


FORM OF ORDER SHEET

Court of _____

Appeal No.

1495/2023

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	19/07/2023	<p>The appeal of Mr. Muhammad Fayyaz resubmitted today by Mr. Khaled Khan Mohmand Advocate. It is fixed for preliminary hearing before Single Bench at Peshawar on <u>25-07-2023</u>.</p> <p>By the order of Chairman  REGISTRAR</p>

The appeal of Mr. Muhammad Fayyaz Constable No. 261 son of Muhammad Sadiq r/o Railway Road Jabba Nehar Tehsil and District Mardan received today i.e on 11.07.2023 is incomplete on the following score which is returned to the counsel for the appellant for completion and resubmission within 15 days.

- 1- Appeal has not been flagged/marked with annexures marks.
- 2- Annexures-A, B and E of the appeal are illegible which may be replaced by legible/better one.
- 3- Copies of charge sheet, statement of allegations, show cause notice, enquiry report and replies thereto are not attached with the appeal be placed on it.
- 4- Two more copies/sets of the appeal along with annexures i.e complete in all respect may also be submitted with the appeal.

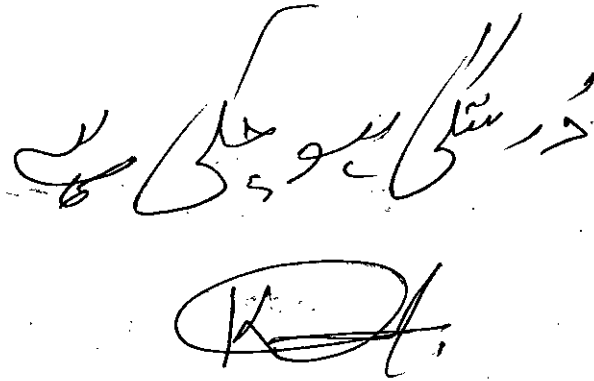
No. 1897 /S.T.

DL 12/7 /2023.



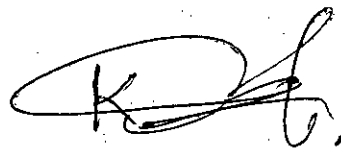
REGISTRAR
SERVICE TRIBUNAL
KHYBER PAKHTUNKHWA
PESHAWAR.

Khaled Khan Mohmand Adv.
High Court Peshawar.



Respectfully,

That charge sheet and reply was not given to the appellant, nor in his possession therefore, could not be annexed with the instant appeal. So the above objection may kindly be removed and the case be fixed before first available bench.



19/07/23

BEFORE THE KHYBER PAKHTUNKHWA SERVICES TRIBUNAL, PESHAWAR

Service Appeal No. 1495 of 2023

Muhammad Fayyaz. Appellant

V E R S U S

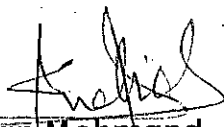
Inspector General of Police & others. Respondents

I N D E X


S. No.	DESCRIPTION OF DOCUMENTS	ANNEX	PAGES
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Appellant

Through


Khalid Khan Mohmand

&


Muaz Ashraf Khalil
Advocates, Peshawar

Dated: 10.07.2023

Khaliidshewani123@gmail.com

0342-9101124

(1)

BEFORE THE KHYBER PAKHTUNKHWA SERVICES TRIBUNAL, PESHAWAR

Service Appeal No. 1495 of 2023

Muhammad Fayyaz (Constable No.261) S/O Muhammad Sadiq
R/O Katlang Road Jabba Nehar, Tehsil & District Mardan.

Appellant
Khyber Pakhtunkhwa
Services Tribunal

VERSUS

File No. 6383

Dated 11-07-2023

1. Inspector General of Police, Khyber Pakhtunkhwa, Peshawar.
2. Regional Police Officer (RPO), Mardan.
3. District Police Officer (DPO), Mardan.

