Insp. Muhammad Aslam	Mardan	FA	05.01.55	28.04.77 as ASI	28.04.77	-	-	28.04.77	28.04.80	30.07.85	01.07.78	30.07.90	14.01.08	
3	SI Yaqub Ullah	Mardan	BALIB	14.08.53	20.06.78 as Constable	18.09.79	15.01.79	20.06.1984	01.05.79	01.05.79	12.12.86	12.01.87	10.02.81	12.01.91	
4	SI Zahir Ahmed	Abbotabad	FA	29.10.57	29.10.75 as Constable	13.01.79	01.05.77	-	01.10.78	05.05.85	05.08.85	20.09.79	20.09.91		
5	SI Zakir Ullah	Peshawar	10 <sup>th</sup>	02.02.55	02.09.76 as Constable	18.09.79	01.05.77	-	16.11.78	04.06.91	01.11.91	21.04.85	05.06.93		R.T. 2024
6	SI Hassan Khan	Hannu	MA	12.12.55	32.10.75	02.08.80	01.05.78	-	01.06.80	20.10.87	22.11.87	23.09.091	24.09.93		
7	SI Niaz Muhammad	Peshawar	FA	21.11.52	06.01.73 as Constable	08.07.80	01.10.76	01.10.79	02.12.85	01.02.90	01.03.90	23.09.91	24.09.93		
8	SI Karim Khan	Charsadda	FA	01.05.60	16.11.78 as Constable	25.09.91	15.08.80	-	07.08.85	20.09.91	-	18.10.92	19.10.94		
9	SI Khair Jan	Charsadda	10 <sup>th</sup>	05.01.61	09.04.79 as Constable	25.09.91	15.08.80	09.04.85	07.08.85	20.09.91	-	01.02.93	02.02.95		
10	SI Muhammad Abbas	Peshawar	FA	15.06.55	26.10.76 as Constable	08.07.80	15.08.80	15.08.83	23.09.91	24.10.93	-	11.08.96	12.08.98		
11	SI Muhammad Fajlan	Peshawar	MA	01.05.64	20.10.82 as Constable	02.08.86	19.09.91	19.09.93	22.01.94	24.02.96	-	27.03.99	07.06.01		
12	SI Shahdar Hassan	Peshawar	10 <sup>th</sup>	15.12.61	31.05.80 as Constable	25.09.91	19.09.91	19.09.94	22.01.94	24.02.96	-	27.03.99	07.06.01		
13	SI Faran Ullah	Peshawar	10 <sup>th</sup>	20.05.65	17.09.88 as Constable	25.09.91	01.10.88	01.10.91	22.01.94	24.02.96	-	27.03.99	07.06.01		
14	SI Saifur Ali Shah	Karak	BA	20.01.69	02.11.88 as Constable	02.11.88	01.01.89	01.01.92	22.01.94	24.02.96	-	27.03.99	07.06.01		
15	SI Khan Sher	Swat	FA	20.12.60	16.12.85 as Constable	28.09.92	07.09.91	07.09.93	22.01.94	24.02.96	-	27.03.99	07.06.01		
16	SI Nazir Rehman	Peshawar	FA	10.10.70	21.11.88 as Constable	21.11.88	22.01.94	23.01.96	03.04.96	04.01.98	-	25.07.01	30.07.2003		
17	SI Amang Khan	Mardan	10 <sup>th</sup>	13.01.65	10.12.88 as Constable	25.09.91	22.01.94	23.01.96	24.03.97	25.03.99	-	15.09.01	16.09.2003		
18	SI Fazl Ahmad	Peshawar	BA	13.03.66	18.12.85 as Constable	16.09.91	23.01.94	23.01.96	27.03.99	19.05.01	-	20.03.08			
19	SI Jabbar Rehman	Peshawar	FA	01.04.71	25.10.92 as Constable	25.10.92	22.01.94	23.01.96	27.03.99	28.03.2001	-	20.03.08			
20	ASI Ahinger	Mardan	10 <sup>th</sup>	05.01.68	02.11.92 as Constable	02.11.92	03.02.94	04.02.96	27.03.99	28.03.2004	-				
21	ASI Sher Ali	Peshawar	FA	20.01.73	25.01.91	25.01.91	04.09.97	04.09.99	27.03.99	26.03.01	-				
22	ASI Muhammad Jaz	Mardan	FA	11.02.74	01.03.94	01.03.94	04.09.97	04.09.99	27.03.99	28.03.2001	-				
23	ASI Noor Zada	Mardan	FA	22.02.73	01.03.96	01.03.96	27.03.99	25.06.04	09.05.01	08.05.03	-				

**RESTRICTED TO BB**  
**TRUE COPY**  
M. A. Usman Khan  
Peshawar

4/03/2010

No.	Name & Rank	Education	Date of Birth	Date of Issue	Date of Expiry	Date of Present Promot.	Grade as HC	Date of Promotion	Grade as ASI	Date of Promotion	Grade as ASI	Present Promot.	Grade as SI	Date of Promotion	Grade as SI
26	ASI Muhammad Yousaf	Mardan	06.01.65	06.12.92	11.04.94	27.03.99	27.01.01	15.09.01	16.09.03						
27	ASI Muhammad Isam	Makd Agency	17.03.76	04.12.94	13.09.95	27.03.99	25.06.2004	17.04.08	18.4.2010						
28	ASI Sinaj Muhammad	Mardan	20.03.73	09.09.92	01.11.95	27.03.99	25.06.2004	17.04.08	18.4.2010						
29	FC Nazir Afzal	Mardan	07.02.79	10.07.98	10.04.99	25.05.2001	26.05.03								
30	FC Masud-Ur-Rehman	Peshawar	25.04.68	27.03.89	14.12.2000	17.04.08									
31	FC Asad Ali	Mardan	01.10.78	11.07.2001	11.07.2001	17.04.08									
32	FC Masud-Ur-Rehman	Chausadda	01.03.74	10.08.2001	10.08.2001										
33	FC S. Ijaz Hussain Shah	Peshawar	01.09.83	31.09.2001	21.09.2001										
34	FC S. Ijaz Hussain Shah	Peshawar	06.09.86	05.10.07	05.10.07										
35	FC Abdul Jall	Mardan	01.01.1972	10.07.91											
36	FC Muhammad Amin	Peshawar	14.04.79	02.08.2000	09.05.08										

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No. S35-39 /SRC/INVES: dated 25/01/2009

Copy of above is forwarded for information n/a to the :-

1. Provincial Police Officer N/WFP, Peshawar.
2. Dy. Inspector General of Police Investigation.
3. Director FSL
4. SSP/Investigation.
5. SRC/Investigation.

*All staff of P.P.S.*

*To note.*

*Thee file*  
*27-1-2009*

(MUHAMMAD AKBAR KHAN HOTI)  
Addl. Inspector General of Police,  
Investigation, N/WFP, Peshawar.

**ATTESTED TO BE TRUE COPY**  
M. Usman Khan Turlangi  
M. A. EL. B Advocate  
Peshawar.

S35-39  
27-1-09

23

Annex - "F"

Subject: SENIORITY LIST OF SUB INSPECTORS FPB  
REPRESENTATION

R/Sir,

Kindly refer to SRC/ investigation memo No.535-39 dated 26/1 /2009 on the above noted subject. I represent as under:-

12

1. That I have been shown at serial No. 14 while the Sub-Inspectors Placed at serial No. 11, 12, 13 are junior to me.
2. That I was promoted to the Rank of Head Constable on 01/01/1989 and confirmed in the same rank on 01/01/1992 while S.I Muhammad Fahim placed at Serial No. 11 was promoted to the rank of Head Constable on 19-09-1991 and confirmed in the same rank on 19-09-1993.
3. That, I along with Muhammad Fahim were promoted/ Confirmed to the rank of ASI, S.I in the very same date.
4. That Sub-Inspector at serial No. 12. Shahadat Hussain, Serial No. 13, Irfan Ullah were promoted as Head Constable in FSL and subsequently their liens transferred to FPB on 25/09/91,
5. That at the time of their lien transfer to FPB I was already serving as Head Constable in FPB and according to the rules both officers would go to the bottom of the Head Constable Seniority List but unfortunately their names were placed on the top than mine which is grave injustice.

Const: Comb-2. Information date FIOs not been given.

Not correct

It is therefore requested to kindly rectify the discrepancy by placing my name at S.No.11 in Sub-Inspector seniority list of FPB and oblige.

( Safdar Ali Shah )  
Sub-Inspector  
Finger Print Bureau  
NWFP, Peshawar

Dr. 29/1/09

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TRUE COPY

LL. B Advocate  
Peshawar;

Forwarded please.

  
29/1/09



24

235/FSL  
Date: 18/04/2009  
POLICE DISTRICT, PESHAWAR

Annex-5

CORRIGENDUM

In the light of recommendations made by DSP Legal Inv: CPO as well as AIG/Legal CPO, Peshawar upon the re-presentation submitted by SI Safdar Ali Shah of FPB (FSL) regarding his seniority, the name of SI Safdar Ali Shah of FPB (FSL) is hereby placed at S.No.11 instead of S.No. 14 (above the name of SI Muhammad Fahim and below the name of SI Muhammad Abbas) in the seniority list of the staff of FSL issued vide this office No. 534-39/SRC/Inv: dated 26.01.2009.

*(Signature)*

(MUHAMMAD AKBAR KHAN HOTI)  
Addl:Inspector General of Police,  
Investigation NWFP, Peshawar

No. 3245-48 /Inv: dated Peshawar, the 17/04/2009.

Copies are forwarded for information and necessary action to the:-

1. Provincial Police Officer NWFP, Peshawar w/r to this office No. 535-39/Inv: dated 26.01.2009.
2. SSP/Investigation NWFP, Peshawar.
3. Director FSL NWFP, Peshawar w/r to his letter No. 1611/FSL, dated 07.02.2009.
4. SI Safdar Ali Shah of FPB (FSL).

**ATTESTED TO BE TRUE COPY**

M Usman Khan Turlandi  
M. A. LL B Advocate  
Peshawar.

*SI Safdar Ali Shah / others  
To note & returned*

*Miraj*

*DIRECTOR / FSL  
20-4-09*

*Noted Sir,  
20/4/09*

*(Signature)*  
*(Signature)*

*9-13/09*

(25)

Annex - "H"

محضو جناب پراونشل پولیس آفسر صاحب خیبر پختونخواہ پشاور

بذریعہ محکمات توسط

عنوان:- درخواست برائے عطا یگی سیناریٹی از تاریخ بھرتی اکنفریشن

جناب عالی!