Respondents

SERVICE APPEAL U/S 4 OF THE KHYBER PAKHTUNKHWA SERVICES TRIBUNAL ACT, 1974, READ WITH ALL ENABLING PROVISIONS OF LAW, GOVERNING THE SUBJECT, AGAINST IMPUGNED ORDER DATED: 12.06.2023, WHEREBY THE APPELLANT WAS IMPOSED MINOR PENALTY OF STOPPAGE OF THREE ANNUAL INCREMENTS AND THE INTERVENING PERIOD IS TREATED AS LEAVE WITHOUT PAY.

PRAYER-IN-APPEAL:

On acceptance of instant Service Appeal, impugned revision order dated: 12.06.2023 may kindly be modified / set aside to the extent of stoppage of three annual increments and intervening period and the respondents may be directed to restore the desired increments as well as the intervening period w.e.f. 25.02.2022 till re-instatement with all consequential benefits.

Respectfully Sheweth:

1. That appellant was initially appointed as Constable in Police Department, vide order dated: 15.12.2008.
2. That in the year 2021, the mother of appellant died due to severe illness in the month of November 2021. The father of appellant decided second marriage without the consent of his family, the appellant tried his best to resolve the issue, however, during the said issue sister of appellant also died due to unknown reasons and appellant was absented willfully.
3. That the appellant was charge sheeted for his misconduct but without specifying the charges, which was responded by the appellant.
4. That the respondent department removed the appellant from service, vide order dated: 10.08.2022 on the basis of willful absence from duty.
(Copy of order dated: 10.08.2022 is attached as Annexure "A")
5. That the appellant approached the competent authority/ Respondent No.2 for redressal of his grievances, through Departmental Appeal dated: 08.09.2022, which was dismissed, vide order dated: 21.10.2022. **(Copies of Departmental Appeal dated: 08.09.2022 & Order dated: 21.10.2022 are attached as Annexures "B & C" respectively)**
6. That the appellant aggrieved from order dated: 21.10.2022, preferred revision petition before the worthy Provincial Police Officer (PPO) Khyber Pakhtunkhwa, which was modified on 12.06.2023, which is reproduced as under:

"The Petitioner has served for 13 years, 07 months. The Board by taking a lenient view accepted the revision petition of the appellant. He is hereby re-instated with immediate effect.

(2)

His removal from service penalty is modified into minor punishment of stoppage of three annual increments without cumulative effect; the intervening period of absentia is treated as leave without pay on the principle of no work no pay".

Hence the instant appeal.

(Copies of order dated: 11.11.2022 & re-instatement order dated: 12.06.2023 are attached as Annexures "D & E" respectively)

7. That appellant, being aggrieved of order dated: 12.06.2023, hence approaches this Hon'ble Tribunal, inter-alia, on the following grounds:

GROUND S:

- A. That impugned order dated: 12.06.2023 of Respondent No.1 is against the law, facts, all norms of natural justice and material available on file, hence untenable in the eye of law, therefore, is liable to be rectified / modified.
- B. That Respondent Department not properly considered the regular inquiry against the appellant which is the violation of the constitution of Islamic Republic of Pakistan, 1973.
- C. That the inquiry officer has not recorded any statement of the appellant in respect of the removal of the increments for three years.
- D. That the appellant has been discriminated while issuing the impugned order dated: 12.06.2023, whereby, minor penalty of stoppage of there increment was imposed on the appellant and also treated intervening period as leave without pay.
- E. That the appellant seeks permission to advance other grounds any proofs at the time of hearing.
- F. That any other ground with the permission of this Hon'ble Tribunal will be taken at the time of arguments.

It is, therefore, respectfully prayed that on acceptance of instant Service Appeal, impugned revision order dated: 12.06.2023 may kindly be modified / set aside to the extent of stoppage of three annual increments and intervening period and the respondents may be directed to restore the desired increments as well as the intervening period w.e.f. 25.02.2022 till re-instatement with all consequential benefits.

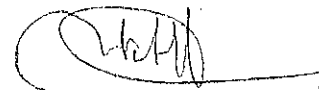
Any other relief not specifically prayed for deem appropriate in the circumstance of the case may also be granted.


Appellant

Through


Khalid Khan Mohammad

&



Muaz Ashraf Khalil
Advocates, Peshawar

Dated: 10.07.2023

BEFORE THE KHYBER PAKHTUNKHWA SERVICES TRIBUNAL, PESHAWAR

Service Appeal No. _____ of 2023

Muhammad Fayyaz. Appellant

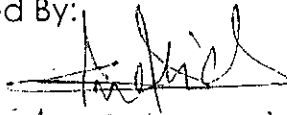
VERSUS

Inspector General of Police & others. Respondents

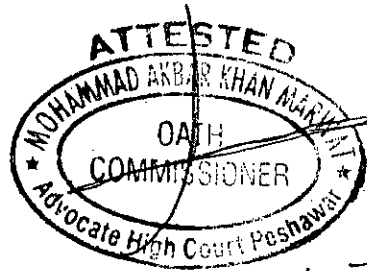
AFFIDAVIT

I, Muhammad Fayyaz (Constable No.261) S/O Muhammad Sadiq R/O Katlang Road JabbarNehar, Tehsil & District Mardan., do hereby solemnly affirm and declare on oath, that the contents of accompanying **Appeal** are true and correct to the best of my knowledge, belief and nothing has been kept concealed from this Hon'ble Court.

Identified By:



Mohammad Khan Mohammad
Advocate, Peshawar


Deponent

10/07/23

(4)

BEFORE THE KHYBER PAKHTUNKHWA SERVICES TRIBUNAL, PESHAWAR

Service Appeal No. _____ of 2023

Muhammad Fayyaz. Appellant

VERSUS

Inspector General of Police & others. Respondents

ADDRESSES OF THE PARTIES

APPELLANT:

Muhammad Fayyaz (Constable No.261) S/O Muhammad Sadiq
R/O Katlang Road Jabba Nehar, Tehsil & District Mardan.

RESPONDENTS:

1. Inspector General of Police, Khyber Pakhtunkhwa, Peshawar.
2. Regional Police Officer (RPO), Mardan.
3. District Police Officer (DPO), Mardan.


Appellant

Through


Khalid Kharr Mohmand

&


Muaz Ashraf Khalil
Advocates, Peshawar

Dated: 10.07.2023

Annex "A" (5)

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

Tel No. 0937-9230109 & Fax No. 0937-9230111
Email: dpomdn@gmail.com

Dated 18/02/2022

ORDER ON ENQUIRY OF CONSTABLE MUHAMMAD FAYAZ NO.261

This order will dispose-off a departmental enquiry under Police Rules 1975 initiated against Constable Muhammad Fayaz No.261, under the allegations that while posted at Police Station Sheikh Maltoon (Now PS Garhi Kapura), proceeded against internally through Mr. Ijaz Ali SDPO Rural Mardan vide this office Statement of Action Charge Sheet No.26/PA dated 31-01-2022, on account of (67) days absence from duty without any leave/permission of the competent authority vide DD No.33 dated 18-02-2022 to DD No.34 dated 23-02-2022, who (E.O) after fulfillment of process, submitted his Finding Report to this office vide his office letter No.614/ST dated 04-02-2022, holding responsible the delinquent official of gross misconduct & negligence in the discharge of duty. It may be mentioned here that the delinquent official was absent from duty without any leave/permission of the competent authorities vide DD No.33 dated 18-02-2022 PS Garhi Kapura till-date.

Constable Muhammad Fayaz was called for hearing in Orderly Room on 18-02-2022 respectively through proper delivered notices, but with no response till-date, while on the other hand, as per his past record, he has earned (71) bad marks in the past enquiry, besides dismissing twice from service, meaning that he is not a fit person for service, therefore, awarded him major punishment of removal from service with effect from 18-02-2022 and counted his (67) days absence's period as leave without pay with effect from 18-02-2022. I hereby exercise of the power vested in me under Police Rules-1975.

(Irfan Ullah Khan) PSP
District Police Officer
Mardan

Copies forwarded for information & n/action to:-

- 1) The P.O & E.C (Police Office) Maltoon & HQs in Mardan.
- 2) The P.O & E.C (Police Office) Mardan.