گزارش خدمت ہے کہ من مسائل آجیناب کے زیر کمان فارزک سائنس لیبارٹری پشاور میں بطور سب انسپکٹر فنگر پرنٹ پیورویکیشن میں اپنی ڈیوٹی احسن طریقہ سے سرانجام دے رہا ہوں۔ من مسائل حسب ذیل عرض رساں ہوں۔

(۱)۔ یہ کہ من مسائل مورخہ 20/10/1982 کو محکمہ پولیس مردان ڈسٹرکٹ میں (برائے کرائمر لیبارٹری پشاور) بطور کنسٹبل بھرتی ہوا اور مورخہ 02/08/1986 کو من مسائل کا Lien FPB کرائمر برانچ تبدیل ہوا۔ میرے بعد صفدر علی شاہ مورخہ 02/11/1988 کو FPB میں بطور کنسٹبل بھرتی ہوا۔ سال 2009 تک من مسائل کو سیناریٹی لسٹ میں صفدر علی شاہ سے سیمیر شو کیا گیا ہے جبکہ اسکے بعد کی جاری شدہ لسٹ کی رو سے مجھے صفدر علی شاہ سے جو سیمیر کر دیا گیا ہے۔ اس بابت درج ذیل ٹیبل قابل ملاحظہ ہے۔

نمبر شمار	تفصیل	من مسائل محمد فہیم	صفدر علی شاہ	کیفیت
(۱)	تعلیم	M.A	B.A	
(۲)	تاریخ بھرتی	20/10/1982	02/11/1988	
(۳)	تاریخ تبدیلی Lien	02/08/1986	02/11/1988	
	تاریخ کنفریشن کنسٹبل	21/10/1985	02/11/1991	03 سال بعد
	تاریخ پاسنگ A-I	20/03/1990	20/03/1990	
	تاریخ پاسنگ C-I	21/01/1989	-	
	تاریخ ترقیاتی ہیڈ کنسٹبل	19/09/1991	01/01/1989	
(۸)	تاریخ بھرتی کے کتنا عرصہ بعد ترقی ہوئی	08 سال 11 ماہ بعد	02 ماہ بعد	
(۹)	تاریخ کنفریشن ہیڈ کنسٹبل	18/09/1993	01/01/1992	2 سال بعد
(۱۰)	تاریخ ترقیاتی ASI	22/01/1994	22/01/1994	
(۱۱)	تاریخ کنفریشن ASI	24/02/1996	24/02/1996	2 سال بعد
(۱۲)	تاریخ ترقیاتی SI	27/03/1999	27/03/1999	
(۱۳)	تاریخ کنفریشن SI	07/06/2001	07/06/2001	2 سال بعد

(۲)۔ یہ کہ صفدر علی شاہ تاریخ بھرتی کے صرف 02 ماہ بعد بعد ہیڈ کنسٹبل ترقیاتی کیا گیا جبکہ من مسائل پورے 08 سال 11 ماہ بعد بطور ہیڈ کنسٹبل ترقیاتی ہوا۔

(۳)۔ یہ کہ اوپر درج ٹیبل کے مطابق من مسائل کی بطور کنسٹبل کنفریشن 21/10/1985 اور صفدر علی شاہ کی بطور کنسٹبل کنفریشن 02.11.1991 یعنی 3/3 سال بعد ہوئی تھی جو کہ بمطابق پولیس رولز درست ہے۔ یہاں عرض یہ ہے کہ صفدر علی شاہ مورخہ 01.01.1989 کو ہیڈ کنسٹبل ترقیاتی ہوا تھا تو اسے کس طرح کنسٹبل کنفریشن سے 02 سال اور 10 ماہ قبل بطور ہیڈ کنسٹبل ترقیاتی کیا گیا جو کہ پولیس رولز کو پس پشت ڈال کر منظور نظر کو ملحوظ خاطر رکھا گیا۔

(۴)۔ یہ کہ مذکورہ صفدر علی شاہ نے سیناریٹی کے لئے سال 1992 میں Representation کی تھی (جو کہ کاپی ہمراہ لف ہے) اس Representation کی رو سے مذکورہ صفدر علی شاہ ایک طرف تو سیناریٹی تاریخ بھرتی کنفریشن سے مانگ رہا تھا جبکہ دوسری طرف (چونکہ وہ Like and Dislike کے تحت صرف دو ماہ مردوں کے بعد ترقیاتی ہوا تھا۔) من مسائل سے پہلے) تو من مسائل سے تاریخ ترقیاتی HC سے خود کو سیمیر تصور کرنے لگا۔

(۵)۔ یہ کہ مذکورہ Representations کے پیرا 8 کے تحت صفدر علی شاہ نے خود اقرار کیا ہے کہ سیناریٹی مرتب کرتے وقت Lien کی تبدیلی کی تاریخ کو نظر انداز کیا گیا ہے تو عرض یہ ہے کہ من مسائل کا Lien 02/08/1986 کو FPB تبدیل ہوا جبکہ مذکورہ صفدر علی شاہ میرے Lien کی تبدیلی کے دو سال تین ماہ بعد بھرتی ہوا تھا اور اب اسکو من مسائل سے سیمیر کیا جانا انصاف کے تقاضوں کے برخلاف ہے۔

(۶)۔ یہ کہ مذکورہ Representation اس وقت کے DIG کرائمر برانچ جناب فیاض احمد خان طور و صاحب کے حکم پر منسوخ/افائل کر دی گئی تھی (نوٹو کاپی ہمراہ لف ہے)۔

(۷)۔ یہ کہ ڈائریکٹر FSL کے لیڈ نمبری 6325/FSL مورخہ 09/07/1997 (نوٹو کاپی لف ہے) کے تحت من مسائل کو صفدر علی شاہ سے سیمیر بتایا گیا ہے۔ اور سیناریٹی ایجنار یہ ایڈیشنل IGP صاحب انوشی کیشن بحوالہ نمبر: 28/10/2006 SRC/INVES/7243-47 مورخہ میں بھی من مسائل صفدر علی شاہ سے سیمیر ہوں۔

(۸)۔ یہ مذکورہ صدر علیشاہ نے اسپر بس نہیں کیا اور مورخہ 29/01/2009 کو دوبارہ Representation کی جو کہ سراسر غلط بیانی پر مشتمل ہے (فوٹو کاپی ہمراہ لف اورن قابل ملاحظہ ہے)

(۹)۔ یہ کہ سپریم کورٹ کے فیصلہ Like & Dislike کے تحت دفتر ایڈیشنل IGP انوسٹی گیشن پشاور سے ریکارڈ اور حقیقت کو پس پشت رکھتے ہوئے اور سابقہ منسوخ Representation کو دیکھے بغیر بحوالہ لیٹر نمبری: 3045-48/Inv مورخہ 17/04/2009 صدر علیشاہ کو سن سائل سے سیخیر کر دیا گیا جو کہ سن سائل کے ساتھ سراسر ظلم ہوا۔

(۱۰)۔ یہ کہ سن سائل بمطابق پولیس رولز (3)2-12 (فوٹو کاپی لف ہذا ہے) کے تحت ہر لحاظ سے صدر علیشاہ سے سیخیر ہوں لیکن شوئی قسمت کہ اسے سن سائل سے سیخیر کر دیا گیا۔

(۱۱)۔ یہ کہ سن سائل نے اس بابت ایک درخواست مورخہ 05/05/2016، کو حکمانہ توسط سے جمع کروائی تھی جو کہ جناب ایڈیشنل IGP انوسٹی گیشن خیبر پختونخوا پشاور نے بحوالہ حکمانہ نمبری، 13455/EC مورخہ 01/12/2016 فائل کر دی ہے۔

(۱۲)۔ یہ کہ یہاں یہ امر قابل ذکر ہے کہ مذکورہ صدر علی شاہ AIG لیگل صاحب CPO فلک نواز خان کا بھانجا ہے اور وہ اسکو سپورٹ کرتے ہیں۔ سن سائل کی درخواست مورخہ 05/05/2016 میں بھی AIG لیگل صاحب CPO نے اپنا اثر و رسوخ استعمال کیا ہے۔

(۱۳)۔ یہ کہ جناب ایڈیشنل IGP صاحب انوسٹی گیشن کے فیصلے (کاپی لف ہے) میں base یہ بنایا گیا ہے کہ سن سائل نے درخواست اپیل سات سال بعد جمع کرائی ہے اور یہ تازہ پہلے سے تصفیہ پا چکا ہے تو اس بابت عرض یہ ہے کہ۔

(۱)۔ سن سائل 1991 سے 2009 تک صدر علی شاہ سے سینئر تھا اور اٹھارہ سال بعد یعنی

2009 میں اس نے اپیل اور درخواست approachy کر کے خود کو سن سائل سے سینئر کر لیا (جو کہ سن سائل کے ساتھ سراسر زیادتی ہے) اور جب سن سائل نے سات سال بعد درخواست دی تو اسے time barred کر دیا گیا۔

(۱۱)۔ یہ کہ جو تصفیہ اس بابت قبل ازیں ہو چکا ہے وہ بھی AIG لیگل صاحب کی مداخلت اور like and dislike کی بنیاد پر صدر علیشاہ کے حق میں ہوا ہے۔ آپ صاحبان سے بذریعہ درخواست ہذا استدعا ہے کہ مذکورہ بالا حقائق اور ریکارڈ کو مد نظر رکھتے ہوئے سن سائل کی سیناریو Re-fix کرتے ہوئے واپس اپنی اصل جگہ پر Fix فرمائی جائے اور سن سائل کو صدر علیشاہ سے سیخیر گردانا جائے تاکہ انصاف کا بول بالا ہو۔

سن سائل تاحیات دعا گور ہوں گا۔

عرض:- آپکا تابع فرمان

SI محمد نعیم FFB فارزک سائنس لیبارٹری حیات آباد پشاور

05-05-2016

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M. Usman Khan Turlandi  
M. A. LL. B Advocate  
Peshawar.

(27)

Annex "I"


Sir,

It is submitted that I had requested for my revised Seniority to the worthy PPO K.P.K, Peshawar, which was discussed and filed by the sub-committee of CPO

It is requested that an attested copy of decision may very kindly be provided to me and oblige.