BETTER COPY

5

OFFICE OF THE
DISTRICT POLICE OFFICER,
MARDAN

Tele No. 0937-9230109 & Fax No. 0937-923011

Email: dpomdn@gmail.com

No. 6483-86/ PA

Dated 10.08.2022

Order of enquiry of constable Muhammad Fayaz No. 261

This order will dispose off a departmental enquiry under Police Rules , initiated against Constable Muhammad Fayaz No. 261, under the allegations that while passed at police station, Sheih Maltoon (Now PS Garhi Kapura), proceeded against departmentally through Mr. Ijaz Ali SDPO Rural Mardan vide this office Statement of disciplinary Action/ Charge Sheet No. 26/PA dated 31.1.2022, on account of 67 days (Sic) period from duty without any leave/ permission of the competent authority vide DD No. 24 dated 18.12.2021 to DD No. 34 dated 23.02.2022, who (E.O) after fulfillment necessary process, submitted his finding report to this office vide his office letter No. 614/ST dated 04.04.2022, holding responsible the delinquent official of gross misconduct & (sic) for major punishment. It may be mentioned here that the delinquent official (Sic) absent from duty without any leave/ permission of the competent authorities vide DD No. 19 dated 25.02.2022 PS Garhi Kapura till date.

Final Order

Constable Muhammad Fayaz was called for hearing on Orderly Room on 18.05.2022 and 21.07.2022 respectively through proper delivered notices, but with non compliance till date, while on the other hand, as per his past record, he has earned (71) bad rules with no good entry, besides dismissing twice from service, meaning that he is not a worker, therefore, awarded him major punishment of removal from service with effect from 25.02.2022 and counted his (67) days absence period as leave without pay with (SI) . In exercise of the power vested in me under Police Rules, 1975.

OB No. 1665

Dated 10.08.2022

(Irfan Ullah Khan) PSP
District Police Officer
Mardan

Copy forwarded for information & n/ action to:-

1. The DSSp/ Sheikh Maltoon & HQrs in Mardan.
2. The P.O & BC (Police Office) Mardan.

ATTESTED

Before the DPO Mandan Region. I

"B"

6

Mandan.

Subject: appeal against the order of DPO Mandan issued vide
OB NO - 1665 dated 10.8.22, whereby the appellant
has availed major punishment of removal from
Service.

Referred to:

The DPO Mandan issued Charge Sheet + Summary of allegations
no 26-PA dated 31.1.22 to the appellant with the following
allegations:

1) Remained absent for 67 days formally without
any leave / permission of the competent authority
vide SS No 34 dated 25-2-22 of SMT/MSW;

2) It is submitted that in the light of above mentioned Charge
Sheet, a departmental enquiry was initiated against the
appellant. Mr Jiaz Khan SDO/Rand Mandan was
nominational (The enquiry officer). The appellant
produced a detailed and comprehensive reply in
response to the Charge Sheet before the EO. The
version of the appellant was not considered and the
EO recommended the appellant for the award
of major punishment.

3) That in the light of enquiry findings, the DPO Mandan
summoned the appellant to his office. Meanwhile
the appellant was transferred from SS SMT 70
to Gani Kupura. The appellant neither reported
his arrival in Gani Kupura nor attended
the office of DPO Mandan. The appellant remained
absent from duty and thus the DPO Mandan decided
the departmental file of the appellant in his absence.

D.O. 127

BEFORE THE DIG MARDAN REGION I MARDAN

6

Subject: Appeal against the order of DPO /Mardan issued vide OBNo. 1665 dated 10.08.22 whereby the appellant has awarded major punishment of removal from service.

Respected Sir,

The DPO/ MDN had issued charge sheet and summary of allegation are 26-PA dated 31.1.22 to the appellant with the following allegations.