Dt. 16-11-2017

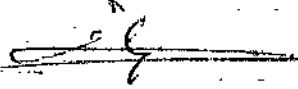
Yours obediently,

  
(Muhammad Fahim)  
Sub-inspector  
FPB FSL, Peshawar

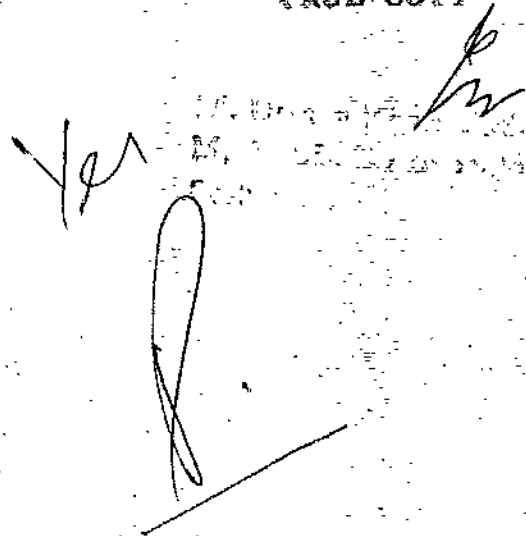
Sir,

Submitted for afforded place

Photo Copy  
Delivered on  
17/11/2017

  
SAC/PSK  
17/11/17

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TRUE COPY



one photocopy (decision)  
Received on  
17-11-2017  
SAC/PSK  
17-11-17



MINUTES OF THE DEPARTMENTAL PROMOTION COMMITTEE MEETING HELD ON 20.07.2017 IN THE CONFERENCE ROOM-I, CPO, PESHAWAR

A meeting of Departmental Promotion Committee was held on 06.06.2017 to discuss the representations of Police officials. The DPC tentatively discussed the cases and constituted two (2) Sub-Committees to examine the cases exhaustively and submit recommendations. The Sub-Committees submitted their reports at "F/A" and "F/B".

A meeting of the Departmental Promotion Committee meeting was held on 20.07.2017 under the chairmanship of Addl. IGP/HQrs. to discuss the Sub-Committee reports.

2. The following officers attended the meeting:-

I.	Addl. IGP/HQrs: Khyber Pakhtunkhwa.	Chairman
II.	DIG/HQrs: Khyber Pakhtunkhwa.	Member
III.	DIG/Enquiry & Inspection, Khyber Pakhtunkhwa.	Member
IV.	AIG/Establishment, Khyber Pakhtunkhwa.	Member
V.	AIG/Legal, Khyber Pakhtunkhwa.	Member

I. REPRESENTATION OF DSP KHALID KHAN JADOON

118h

Mr. Khalid Khan DSP in his application stated that he was awarded minor punishment by the Deputy Commandant Police; Training College Hangu. He filed an appeal before the Khyber Pakhtunkhwa. Service Tribunal Peshawar. The Service Tribunal Peshawar set aside the impugned order. He requested that his name may be placed in the seniority List at due place according to the Police Rules as the impugned penalty is no more in field.

His case was discussed in the Departmental Promotion Committee meeting held on 16.11.2016, wherein a decision was made to the effect that RPO Hazara Region may revise his confirmation in the rank of Sub-Inspector with his colleague officer.

in compliance with the decision of the DPC, RPO Hazara revised his confirmation vide order No. 4092-94/E. dated 15.02.2017 at "F/A".

The sub-committee is of the opinion that the DPC has already approved the claim of applicant therefore, revision of his confirmation in the rank of Inspector and DSP is proposed.

The DPC agreed with the Sub-Committee report.

II. REPRESENTATION OF MR. MUHAMMAD YOUSAF KHAN DSP

Muhammad Yousaf Khan DSP stated that he was given seniority with his colleagues vide Notification No. 109. dated 20.01.2015, but his name was not placed at his correct place in Seniority List of DSsP. He requested for placing his name in the seniority list of DSsP.

The Sub-Committee proposes that his seniority may be decided in the light of CPO notification No. 109/E-III, dated 28.01.2015 at "F/B" wherein he was confirmed as Inspector with his colleague officers w.e.f. 31.10.2013.

The DPC agreed with the Sub-Committee report.

III. REPRESENTATION OF SUHAIL AFZAL, DSP LEGAL

Mr. Suhail Afzal has contended that seniority is reckoned from the date of confirmation. Since he has been confirmed as SI Legal w.e.f. 17.04.1995 and being older in age is required to be placed above the name of Mir Faraz Khan and Muhammad Asif in the seniority list being elder in age as provided in Police Rule 12.2(3).

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M. Usman Khan Turandi  
M. A. LL B Advocate

According to record his case was discussed in the DPC meeting held on 16.02.2015 and his representation was not entertained vide minutes at "F/C". The appellant has filed an appeal in Service Tribunal against the aforementioned decision of Police Department.

His case was again discussed in the DPC meeting held on 19.11.2015 and vide minutes at "F/D". no decision was made because the matter was sub-judice in the Service Tribunal.

He contended before the committee that he will withdrew his representation but still the same has not been withdrawn therefore, the Sub-Committee proposes no action on his representation.

He may appear before the Addl: IGP/HQrs: in OR.

**IV. RREPRESENTATION OF SUB-INSPECTORS FAZAL RAHIM NO. D/24 AND MUMTAZ KHAN NO. D/25 OF D.I.KHAN REGION**

Inspectors Fazal Rahim & Mumtaz Khan requested for correction of their seniority on the basis of confirmation in the rank of Sub-Inspector as per Police Rules.

The appellants were not considered for promotion to list-F during meeting held on 14.05.2015 as there was stay order passed in Service Appeal No. 1187/2014 in respect of the appellants while their colleagues were approved for promotion to list-F. On vacation of the stay order they were brought on promotion list-F on 10.08.2015.

The sub-Committee proposes that the service appeal referred above has been rejected and the seniority is reckoned from the date of confirmation in the rank of Sub-Inspector and from the date of promotion to list-F. Therefore, the committee proposes restoration of their seniority with colleague and in accordance with date of confirmation.

The DPC agreed with the Sub-Committee report.

*MSK*

**V. RREPRESENTATION OF MUHAMMAD IRFAN NO. K/87 OF ELITE FORCE**

Muhammad Irfan No. K/87 in his representation stated that he was confirmed in the rank of Sub Inspector with effect from 12.07.1999. The appellant was transferred from Sindh Police to Khyber Pakhtunkhwa, Police in 2011 and was promoted to rank of Inspector on 25.05.2015. According to Police Rule 12.2(3) confirmation in the rank is determining factor for fixation of seniority. Appellant has been confirmed in the rank of Sub Inspector in the year 1999. while Sub Inspector confirmed after eight (8) years of the confirmation of appellant have been placed senior to appellant. He has requested that the name of appellant may be placed at due place of the Seniority List in accordance with date of confirmation in the rank of Sub Inspector and the seniority of appellant may be restored.

As per RPO/Kohat comments according to Police Rules 12.2(3) confirmation in the rank is determining factor for fixation of seniority. According to record appellant has been confirmed in the rank of Sub Inspector in the year 1999. He has been received on transfer from Sindh Police to Khyber Pakhtunkhwa Police in the year 2011. The appellant is entitled to be placed at the bottom of confirmed Sub Inspector of the year 2011:

The Sub-Committee proposes endorsing the opinion of RPO Kohat contained in Para-4 of this comments at "F/E".

The DPC agreed with the Sub-Committee report.

**VI. REPRESENTATION OF INSPECTOR SAJJAD MUHAMMAD NO. H/73 OF HAZARA REGION**

Inspector Sajjad Muhammad No. H/73 of Hazara Region submitted an application for placing his name in the Seniority List before the name of Inspector Muhammad Riyafat No. H/57 of Hazara Region. As per record, Sajjad Muhammad & Muhammad Riyafat were appointed ASIs through Khyber Pakhtunkhwa Public Service Commission. As per CPO letter, the name of Sajjad Muhammad

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M. Usman Khan Tahir  
M. A. EL. B Advocate

exists at Sr. No. 05 & the name of Muhammad Riyafat ". Later on, DIG/Hazara has forwarded the Recommendation Rolls of confirmed Sub-Inspectors for inclusion their names in List "F", the name of Muhammad Riyafat exists at Sr. No. 05. According to another letter of DIG/Hazara, Sajjad Muhammad was also recommended for promotion to List "F" in continuation of his previous letter. The DIG/Hazara in his letter further explained that at the time of confirmation of Sub-Inspectors, SI Sajjad Muhammad was deferred because he was facing departmental enquiry which was finalized and he was confirmed as Sub-Inspector with his colleagues, therefore, SI Sajjad Muhammad be considered for promotion in List "F" according to seniority at Sr. No. 05. Cases of both Sub-Inspectors were discussed in the DPC meeting held on 16.10.2014 for admission to List "F" and promotion as Offg: Inspectors. According to minutes of DPC dated 16.10.2014, the name of Muhammad Riyafat exists at Sr. No. 20 & the name of Sajjad Muhammad exists at Sr. No. 21.

The Sub-Committee propose that his case may be dispose of in the light of RPO letter No. 10064/E. dated 13.06.2014 at "F/F" or otherwise.

The DPC agreed with the Sub-Committee report.

**VII. REPRESENTATION OF INSPECTOR SAJJAD HUSSAIN NO. K/109 FOR CONFIRMATION AS INSPECTOR**

Inspector Sajjad Hussain No. K/109 submitted an application for placing his name in the seniority list and confirmation in the rank of Inspector. He was compulsory retired from service by Addl: IGP/Elite Force on 05.12.2014. His appeal was filed by the Appellate Board on 16.03.2015. He was re-instated by Service Tribunal on 25.07.2016 for denove enquiry. After conducting denove departmental enquiry the enquiry officer came to the conclusion that the allegations leveled against Inspector Sajjad Hussain could not be substantiated due to insufficient evidence. Therefore, he was reinstated in service from the date of compulsory retirement and imposed punishment for forfeiture of two years service.

The Sub-Committee proposes that his name may be included in the relevant list according to rules/procedure or as the DPC may decide.

The DPC agreed with the Sub-Committee report.

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M. Usman Khan  
M. A. EL. B Advocate

**VIII. REPRESENTATION OF INSPECTOR FARID SHAH**

Farid Shah Inspector told the committee that he was reverted to the rank of SI by CCPO Peshawar and later-on, he was reinstated by Service Tribunal. His name has not been included in the Seniority List of Inspector. He requested that his name may be placed in the list of Inspectors with his colleagues.

The CCPO, Peshawar has forwarded a copy of decision of denove enquiry awarded minor punishment of censure to Inspector Farid Shah at F/A, who was reverted to the rank of SI by CCPO Peshawar now reinstated by service tribunal to AIG/Legal CPO in response to his letter No. 1707/Legal, dated 15.06.2016.

As per AIG/Legal report, the relevant record was checked which revealed that penalty of reduction in rank was imposed on Inspector Farid Shah vide order dated 27.10.2014 by CPO Peshawar. His departmental appeal was also rejected vide order dated 25.02.2015 of Worthy Inspector General of Police. He filed service appeal No. 245/2015 which was decided vide order dated 06.06.2015 and the impugned orders dated 27.1.2014 and dated 25.02.2015 were set aside and appellant was reinstated to the status of his substantive rank before he was reduced to the rank of Sub-Inspector. It was also directed that "if" the departmental deems proper, denovo proceedings may be started against the appellant in which full opportunity of defense and hearing be provided to him. Accordingly CCPO, Peshawar was approached with approval of Deputy Inspector General of Police, Headquarters CPO, Peshawar for conducting de-novo enquiry proceedings against Farid Shah Inspector vide order dated 05.06.2017. According to order the enquiry officer has found Farid Shah

Inspector guilty of poor investigation yet enquiry officer recommended minor penalty and accordingly CCPO Peshawar imposed penalty censure on him vide No.30-37/PA. dated 05.01.2017.