“ Remained absent for 67 days from duty without any leave/ permission of the competent authority vide DD No. 34 dated 23.02.2023 PS SMT/ MDN

1. It is submitted that in the report of above mentioned charge sheet, a departmental enquiry was instituted against the appellant. Mr Ijaz Khan SDPO/ Rural Mardan was nominated the enquiry officer. The appellant produced a detailed and comprehensive report in response to the charge sheet before the EO. The version of the appellant was not considered the EO recommended the engagement for the award of major punishment.
2. That in the light of enquiry finding the DPO/ MDN summoned the appellant Tehsil office. Meanwhile the appellant was transferred from PS SMT to PS Garhi Kapura, The appellant neither reported his arrival in PS Ghari Kapura nor attended the office of DPO / MDN. The appellant remained absent from duty and the DP / MDN decided the departmental file of the appellant in his absence.

ATTESTED



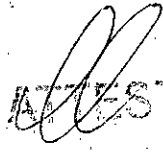
of the children will certainly destroyed.

Keeping in view the above facts and circumstances , it is humbly requested. That by the acceptance of instant appeal the order of DPO/MDN may kindly be set aside and the appellant be re instated in service from the date of removal please.

Dated 08.09.22

Yours obediently

Ex Constable Muhammad Fayyaz No. 261
District Mardan
Mobile No. 0344-9574181


ATTESTED

" C " (9)

ORDER.

This order will dispose-off the departmental appeal preferred by Ex-Constable Muhammad Fayaz No. 261 of Mardan District against the order of District Police Officer, Mardan, whereby he was awarded major punishment of removal from service vide OB: No. 1665 dated 10.08.2022. The appellant was proceeded against departmentally on the allegations that he while posted at Police Station Sheikh Maltoon absented himself from his lawful duty without any leave/permission of the competent authority vide daily diary No. 24 dated 19.12.2021 to daily diary No. 34 dated 23.02.2022.

Proper departmental enquiry proceedings were initiated against him. He was issued Charge Sheet alongwith Statement of Allegations and the then Sub Divisional Police Officer (SDPO) Rural, Mardan was nominated as Enquiry Officer. The Enquiry Officer after fulfilling codal formalities submitted his findings to District Police Officer, Mardan, wherein he held responsible the delinquent Officer and recommended him for major punishment.

It may be mentioned here that the delinquent officer also remained absent from duty without any leave/permission of the competent authority vide daily diary No.19 dated 25.02.2022 from Police Station Garhi Kapura till date of his removal from service.

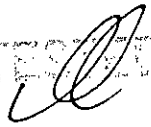
In order to further verify his misconduct, he was called for hearing in Orderly Rooms on 18.05.2022 and 21.07.2022 respectively on proper delivered notices, but neither he has appeared before the District Police Officer, Mardan, nor assumed duty till date of above mentioned dates, clarifying that he is not a willing worker in Police Force.

In the light of above discussion, findings of enquiry officer and materials available on record as well as bad record of (70) bad entries with no good entry (02) good entries, the delinquent Officer was awarded major punishment of removal from service with effect from 2.02.2022 and his absence period was treated as leave without pay vide OB No. 1665 dated 10.08.2022 by the District Police Officer, Mardan.

Feeling aggrieved from the order of District Police Officer, Mardan, the appellant preferred the instant appeal. He was summoned and heard in person in Orderly Room held in this office on 19.10.2022.

From the perusal of the enquiry file and service record of the appellant, it has been found that allegations leveled against the appellant have been proved beyond any shadow of doubt. As the appellant has bitterly failed to produce any cogent

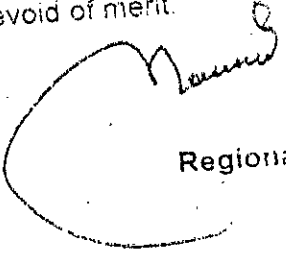
ATTESTED



10/11/2022 B. 10/11/2022

reason to justify his absence. Hence, the absence period i.e 07 months and 21 days of the appellant clearly depicts the casual and lethargic attitude towards his official duties as the very conduct of appellant is unbecoming of a disciplined Police Officer. Prior to this, the appellant was also dismissed from service on account of same allegations i.e absence. Hence, order passed by the competent authority does not warrant any interference.

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

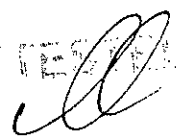


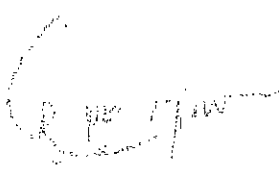
Regional Police Officer,
Mardan.