The Sub-Committee proposes that his name may be included in the relevant list according to rules/procedure or as the DPC may decide.

The DPC agreed with the Sub-Committee report.

**IX. REPRESENTATION OF INSPECTOR KAFOOR KHAN OF FPB (FSL)**

Inspector Kafoor Khan FPB (FSL) in his application stated that on 15.11.1992, he was promoted to the rank of Sub Inspector and is performing his duties since his promotion. Mr. Zakir Khan (Inspector) on 01.02.2015 was retired and he was eligible for the said post being a senior most but he was promoted on 15.11.2016 as Offg. Inspector. He requested that he may be promoted to the rank of Inspector with effect from 01.02.2015.

There is no Rule for antedating and retrospective promotion.

The DPC agreed with the report of Sub-Committee and recommend to file his case.

**X. REPRESENTATION OF HAIDAR ALI DRAFTSMAN**

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Haidar Ali Draftsman stated that he was appointed as Draftsman in BPS-11 against the single cadre post on 06.11.1988 and rendered about 29-years qualifying service in Police Department. According to Finance Department Notification No. FD (SR-I)1-95/84 Vol-II, dated 15.02.1986 the period of Selection Grade Promotion in this cadre is required upto 10-years and some officials serving in such cadre of other Departments have got this benefit of Selection Grade Promotion. While from the day of his appointment in the same cadre till 01.12.2001, he was deprived from Selection Grade. He requested that he may kindly be granted Selection Grade in (BPS-16) since 05.11.1998.

The Sub-Committee proposes that as per Finance department Khyber Pakhtunkhwa, Notification vide "F/G", the applicant was entitled for Selection grade w.e.f. 05.11.2000 i.e. the completion of 12-years service. The Establishment Branch CPO, may process his case for award of Selection grade as per rules and procedures through DPC.

The DPC did not agree with the report of Sub-Committee and recommend to file his case.

**XI. REPRESENTATION OF SUB-INSPECTOR MUHAMMAD FAHEEM OF FPB (FSL)**

Sub-Inspector Muhammad Faheem of FPB (FSL) submitted representation for seniority wherein he stated that he was enlisted on 20.10.1982 in District Mardan for Crime Laboratory Peshawar as a constable. His lien was transferred to FPB on 02.08.1986. Safdar Ali Shah was enlisted as constable in FPB on 02.11.1988. During the year 2009, he was shown senior from Safdar Ali Shah in the Seniority List. While after that he was shown junior from Safdar Ali Shah.

According to comments received from the office of Addl:IGP/Investigation, the applicant Muhammad Faheem filed departmental appeal on 05.05.2016 against the order dated 17.04.2009 by challenging the seniority of Safdar Ali Shah S. which was decided by Addl: Inspector General of Police, Investigation, Khyber Pakhtunkhwa vide order No. 13455/EC, dated 01.12.2016, having summoned the appellant and Safdar Ali Shah and giving proper opportunity of hearing to the parties, examination of service record and taking comments of SP Legal Investigation CPO, Peshawar and ordered filed being time barred. So far as the issue of re-fixation of seniority amongst Police Officer's is concerned, the issue can be settled in accordance with the provisions of Police Rules 12-2(3), which provide fixation of seniority from the date of confirmation.

The Sub-Committee checked the record and unanimously agreed to uphold the decision taken by Addl:IGP/Investigation conveyed vide Memo: No. 1792/EC/Inv, dated 21.02.2017 at "F/A".

The DPC agreed with the report of the Sub-Committee and recommend to file his case.

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*Handwritten signature*  
**M. Ummer Khan Turandi**  
Advocate



The DIG/Headquarters told the committee that it has been noticed, decisions of DPC in many cases have not been implemented.

The Chair directed that all previous minutes files be produced to AIG/Establishment to check the status of implementation of the previous decision. It was further decided that in future copies of DPC minutes be sent to RPOs and Unit's Heads accordingly.

3. Meeting ended with vote of thanks to all.

Chairman

(MUHAMMAD ASHRAF NOOR)

Add: IGP/Headquarters,  
Khyber Pakhtunkhwa,  
Peshawar.

(SHAHZAD ASLAM SIDDIQUI)

DIG/E&I,  
Khyber Pakhtunkhwa,  
Peshawar.

(MUHAMMAD ALI KHAN) PSP

DIG/Headquarters,  
Khyber Pakhtunkhwa,  
Peshawar.

(ARIF SHAHBAZ KHAN) PSP

AIG/Establishment,  
Khyber Pakhtunkhwa,  
Peshawar.

(FALAK NAWAZ)

AIG/Legal,  
Khyber Pakhtunkhwa,  
Peshawar.

Approved

(SALAH-UD-DIN KHAN).

Inspector General of Police,  
Khyber Pakhtunkhwa,  
Peshawar.

**ATTESTED TO BE  
TRUE COPY**

M. Usman Khan Turlandi

M. A. U. B. Advocate

Peshawar.

2220199: 0345-9223239  
 Mob: 0345-9223239

پیشکش اور پتہ  
 منیر احمد صاحب



**ACCEPTED**  
 &  
**ATTESTED**

کے منظور کے  
 S.T. 8/1

2017 10  
 3/10/17  
 الیوم

کے کہ عریذی مذکورہ میں۔ لہذا وہ اسات گھبرا کر سمندر ہے۔  
 عیب سے اور عیب سے نہایت پریشان حال ہیں اور اسے نہایت پریشان حال ہونا  
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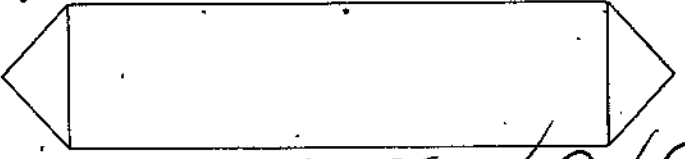
M. Usman Khan Turlandi  
 M. A. EL. B Advocate  
 Peshawar

P/S  
 U/S  
 DATE  
 FIR NO

انہیں  
 S.T. 8/1  
 FSL  
 FPB-SI  
 KPR

*(Handwritten signatures and initials)*

Service Appeal No. 18017



بعد ازاں تین تینوں کو واپس لیا گیا اور ان کے پاس  
 بعد ازاں تین تینوں کو واپس لیا گیا اور ان کے پاس

*(Vertical handwritten text on the left margin)*  
 Usman Khan  
 Peshawar  
 Apple Play



OFFICE OF THE ADDL:IGP INVESTIGATION KHYBER PAKHTUNKHWA PESHAWAR

ORDER

This order will dispose off with departmental appeal preferred by Muhammad Fahim SI of Finger Print Section, FSL Peshawar whereby he contends seniority against Safdar Ali Shah SI.

Appellant as well as Safdar Ali Shah SI were summoned and heard in person and both expressed their view points.

The relevant record was requisitioned and examined, which revealed that date of promotion to the rank of ASIs, SIs and confirmation in the ranks of both the applicants/officers are the same. Earlier on 07.02.2009 Safdar Ali Shah SI had preferred an appeal for his seniority before the then Additional IGP. Investigation. After thorough scrutiny of the record the case was decided in favour of Safdar Ali Shah SI vide the then Addl:IGP/Investigation's order dated 17.04.2009. Now after a lapse of almost seven (07) years Muhammad Faheem SI preferred the present appeal. During these seven years neither he moved any appeal or request at any forum for revision nor he challenged the orders of the competent authority in the Services Tribunal or any other proper forum.

Comments of the SP/Investigation (Legal) were also requisitioned in the matter who opined that:-

***"The present applicant i.e. SI Muhammad Fahim was required to have challenged the said order/corrigendum at that time. He slept over his right for more than seven years and challenged the said order now on 05.05.2016 which is not maintainable and is not recommended to be considered at this belated stage otherwise too his application is not fit for consideration because the issue of seniority between SI Safdar Ali Shah and the present applicant has already been settled as mentioned above. The matter is now past and closed transaction and review of decisive order is against the law and rules"***

*SRE*  
*for n/a action*


In view of the above, the present appeal preferred by Muhammad Fahim SI without any substance, barred by law and limitation is filed.

*Director FSL*  
*1/12/16*

( DR. MASOOD SALEEM) PSP  
Addl:Inspector General of Police,  
Investigation KP Peshawar

No. 13455/EC, dated Peshawar, the 01/12/2016.

.....2.....  
Copy of above is sent to the Director FSL KP Peshawar for information  
and n/action w/r to his office letter No. 1089, dated 27.09.2016 and No. 1124, dated  
30.09.2016.

  
**( DR. MASOOD SALEEM ) PSP**  
Addl. Inspector General of Police,  
Investigation KP Peshawar  
344

Application sent Through Addl CG Inv (Through proper channel)

To CG Kkr vide No 2174/FSL dt 9<sup>12</sup>/<sub>016</sub>

**VAKALAT NAMA**

NO. 1374 /2018

IN THE COURT OF SERVICE TRIBUNAL, PESHAWAR

Muhammad Faheem (Appellant)  
(Petitioner)  
(Plaintiff)

VERSUS

Police Dept: (Respondent No.5) (Respondent)  
(Defendant)

I/We, ~~Muhammad Faheem~~ SI Sajjad Ali Shah (R#05)

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 19-02 /2018


  
(CLIENT)

ACCEPTED



**M. ASIF YOUSAFZAI**  
Advocate Supreme Court  
Peshawar.

  
**Taimur Ali Khan**  
Advocate High Court

  
**Syed Nauman Ali Bukhari**  
Advocate

**OFFICE:**

Room # FR-8, 4<sup>th</sup> Floor,  
Bilour Plaza, Peshawar,  
Cantt: Peshawar  
Cell: (0333-9103240)

**BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL**  
**PEASHAWAR.**

**Service Appeal No. 1374/2017.**

Muhammad Fahim

(Appellant)

**VERSUS**

Provincial Police Officer and others

(Respondents)

**COMMENTS ON BEHALF OF PRIVATE RESPONDENTS No. 5.**

**RESPECTFULLY SHEWITH**

**PRELIMINARY OBJECTIONS:-**

- a) The appeal has not been based on facts.
- b) The appeal is not maintainable in the present form.
- c) The appeal is bad for mis-joinder and non-joinder of necessary parties.
- d) The appellant is estopped to file the appeal.
- e) The appeal is barred by law and limitation as the appeal is outcome of the order No. 3045-48/Inv: dated 17.04.2009. The representation of appellant was filed being barred by law and limitation. Therefore, this Honorable Tribunal lacks jurisdiction in condoning the limitation of departmental appeal.
- f) The appellant has not come to the Honorable Tribunal with clean hands.

**FACTS:-**

1. Incorrect, the answering respondent was directly recruited in Finger Print Bureau on 02.11.1988 while appellant was received on transfer from District Mardan in 1986 but he did not joined FPB till 1991 therefore private respondent No. 5 was senior to appellant. Furthermore, promotion in Finger Print Bureau is subject to qualifying basic technical course i.e. Finger Print Proficient Course / Searcher Course. The private respondent No. 5 qualified the basic course in the year 1988 while the appellant qualified the course in the year 1989 therefore the private respondent was promoted to the rank of Head Constable prior to appellant. Again private respondent No. 5 was FSc

qualified and appellant was simple FA, therefore private respondent was preferred to join the Finger Print job was related to Science subject. In the same vein private respondent was confirmed in the rank of Head Constable prior to the appellant and according to Police Rules 12.2 (3) confirmation in the rank is the determining factor for fixation of seniority. Thus the private respondent was senior to appellant in all respects

As shown in the table.

S.No	Details of candidatures	Respondent No.5	Appellant	Remarks
1	Education/Qualification	FSc/BA	MA	
2	Appointment as constable	02-11-1988 against the permanent post of FPB/FSL	20-10-1982 in District Mardan	
3	Date of lien Transferred to FPB	Recruited in FPB on 02-11-1988	02-08-1986	On lien Transfer the Appellant did not joined FPB in 1986 till 1991.
4	Conformation as constable	02-11-1991 against the permanent post of FPB/FSL	21-10-1985 not in FPB/FSL	
5	Passing C/1 (i) Proficient course (ii) Searcher course	5-12-1988 09/1990	21-01-1989 07/1992	
6	Passing A/1	20-03-1990	20-03-1990	
7	Promotion as H/C	01-01-1989	19-09-1991	The appellant



				did not challenged it at any Forum
8	Conformation as H/C	01-01-1992	18-09-1993	
9	Promotion as ASI	22-01-1994	22-01-1994	
10	Conformation ASI	24-02-1996	24-02-1996	
11	Promotion as SI	27-03-1999	27-03-1999	
12	Conformation as SI	07-06-2001	07-06-2001	

2. Incorrect, as explained in reply to Para-1 of the appeal, private respondent was directly recruited in Finger Print Bureau, while appellatant was received on transfer from district. In the same vein private respondent qualified basic courses prior to the appellatant and also was confirmed in the rank of Head Constable earlier than appellatant.
3. Incorrect, the private respondent was neither heard nor comments of the Director Forensic Science Laboratory were sought. The decision was made at the back of private respondent as the same was not conveyed to him.
4. Incorrect, the appellatant was posted in the CPO therefore he managed his seniority at the back of private respondent.
5. Correct to the extent that private respondent No. 5 continued his efforts for restoration of seniority and eventually the seniority was restored vide order dated 17.04.2009, never challenged. Copy enclosed as **Annexure-A**.
6. Incorrect, appellatant was well in picture about the restoration of seniority of private respondent No. 5 but he remained silent for pretty long period of about Seven (07) years long period. He filed a time barred representation which was rejected vide order dated 01.12.2016, being barred by law and limitation. Copy of the order enclosed as **Annexure-B**. Appellatant instead of approaching this Honorable Tribunal against the order dated 01.12.2016 passed in his representation approached Inspector General of Police, Khyber Pakhtunkhwa by filing a second departmental appeal. His second departmental appeal was also denied during minutes of the meeting held on 05.01.2017 and conveyed to all concerned vide letter dated 18.08.2017. Copy of the letter and minutes is enclosed as **Annexure-**

C. The appellant did not file appeal against the order dated 01.12.2016 which establishes the time barred Service Appeal of appellant. The departmental representation of appellant was filed on ground of limitation and his Service Appeal is also time barred therefore, appellant appeal is not maintainable.

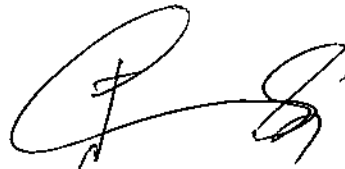
7. Incorrect, appellant first representation was filed on ground of limitation and there is no concept of second representation in Law and Rule.
8. Incorrect, the order of the respondent No. 3 was correctly upheld by respondent No. 1.
9. Incorrect, the appeal is not maintainable in the given grounds and the appeal is also barred by law and limitation.

**GROUND:-**

- a) Incorrect, the departmental appeal of appellant was filed on ground of limitation and he wrongly filed second departmental appeal which was also rejected therefore, the impugned orders are worth retention.
- b) Incorrect, private respondent No. 5 was senior to appellant in all respect, as answering respondent was directly recruited in Finger Print Bureau while appellant was received on transfer from District Mardan in 1986 but he did not joined FPB till 1991 therefore private respondent No. 5 was senior to appellant. Furthermore, promotion in Finger Print Bureau is subject to qualifying basic technical course i.e. Finger Print Proficient Course / Searcher Course. The private respondent No. 5 qualified the basic course in the year 1988 while the appellant qualified the course in the year 1989 therefore the private respondent was promoted to the rank of Head Constable prior to appellant. Again private respondent No. 5 was FSc qualified and appellant was simple FA, therefore private respondent was preferred to the appellant as the Finger Print job was related to Science subject. In the same vein private respondent was confirmed in the rank of Head Constable prior to the appellant and according to Police Rules 12.2 (3) confirmation in the rank is the determining factor for fixation of seniority. Thus the private respondent was senior to appellant in all respects.
- c) Incorrect, private respondent No. 5 was senior to appellant therefore his name was correctly placed above the name of appellant in the seniority list.

- d) Incorrect, seniority once determined and finalized by the competent authorities cannot be challenged after long period of seven (07) years.
- e) Incorrect, no fundamental rights of appellant has been violated or infringed.
- f) Incorrect, no accrued right of appellant has been denied. The impugned orders were passed in accordance with law and rules governing the seniority of Police Officers.
- g) Incorrect, this Para of the ground of appeal is evasive. Actually appellant has filed time barred appeal.
- h) Incorrect, appellant was transferred to Finger Print Bureau from District Mardan while the answering respondent was recruited in the Bureau. Under the law and rules a person received on transfer shall be placed at the bottom of seniority.
- i) Incorrect, the seniority of appellant and private respondent was correctly determined by the competent authorities in accordance with law and rules.
- j) Incorrect, appellant has never been discriminated and the impugned orders were passed in accordance with law and rules.
- k) Incorrect, the authorities have passed speaking orders while fixing the seniority of appellant and private respondent No. 5.
- l) Incorrect, this Para is mere repetition of Para-J of the ground of the appeal.
- m) Incorrect, this Para is also repetition of the earlier Para's of the ground of appeal.
- n) This Para is general in nature and no legal rights of appellant has been violated or denied.
- o) The private respondent No. 5 may also be allowed to raise other grounds during hearing of the case.

It is therefore, prayed that the appeal of appellant may be dismissed with costs.




SI Safdar Ali Shah  
Private Respondent No. 5

THROUGH

  
(M. ASIF YOUSAFZAI)  
ADVOCATE SUPREME COURT

**AFFIDAVIT**

It is affirmed and declared that the contents of reply are true and correct to the best of my knowledge and belief and nothing has been concealed from Hon'able tribunal.

  
DEPONENT



BEFORE THE HONORABLE SERVICE TRIBUNAL KHYBER  
PAKHTUNKHWA PESHAWAR

Service Appeal No. 1374/2017

Muhammad Faheem SI.....(Petitioner)

Versus

PPO Khyber Pakhtunkhwa and other..... (Respondents)

INDEX

S.No.	Description of Documents	Annex	Pages
1.	Memo of comments	-	1-2
2.	Affidavit	-	3

Respondents  
Through

  
Department  
Representative

**BEFORE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR**

Service Appeal No. 1374 of 2017, Titled

Muhammad Faheem Sub Inspector posted as SI FPB Forensic Science Laboratory Hayatabad Peshawar..... (Appellant)

Versus

1. The Provincial Police Officer Khyber Pakhtunkhwa Peshawar and others

(Respondents)

Subject:- **PARAWISE COMMENTS TO SERVICE APPEAL ON BEHALF OF RESPONDENTS NO. 1 to 04.**

Respectfully Shewith,

In compliance of direction vide Notice dated 24<sup>th</sup> of July, parawise comments to service appeal on behalf of respondents No. 1 to 04 are submitted as below,

**Preliminary Objections:-**

1. That the appellant has got no cause of action to file instant service appeal.
2. That the appellant has not come to August Service Tribunal with clean hands.
3. That the Service appeal is bad in law due to misjoinder and non joinder of necessary parties.
4. That the Service Appeal is not maintainable.
5. That the service appeal is time barred.


**FACTS:-**


1. Para No.1 of Appeal pertains to enlistment of Appellant and respondent No.5 in police department, hence no comments.
2. Para No.2 of Service Appeal is admitted as correct according to service record, need no comments.
3. Para No.3 of Service Appeal is admitted as correct according to record, need no comments.
4. Para No.4 of Service Appeal is admitted as correct according to record, need no comments.
5. Para No.5 of Service Appeal is incorrect. Infact, Order dated 17.04.2009 was passed by the Competent Authority having sought legal opinion from DSP Legal Investigation and AIG Legal. Copy of legal opinion enclosed as Annexure "A" and B respectively.
6. Incorrect, need no comments.
7. Para No.7 of Service Appeal is admitted as correct according to service record, need no comments.
8. Para No.8 of Service Appeal is admitted correct according to record, need no comments.

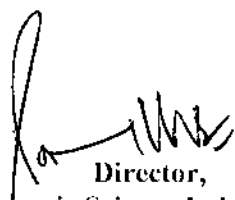
**GROUND/REPLY THEREOF:-**

- a) That the Departmental Authorities use to decide service matters strictly in accordance with the provisions of Police Rules and after providing proper opportunity of hearing to effected parties. The stance of appellant is incorrect and self calculation.
- b) Alrcady explained vide Para No.1 of reply to ground of appeal.
- c) Already explained vide Para No.5 of reply to facts in appeal.
- d) Incorrect, need no comments. As reply above.
- e) Incorrect, need no comments. As reply above.
- f) Incorrect, need no comments. As reply above.
- g) No comments being Judgment passed by Apex Court of Pakistan.
- h) Incorrect and self calculation, need no comments. As reply above.
- i) Incorrect, need no comments. As reply above.
- j) Incorrect, need no comments. As reply above.
- k) Incorrect, need no comments. As reply above.
- l) Incorrect, already explained vide reply No.5 of the facts to appeal.
- m) Incorrect, need no comments. As reply above.
- n) Admitted correct, need no comments.
- o) That the respondents may take some others grounds during hearing of arguments in appeal.