No. 8267 /ES, Dated Mardan the 21/10 /2022.

Copy forwarded to District Police Officer, Mardan for information and necessary action w/r to his office Memo: No. 266/LB dated 12.10.2022. His Service Record is returned herewith.

(*****)

ATTESTED



13.10.22

BEFORE THE PROVINCIAL POLICE OFFICER, KPK PESHAWAR

SUBJECT: MERCY PETITION AGAINST THE ORDER OF DPO MARDAN, ISSUED VIDE O.B NO. 1665 DATED 10-08-2022 , WHERE BY THE PETITIONER HAS BEEN AWARDED MAJOR PUNISHMENT OF " REMOVAL FROM SERVICE W.E.F 02-02-2022 AND HIS ABSENCE PERIOD WAS TREATED AS LEAVE WITHOUT PAY " AND REJECTION OF APPEAL BY REGIONAL POLICE OFFICER , MARDAN ISSUED VIDE HIS OFFICE ENDORSEMENT NO.8267/ES DATED: 21-10-2022.

Respected Sir,

The petitioner humbly submits as under:

1. That the DPO Mardan had issued charge sheet & Statement of allegations No.26/PA dated 31-01-2022 to the petitioner with the following allegations:
" Remained absent for 67 days from duty without any leave/permission of the competent authority vide DD No.24 dated 18-12-2021 to DD No.34 dated 23-02-2022 PS SMT Mardan "
(Copy of charge sheet is enclosed)
2. It is submitted that in the light of the above mentioned charge sheet a departmental enquiry was submitted against the petitioner. That Mr.Ijaz Khan ,SDPO Rural Mardan was nominated the enquiry officer. The petitioner produced a detailed and comprehensive reply in response to the charge sheet before the EO. The version of the petitioner was not considered and the EO recommended the petitioner for the award of Major punishment.
3. That in the light of the enquiry findings , the DPO Mardan summoned the petitioner to his office. Meanwhile the petitioner was transferred from PS SMT to PS Garhi Kapura. The petitioner neither reported his arrival in PS Ghari Kpura nor attended the office of DPO Mardan. The petitioner remained absent from duty and then the DPO Mardan decided the departmental enquiry of the petitioner in his absence.
4. That the DPO Mardan awarded to the petitioner the Major punishment of removal from service w.e.f 02-02-2022 and his absence period was treated as leave without pay vide OB No.1665 dated 10-08-2022. **(Copy of OB No.1665 is enclosed)**
5. That the departmental appeal preferred by the petitioner before the Regional Police Officer, Mardan has been rejected vide his office endorsement No.8267/ES dated 21-10-2022 being declared as devoid of any merit. **Hence the present Mercy Petition before your Honour, please. (Copy of RPO Mardan order is enclosed)**

ATTEST



18

COMPREHENSIVE GROUNDS OF MERCY PETITION:

- i. That the petitioner is innocent and did not absented himself from duty deliberately but was due to unavoidable circumstances prevailing in the family.
- ii. That in the year 2021, the petitioner mother was died due to post illness .In the month of November,2021, the father of the petitioner decided for second marriage . Being elder son, the petitioner opposed the 2nd marriage of his father and since then a troublesome situation started in the family. The petitioner tried his level best to involve other family members to resolve the burning issue of 2nd marriage but there was no progress at all in this regard. That due to the aforesaid situation in the home ,the petitioner remained absent from duty almost hopelessly.
- iii. That the petitioner suffered from mental agony and was unable to concentrate on the duty requirements in such odd situation of family skirmishes.
- iv. That the absence of petitioner from duty was not intentional but was due to the a/m facts and circumstances. The absence period may kindly be converted into sick leave on humanitarian basis and further resolves to remain extra careful in future.
- v. That the petitioner has been enrolled in KP Police department on 15-12-2008. Moreover, The petitioner has undergone the **finger print course** and has also qualified the **A1 Course**. The petitioner belongs to a respectable family of the area.
- vi. That the petitioner belongs to a poor family and is happily married having 03 school going kids. Moreover, the whole family entirely depends upon the Police Service of the petitioner. That the petitioner will suffer irreparable loss due to removal from Police service in future.
- vii. It is intimated that the petitioner wishes to be "heard in person" by your Honour.

PRAYER:

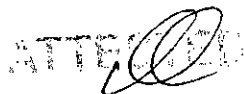
Keeping in view the above facts and circumstances, it is humbly prayed that in the light of instant mercy petition, the impugned order passed by The DPO Mardan by awarding major punishment of "Removal from Service and absence period as leave without pay " to the petitioner and rejection of appeal by the Regional Police Officer, Mardan may kindly be set aside and the petitioner be re-instated in police service along with his back benefits if any, please.

Yours Obediently,



(EX. CONSTABLE MUHAMMAD FAYYAZ)
NO.261
DISTRICT MARDAN
CONTACT NO: 0344-9574181

Dated: || November, 2022.





OFFICE OF THE
INSPECTOR GENERAL OF POLICE
KHYBER PAKHTUNKHWA
PESHAWAR.

"E"
13

ORDER

This order is hereby passed to dispose of Revision Petition under Rule 11-A of Khyber Pakhtunkhwa Police Rule-1975 (amended 2014) submitted Ex-FC Muhammad Fayaz No. 261. The petitioner was removed from service by DPO Mardan vide OB No. 1665 dated 10.08.2022 on the allegations that he while posted at PS Sheikh Paltoon absented himself from duty without permission vide DD No. 34 dated 18.12.2021 to DD No. 34 dated 23.02.2022. He also remained absent from duty vide DD No. 19 dated 25.02.2022 from PS Garhi Kapura till date of his removal from service (7 Months & 21 days). His appeal was rejected by RPO Mardan vide order Endat: No. 8267/PS dated 21.10.2022.

Meeting of Appellate Board was held on 02.06.2023 wherein petitioner was heard in person. Petitioner contended that my mother died & I had family issues.

The petitioner has served for 12 years, 07 months. The Board by taking a lenient view accepted the revision petition of the appellant. He is hereby re-instated with immediate effect. His removal from service penalty is modified into minor punishment of stoppage of 03 annual increments without cumulative effect. The intervening period of absence is treated as leave without pay on the principal of no work no pay.

Sd/-
RIZWAN MANZOOR, PSP
Additional Inspector General of Police
HQrs: Khyber Pakhtunkhwa, Peshawar.

OB No. 1665 dated Peshawar, the 12. 10. 2022

Copy of the above is forwarded to the

1. Receiver, Police Officer, Mardan. The Service Roll alongwith copy of the above dated 12.10.2022 received vide your office memo. No. 9705/PS dated 09.11.2022 returned for your office return.
2. District Police Officer, Mardan
3. AIG Layal, Khyber Pakhtunkhwa, Peshawar
4. PA to DPO RPO HQrs: Khyber Pakhtunkhwa, Peshawar.
5. PA to DPO/HQrs: Khyber Pakhtunkhwa, Peshawar.
6. Office Supdt. I-IV CPO Peshawar.



OB/EC/OSI/PO

for collection

OB 1174
15.6.23

(MUHAMMAD AZHAR) PSP
AIG/Establishment,
For Inspector General of Police,
Khyber Pakhtunkhwa, Peshawar

DPO Mardan
13.6.23

ATTACHED

OFFICE OF THE
INSPECTOR GENERAL OF POLICE
KHYBER PAKHTUNKHWA
PESHAWAR

ORDER

This order is hereby passed to dispose of Revision Petition under Rule 11-A of the Khyber Pakhtunkhwa Police Rule 1975 (amended 2014) submitted Ex FC Muhammad Fayaz No. 264. The petitioner was removed from service by DPO Mardan vide OB No. 1665 dated 10.08.2022 on the allegations that he while posted at PS Sheikh Maltoon absented himself from duty without permission vide DD No. 24 dated 18.12.2021 to DD No. 34 dated 23.02.2022. He also remained absent from duty vide DD No. 1, dated 25.02.2022 from PS Garhi kapura till date of his removal from Service (7 months & 21 days) His appeal was rejected b RPO Mardan vide order Endst No. 8267/ES dated 21.10.2022.