In the light of above facts, it is respectfully submitted that Service Appeal filed by the Appellant may be dismissed as baseless and without any solid reasons and legal footing.

  
Provincial Police Officer  
Khyber Pakhtunkhwa Peshawar  
(Respondent No. 1)

  
Addl: Inspector General of Police  
Investigation  
Khyber Pakhtunkhwa Peshawar  
(Respondent No. 2)

  
Director,  
Forensic Science Laboratory  
Investigation Khyber Pakhtunkhwa Peshawar  
(Respondent No. 3)

BEFORE THE HONORABLE SERVICE TRIBUNAL KHYBER  
PAKHTUNKHWA PESHAWAR

Service Appeal No. 1374/2017

Muhammad Faheem SI.....(Petitioner)

Versus

PPO Khyber Pakhtunkhwa and others ..... (Respondents)

AFFIDAVIT

I, Mr. Abdur Rehman DSP Legal Investigation CPO Peshawar do hereby solemnly affirm on oath that the contents of accompanying comments on behalf of Respondents are correct to the best my knowledge and belief. Nothing has been concealed from this Honorable Tribunal.

DEPONENT



Abdur Rehman,

DSP, CPO

Khyber Pakhtunkhwa Peshawar

CNIC No. 17102-1175519-1



5-13/2009 P  
FSL

**CORRIGENDUM**

In the light of recommendations made by DSP Legal Inv: CPO as well as AIG/Legal CPO, Peshawar upon the re-presentation submitted by SI Safdar Ali Shah of FPB (FSL) regarding his seniority, the name of SI Safdar Ali Shah of FPB (FSL) is hereby placed at S.No.11 instead of S.No. 14 (above the name of SI Muhammad Fahim and below the name of SI Muhammad Abbas) in the seniority list of the staff of FSL issued vide this office No. 534-39/SRC/Inv: dated 26.01.2009.

  
(MUHAMMAD AKBAR KHAN HOTI)

Addl:Inspector General of Police,  
Investigation NWFP, Peshawar

No. 3045-48 /Inv: dated Peshawar, the 17 /04/2009.

Copies are forwarded for information and necessary action to the:-

1. Provincial Police Officer NWFP, Peshawar w/r to this office No. 535-39/Inv: dated 26.01.2009.
2. SSP/Investigation NWFP, Peshawar.
3. Director FSL NWFP, Peshawar w/r to his letter No. 1611/FSL, dated 07.02.2009.
4. SI Safdar Ali Shah of FPB (FSL).

R.K.  
R. P. Ali

Sir,

The enclosed CORRIGENDUM is submitted for **favour of signature** by W/Addl:IGP/Investigation NWFP, Peshawar

The Corrigendum is being issued to rectify the seniority list of the staff of FPB (FSL) in the light of the recommendations of DSP Legal Inves: and AIG/Legal (F/A & B) on a representation submitted by SI Safdar Ali Shah of FPB (F/C) who had claimed to be senior to SI Muhammad Fahim of the same section. The DSP Legal Inv: as well as AIG/Legal CPO after scrutiny of the relevant record, have declared SI Safdar Ali Shah (the applicant) to be senior than SI Muhammad Fahim.

Submitted please.

*[Signature]*  
13/4  
SRC/Inv:

OS/INV: *[Signature]*  
13/4

SSP/INV:

W/Addl:IGP/Inv

*Seen* *[Signature]*  
16/4

**Before the Khyber Pakhtunkhwa Service Tribunal Peshawar.**

In Ref: to S.A No. 1374/of 2017.

**Muhammad Faheem SI.....Versus.....PPO & Others.**

**REJOINDER ON BEHALF OF THE APPELLANT TO THE  
COMMENTS OF PRIVATE RESPONDENT NO. 5.**

**RESPECTFULLY SHEWETH;**

**REPLY TO THE PRELIMINARY OBJECTIONS;**

- a). Incorrect. The appellant has got good cause of action.
- b). Incorrect. The appeal in hand is complete in all respect and aspect and is maintainable.
- c). Incorrect. Rule of estoppels doesn't apply. Hence refuted.
- d). Incorrect. The appellant has locus-standi to bring the instant appeal and thus no such question could be arising.
- e). Incorrect. All the necessary parties have properly been arrayed as respondents.
- f). Incorrect. The appeal is well within time and does not hit by the bar contained in limitation Act.

**FACTS:**

- 1) Incorrect. The reply to the Para-1 is totally ambiguous and frivolous hence denied. The appellant right from the date of appointment was continuously kept and shown senior than the respondent No. 5 till the year 2009 (almost 18 years). (Copy of the seniority list for the year 2006 and 2009 showing the appellant at S. No. 11 and respondent No. 5 at S. No. 14 is annexure "D" & "E" respectively with the main appeal.)
- 2) Incorrect. Admittedly the date of birth of the appellant is 01-05-1964 while the date of birth of the private respondent No. 5 is 20-04-1969 and similarly date of recruitment of the appellant as Constable is 20-10-1982 and that of private respondent No. 5 is 02-11-1988 and till the year 2009,

the appellant was continuously kept and shown senior than the respondent No. 5 for almost 18 years so it is not appealable to the prudent mind that how the private respondent No. 5 would be senior than the appellant.

- 3) Incorrect. The private respondent No. 5, after knowing the ground reality (Annexure "A" to "A-5" at page No. 9-14 with the main appeal), had himself approached the official respondents and tabled a departmental appeal seeking his baseless seniority over the appellant which was rejected vide order date 05-03-1992. (Annexure "C" at page 18 with the main appeal).
- 4) Incorrect. No such order of posting at CPO could be brought and appended with the comments of private respondent No. 5. The appellant has never posted to CPO Peshawar.
- 5) Incorrect. The order restoring the alleged seniority was a void order and the appellant reserved his right to challenge it at proper occasion just after the retirement of DSP legal who was maternal uncle of the private respondent No. 5. Moreover, no limitation runs against void order.
- 6) Incorrect. Detailed reply is given in Para-5 above.
- 7) Incorrect. Detailed reply is given in Para-5 above.
- 8) Incorrect. Detailed reply is given in Para-3 above.
- 9) Incorrect. Detailed reply is given in Para-3 above.

**GROUND S:**

- a) Incorrect. No second departmental appeal has ever been filed by the appellant. The appellant has filed an application to the official respondents just to know the fate of his departmental appeal and as such, the response to the appeal was communicated to the appellant and thereafter the service appeal was filed within the stipulated period.
- b) Incorrect. Detailed reply is given in Para-1 above.
- c) Incorrect. Detailed reply is given in Para-1 above.
- d) Incorrect. The seniority of the appellant over the respondent No. 5 was maintained almost for 18 years which was disturbed through a void order. Hence there is no legal bar to restore the seniority of the appellant being more senior than that of the respondent No. 5 as per entire service record.

(3)

- e) Incorrect. The valuable right, accrued to the appellant regarding proper correction by restoring the seniority of the appellant in his service record and violation thereof would hit the command of constitution and such fundamental rights could not be taken away with a single stroke of pen.
- f) Incorrect. Detailed reply is given in Para-e above.
- g) Incorrect. Hence denied.
- h) Incorrect. The date of recruitment of the appellant as Constable is 20-10-1982 and he was transferred to FPB on 02-08-1986 whereas the private respondent No. 5 was directly recruited on 02-11-1988. So, even the transfer of the appellant to FPB is much more prior to the direct recruitment of respondent No. 5 i.e. 02-11-1988.
- i) Incorrect. Detailed reply is given in Para-d above.
- j) Incorrect. Detailed reply is given in Para-1 above.
- k) Incorrect. Detailed reply is given in Para-1 above.
- l) Incorrect. Detailed reply is given in Para-1 above.
- m) Incorrect. Detailed reply is given in Para-1 above.
- n) Incorrect. Detailed reply is given in Para-1 above.
- o) Legal one.

In view of the foregoing facts and grounds in shape of rejoinder on behalf of the appellant, it is, therefore, humbly prayed that the comments put forth by the respondents be rejected and the appeal of the appellant may very graciously be allowed enabling the appellant to get the legal redressal of his grievances.


APPELLANT.

Signature 

Muhammad Faheem SI

(Appellant)

Through;

  
Muhammad Usman Khan  
Turlandi  
Advocate Peshawar.

Dated; - 29/04/2019.

**OFFICE:** Flat # C-1 Haji Murad Plaza Dalazak Road Peshawar City

Cell#: 0333-9153699/0313-9153699

**BEFORE THE KPK SERVICE TRIBUNAL PESHAWAR.**

In Ref; to Appeal No. 1374/ of 2017.

Muhammad Faheem SI, .....Versus.....PPO & others.

**COUNTER AFFIDAVIT.**

I, Muhammad Faheem, Sub-Inspector Police, presently working and posted as SI, Finger Print Bureau (FPB), Forensic Science Laboratory (FSL), Investigation, Khyber Pakhtunkhwa, Hayatabad, Peshawar, do hereby solemnly affirm and declare on oath that contents of the accompanying rejoinder on behalf of the appellant are true and correct to the best of my knowledge and belief and nothing has been kept secret or concealed therein.

**IDENTIFIED BY:**

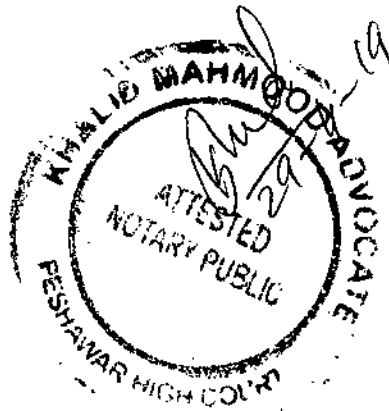
  
29/11/19

Muhammad Usman Khan  
Turlandi  
Advocate Peshawar

**DEPONENT**

Signature 

Muhammad Faheem SI  
(Appellant)



Before The Service Tribunal KPK Peshawar.

S. A No 1374/17

Muhammad Faheemsi vs PPO & others.

Application for adjournment

That above title case is pending before  
This Honorable Court.