Meeting of appellate Board was held on 02.06.2023 wherein petitioner was heard in person Petitioner contended that my mother died & I had family issues.

The petitioner has served for 13 years, 07 months. The Board by taking a lenient view, accepted the revision petition of the appellant. He is hereby re instated with immediate effect his removal from service penalty is modified into minor punishment of stoppage of 03 annual increments without cumulative effect. The intervening period of absentia is treated as leave without pay on the principal of work no pay.

Sd/-
Rizwan Manzaoor, PSP
Additonal Insection General of police
HQrs Khyber Pakhtunkhwa Peshawar

No. 1602-07 / 23 dated Peshawar, 12 06.2023.

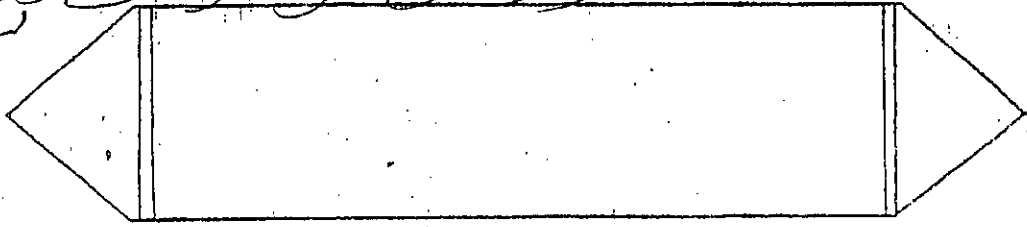
Copy of the above is forwarded to the

1. Regional Police Officer, Mardan. The Service Roll Alongwith Missal of the above mentioned received vide year office Memo No. 9705/ES dated 09.12.2022 returned herewith for your office record.
2. District Police Officer, Mardan.
3. IG/ Legal Khyber Pakhtunkhwa Peshawar.
4. PA to/ Addl (IGP HQrs Khyber Pakhtunkhwa Peshawar.
5. PA to DIG/ HQrs Khyber Pakhtunkhwa Peshawar.
6. Office Supdt IV CPO Peshawar.

Muhammad Azhar PSP
AIG/ Establishment
For Inspector General of Police
Khyber Pakhtunkhwa Peshawar

ACCEPTED

بعدالت سرسٹریٹونک لیسٹ



ضیاض اکٹر بنام گوہن

موزخہ
مقدمہ
دعوی
جرم

باعث تحریر آنگہ

صا ز اشرف خلیل
ایڈوکیٹ

مقدمہ مندرجہ عنوان بالا میں اپنی طرف سے واسطے پیروی و جواب دہی وکل کاروائی متعلقہ
آن مقام کیس نمبر ۱۰۰۰۰۰۰۰۰۰ کے اترار کیا جاتا ہے۔ کہ صاحب موصوف کو مقدمہ کی کل کاروائی کا کامل اختیار ہوگا۔ نیز
وکیل صاحب کو راضی نامہ کرنے و تقرر ثالثتہ فیصلہ برحلف دیئے جواب دہی اور اقبال دعویٰ اور
بصورت ڈگری کرنے اجراء اور صولی چیک و روپیہ ارضی دعویٰ اور درخواست ہر قسم کی تصدیق
زرائین پر دستخط کرانے کا اختیار ہوگا۔ نیز بصورت عدم پیروی یا ڈگری ٹیکٹ طرفہ یا اپیل کی برادگی اور منسوخی
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
پرواختہ منظور قبول ہوگا۔ دوران مقدمہ میں جو خرچہ ہر جات التوائے مقدمہ کے سبب سے ہوگا۔
کوئی تاریخ پیشی مقام دورہ پر ہو یا حد سے باہر ہو وکیل صاحب پابند ہوں گے۔ کہ پیروی
مذکور کریں۔ لہذا کالت نامہ لکھدیا کہ مندر ہے۔

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المقوم

کے لئے منظور ہے۔

بمقام

ضیاض اکٹر