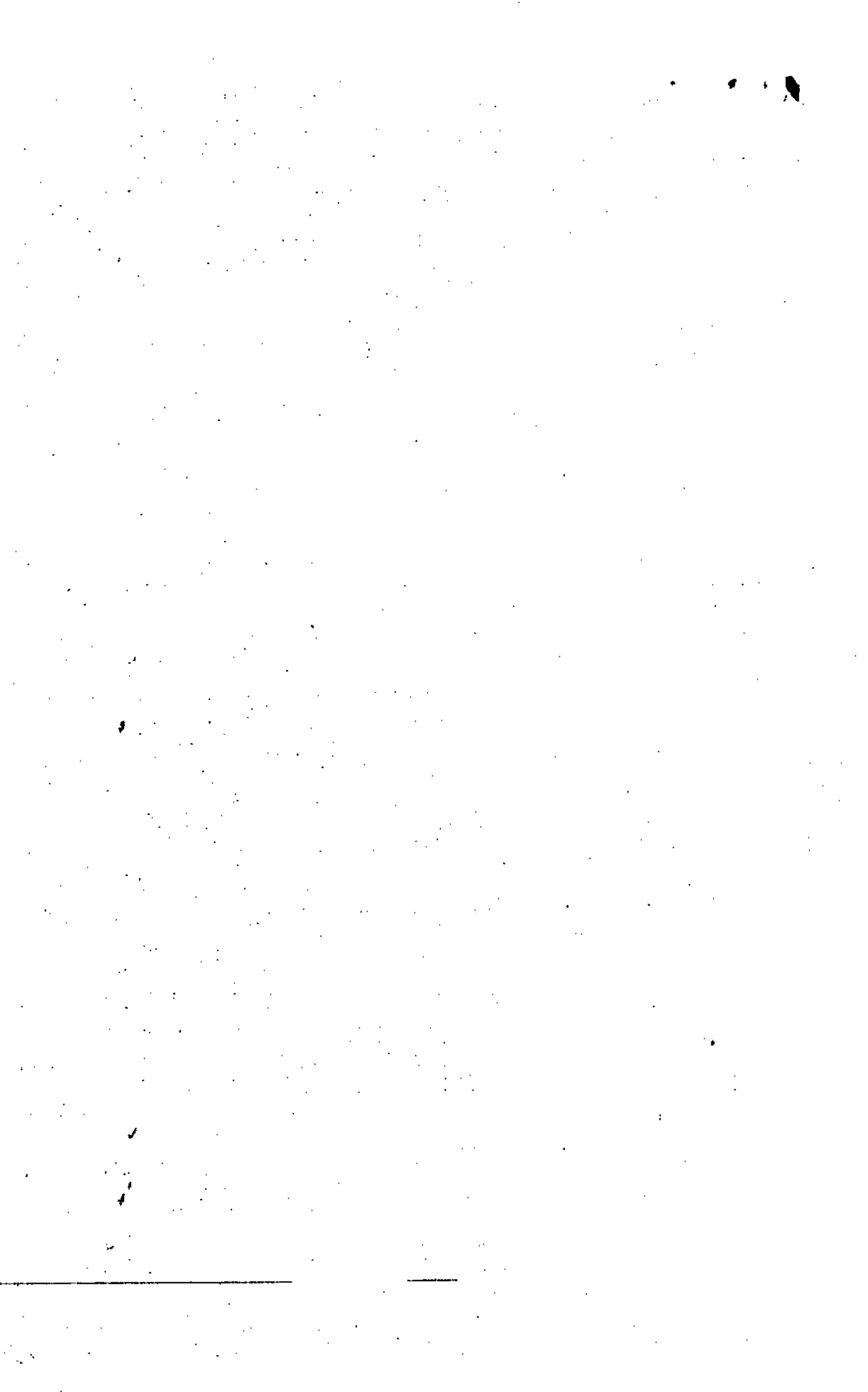
That The Counsel for the Petitioner is  
busy before, Supreme Court of Pakistan  
in honorable Attended This Honorable Court

It is therefore prayed that the acceptance  
This application the case may kindly be  
adjourned.

Petitioner.

Muhammad Faheem

Date 19-09-2019







Forensic Science Laboratory  
29, Sector B-1 Phase 5 Hayatabad  
Khyber Pakhtunkhwa Peshawar  
Tel. Tel. 091-9217394/Fax. 091-9217251

No.----- Date 30/7/21

OFFICE ORDER

Inspector Muhammad Fahim of Finger Print Bureau FSL Peshawar is posted as RI FSL Peshawar with immediate effect. He will also continue his work in Finger Print Bureau FSL as usual.

Director  
Forensic Science Laboratory  
Khyber Pakhtunkhwa, Peshawar

No. 746-51 /FSL

Copy of the above is submitted for favour of information to the:-

1. Addl: Inspector General of Police, Investigation, KP Peshawar.
2. Deputy Inspector General of Police, Admin./Investigation, KP Peshawar.
- ✓ 3. I/C Finger Print Bureau, FSL Peshawar.
4. R/I, FSL Peshawar.
5. LO, FSL Peshawar.

Director

Forensic Science Laboratory  
Khyber Pakhtunkhwa, Peshawar

**FOR PUBLICATION IN THE KHYBER  
PAKHTUNKHWA POLICE GAZETTE PART-II,  
ORDERS BY THE PROVINCIAL POLICE OFFICER  
KHYBER PAKHTUNKHWA, PESHAWAR.**

NOTIFICATION

No. 1903 B-III, ADMISSION TO LIST "F" AND PROMOTION TO THE RANK OF OFFG: INSPECTOR (BPS-16) Dated: 12/07/2021

As per recommendation of the Departmental Promotion Committee meeting held on 08.06.2021, duly approved by the Addl: Inspector General of Police, Khyber Pakhtunkhwa, as noted against each names, the following confirmed Sub-Inspectors of FSL are hereby included in list "F" as well as promoted to the rank of Offg: Inspectors (BPS-16) with immediate effect:-

S.NO	NAME	SECTION	RECOMMENDATION
1.	SI Zahid Ullah	Chemical Section	The DPC examined his case and recommended him for inclusion of his name in List "F" and promotion as Offg: Inspector (BPS-16) on regular basis. According to Rule 13-18 of Police Rule 1934, he will be on probation for two (02) years.
2.	SI Sher Wali	Chemical Section	The DPC examined his case and recommended him for inclusion of his name into List "F".
3.	SI Shakeel Arshad	Questioned Doc: Section	The DPC examined his case and recommended him for inclusion of his name in List "F" and promotion as Offg: Inspector (BPS-16) on regular basis. According to Rule 13-18 of Police Rule 1934, he will be on probation for two (02) years.
4.	SI Taza Gul	Photography Section	The DPC examined his case and recommended him for inclusion of his name in List "F" and promotion as Offg: Inspector (BPS-16) on regular basis. According to Rule 13-18 of Police Rule 1934, he will be on probation for two (02) years.
5.	SI Safdar Ali Shah	Finger Print Section	The DPC examined his case and recommended him for inclusion of his name in List "F" and promotion as Offg: Inspector (BPS-16) on regular basis. According to Rule 13-18 of Police Rule 1934, he will be on probation for two (02) years.
6.	SI Muhammad Fahim	Finger Print Section	<del>The DPC examined his case and recommended him for inclusion of his name in List "F" and promotion as Offg: Inspector (BPS-16) on regular basis.</del> According to Rule 13-18 of Police Rule 1934, he will be on probation for two (02) years.
7.	SI Shadat Hussain	Finger Print Section	The DPC examined his case and recommended him for inclusion of his name into List "F".
8.	SI Irfan Ullah	Finger Print Section	The DPC examined his case and recommended him for inclusion of his name into List "F".
9.	SI Riaz ur Rehman	Finger Print Section	The DPC examined his case and recommended him for inclusion of his name into List "F".
10.	SI Muhammad Alamgir (Senior)	Finger Print Section	The DPC examined his case and recommended him for inclusion of his name into List "F".

11. SI Habib-Ur-Rehman	Finger Print Section	The DPC examined his case and <u>recommended</u> him for inclusion of his name into List "F".
12. SI Muhammad Alamgir (Junior)	Finger Print Section	The DPC examined his case and <u>recommended</u> him for inclusion of his name into List "F".
13. SI Sher Afif	Finger Print Section	The DPC examined his case and <u>recommended</u> him for inclusion of his name into List "F".
14. SI Muhammad Ijaz	Finger Print Section	The DPC examined his case and <u>recommended</u> him for inclusion of his name into List "F".

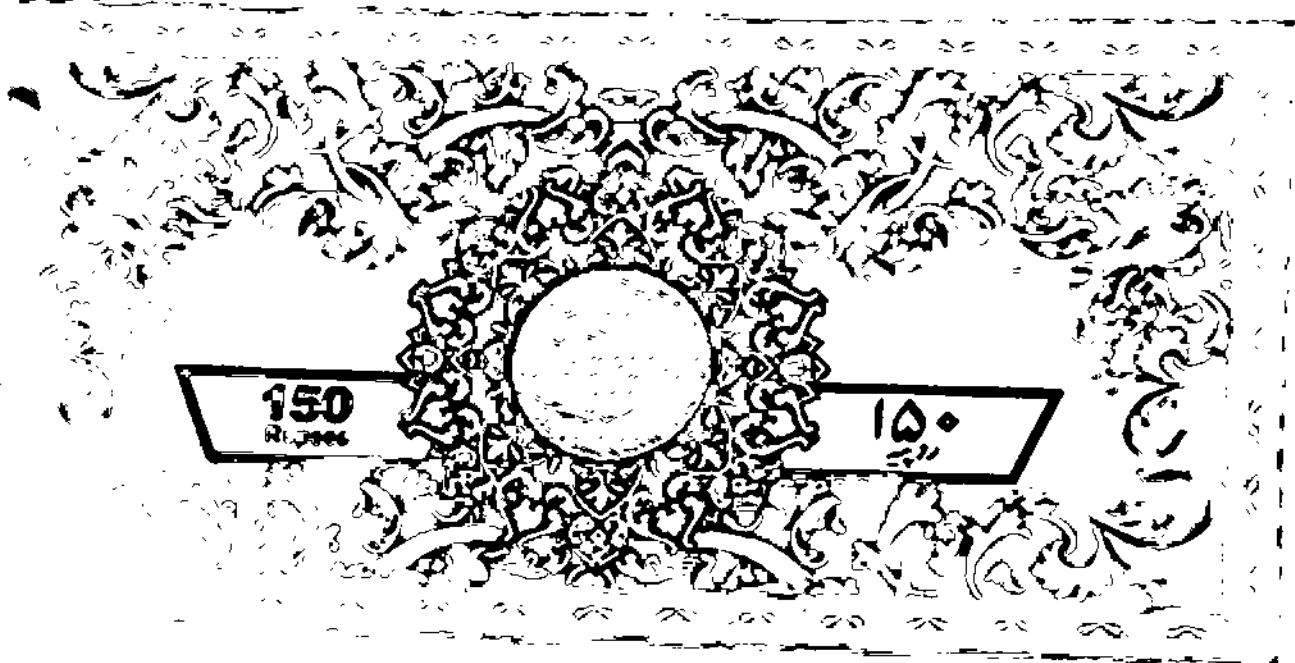
Sd/-  
KASHIF ALAM PSP  
Additional Inspector General of Police HQrs:  
Khyber Pakhtunkhwa  
Peshawar.

Encl: No. & Dated even

Copy forwarded to the:-

1. Addl: IG/PHQrs: & Investigation Khyber Pakhtunkhwa Peshawar.
2. DIG/HQrs: Khyber Pakhtunkhwa, Peshawar.
3. Capital City Police Officer, Peshawar.
4. AIG/Legal Khyber Pakhtunkhwa Peshawar.
5. Director, Forensic Laboratory Peshawar.
6. PSD to Worthy Inspector General of Police Khyber Pakhtunkhwa Peshawar.
7. Office Supdt: Secret, CPO/Peshawar.
8. Office Supdt: E-H, CPO/Peshawar.
9. Office Supdt: CTB, CPO/Peshawar.
10. U.O.P files

~~(IRFAN ULLAH KHAN)PSP  
AIG/Establishment  
For Inspector General of Police  
Khyber Pakhtunkhwa.~~



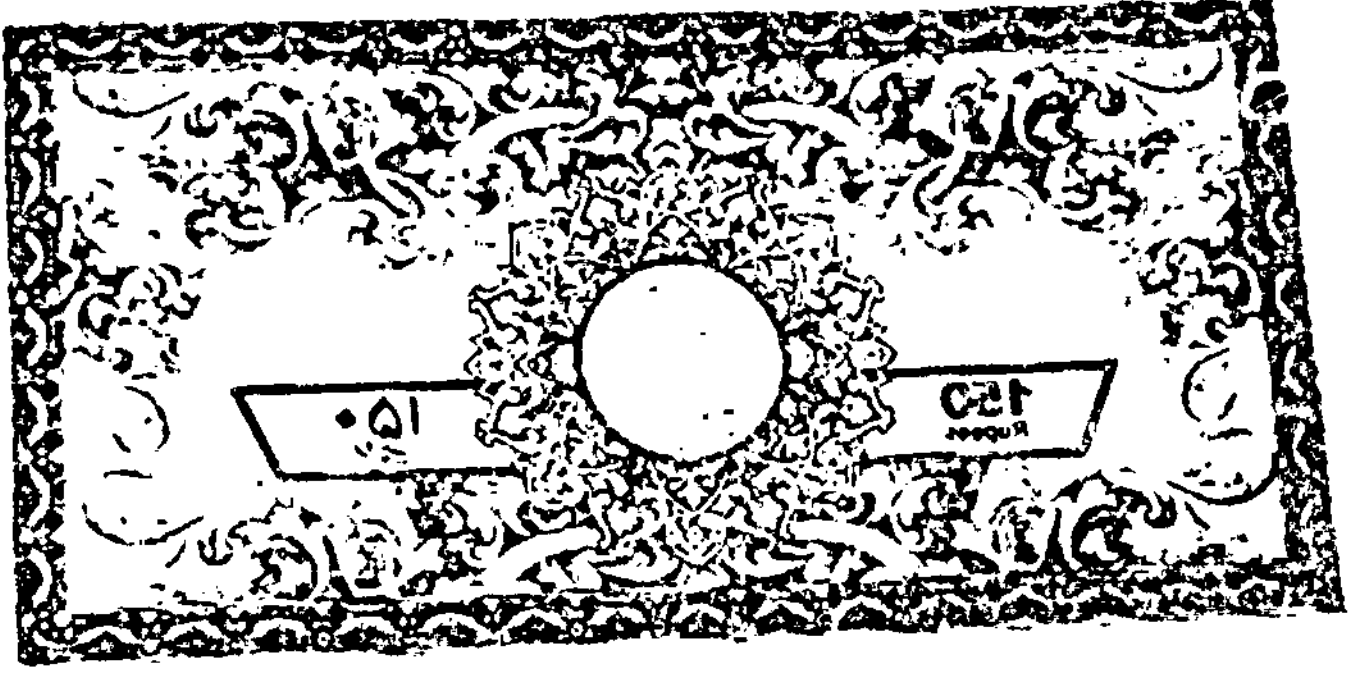
**AFFIDAVIT**

I, Muhammad Fahim S/O Rustom Khan with my own free will do hereby declare that I have no objection to the promotion of SI Safdar Ali Shah and withdraw my service appeal No.1374/2017 entitled "Muhammad Fahim V/S Safdar Ali Shah" and in doing so I am not influenced by any pressure and compulsion from any person. I further declare that I will not challenge the promotion/seniority of SI Safdar Ali Shah at any stage in any forum.

Attested

(  
 Muhammad Fahim )  
 Sub Inspector,  
 General Bureau, FSI Peshawar

1-9



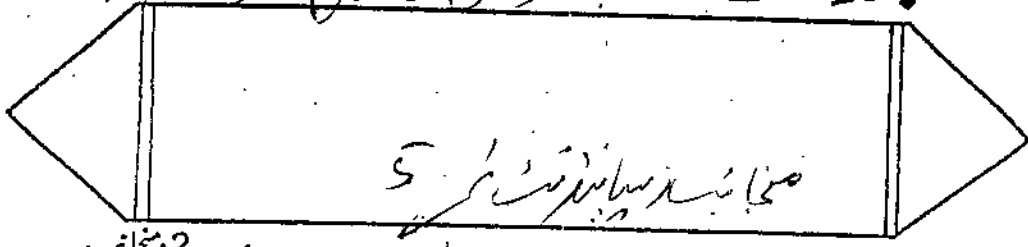
AFIDAVIT

I, Muhammad Fahim Z.O. Raza Khan with my own free will hereby declare that I have no objection to the promotion of SI Saibul Ali Shah and withdraw my service appeal No. 133425017 entitled "Muhammad Fahim VS Saibul Ali Shah etc" and in doing so I am not influenced by any duress and compulsion from any person. I further declare that I will not challenge the promotion/seniority of SI Saibul Ali Shah in any state in any manner.

*M. Z. O. Raza Khan*  
 (Muhammad Fahim)  
 Sub Inspector  
 Fingerprint Bureau, FSI, Rawalpindi

17301-5832641-2

بعدالت جناب سروس فرمونیل خیر بخشوئی ایشیا



2 مخانب

۹۹۰ وغیرہ

چند قسم بنام

موزخہ  
مقدمہ  
دعویٰ  
جرم

سروس وسیل نمبر ۱۳۷۶/۲۰۱۷

### باعث تحریر آنکے

مقدمہ مندرجہ عنوان بالا میں اپنی طرف سے واسطے پیروی و جواب دہی و کل کاروائی متعلقہ سرعہ کورٹ ایشیا  
آن مقام ایشیا کیلئے ناظم محمد دیکرہ سید

مقرر کر کے اقرار کیا جاتا ہے۔ کہ صاحب موصوف کو مقدمہ کی کل کاروائی کا کامل اختیار ہوگا۔ نیز  
وکیل صاحب کو راضی نامہ کرنے و تقرر ثالث فیصلہ برحلاف دیئے جواب دہی اور اقبال دعویٰ اور  
بصورت ڈگری کرنے اجراء اور صولی چیک و روپیہ عرضی دعویٰ اور درخواست ہر قسم کی تصدیق  
زرائیں پر دستخط کرانے کا اختیار ہوگا۔ نیز صورت عدم پیروی یا ڈگری یکطرفہ یا اپیل کی برآمدگی اور منسوخ  
نیز دائر کرنے اپیل نگرانی و نظر ثانی و پیروی کرنے کا اختیار ہوگا۔ از بصورت ضرورت مقدمہ مذکور  
کے کل یا جزوی کاروائی کے واسطے اور وکیل یا مختار قانونی کو اپنے ہمراہ یا اپنے بجائے تقرر کا اختیار  
ہوگا۔ اور صاحب مقرر شدہ کو بھی وہی جملہ مذکورہ باختیارات حاصل ہوں گے اور اس کا ساختہ  
پر واختہ منظور قبول ہوگا۔ دوران مقدمہ میں جو خرچہ ہر جانب التوائے مقدمہ کے سبب سے ہوگا۔  
کوئی تاریخ پیشی مقام دورہ پر ہو یا حد سے باہر ہو تو وکیل صاحب باہند ہوں گے۔ کہ پیروی  
مذکورہ کریں۔ لہذا وکالت نامہ لکھ دیا کہ سند ہے۔

Accepted

المرقوم \_\_\_\_\_ ماہ \_\_\_\_\_ 20

واہ العی

بمقام ایشیا کے لئے منظور ہے۔

قیمت  
50 روپے

122561



ایڈوکیٹ: طارق اعزیز خان چکنی

بار کونسل / ایسوسی ایشن نمبر:

رابطہ نمبر: 0332-9141165

پشاور بار ایسوسی ایشن، خیبر پختونخواہ

بعدالت جناب: خیبر پختونخواہ سروس ٹریبونل

مخانب: <u>مجلسینہ</u>	دعویٰ:
	علت نمبر:
	مورخہ:
	جرم:
	تھانہ:

**باعث تحریر آنگہ**

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

آن مقام پشاور ایڈوکیٹ طارق اعزیز خان چکنی کو وکیل مقرر کر کے اقرار کیا جاتا ہے کہ صاحب موصوف کو مقدمہ کی کل کارروائی کا کمال اختیار ہوگا، نیز وکیل صاحب کو راضی نامہ کرہے و تقریر ثالث و فیصلہ بر خلاف دینے جواب دعویٰ اقبال دعویٰ اور درخواست از پرہیز کی تصدیق زیریں پر دستخط کرنے کا اختیار ہوگا، نیز بصورت عدم پیروی یا ڈگری کی طرفہ یا اپیل کی برآمدگی اور سوشن، نیز دائر کرنے اپیل اگرانی و نظر ثانی و پیروی کرنے کا اختیار ہوگا اور بصورت ضرورت مقدمہ مذکورہ کے کل یا جزوی کارروائی کے واسطے اور وکیل یا مختار قانون کو اپنے ہمراہ مانگنے سے بچا جائے تقریر کا اختیار ہوگا اور صاحب مقرر شدہ کو وہی جملہ مذکورہ باختارات حاصل ہوں گے اور ان کا اختیار پر دستخط منظور و قبول ہوگا دوران مقدمہ میں جو چیزیں ہر جائزہ التوائے مقدمہ کے سبب سے ہوگا۔ کوئی تاریخ پیشی مقام دوزہ یا علی سے باہر ہو تو وکیل صاحب پابند نہ ہوں گے کہ پیروی مذکورہ کریں، لہذا وکالت نامہ لکھ دیا تاکہ سہولت ہے

Tariq Aziz Khan Chokhani  
Pawo Cate

Atty

محمد عظیم خان  
PBA

26/04/2023  
PUNJAB BAR ASSOCIATION  
KHAYBER PAKHTUNKHA

مقام پشاور کے لیے منظور ہے۔

نوٹ: اس وکالت نامہ کی فوٹو کاپی ناقابل قبول ہوگی۔