

Sr. No	Date of order/proceedings	Order or other proceedings with signature of Judge or Magistrate
1	2	3
<p style="text-align: right;">10.01.2018</p>		<p style="text-align: center;"><u>BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL</u></p> <p style="text-align: center;">Appeal No. 1103/2016</p> <p style="text-align: center;">Date of Institution ...28.10.2016 Date of Decision ... 10.01.2018</p> <p style="text-align: center;">Muhammad Ayaz Ex Constable No.562 District Police Mardan Appellant</p> <p>1. Deputy Inspector General of Police, Mardan Region-1 Mardan. 2. District Police Officer, Mardan. 3. Provincial Police Officer Khyber Pakhtunkhwa Peshawar.</p> <p style="text-align: center;">Respondents</p> <p style="text-align: center;"><u>JUDGMENT</u></p> <p style="text-align: center;"><u>MUHAMMAD HAMID MUGHAL, MEMBER: -</u></p> <p>Learned counsel for the appellant and Mr. Usman Ghani Learned District Attorney on behalf of the respondents present.</p> <p>2. Appellant has filed the present service appeal u/s 4 of the Khyber Pakhtunkhwa Service Tribunal Act, 1974 against the respondents and made impugned therein the order dated 24.02.2016 of respondent No.2 whereby the appellant was dismissed from service. The appellant has also challenged the order dated 11.04.2016 of the appellate</p>

Pawin

authority/respondent No.1 whereby the departmental appeal of the appellant was rejected.

3. At the very outset learned District Attorney raised the objection that the present appeal is time barred. As such this Tribunal is now first to determine the issue of limitation and if the appeal is time barred then this Tribunal cannot touch the merits of the case.

4. In order to meet the issue of limitation learned counsel for the appellant contended that order dated 11.04.2016 regarding rejection of departmental appeal was not conveyed to the appellant and finally the appellant obtained the same on 29.09.2016 and filed the present service appeal on 28.10.2016, within thirty (30) days of obtaining the order regarding rejection of his appeal, thus the present service appeal is well within time. Further argued that the appellant has also mentioned this fact in Para-5 of memo of appeal and also annexed therewith the application for condonation of delay.

5. As against that learned District Attorney argued that the departmental appeal of the appellant was decided on 11.04.2016 and the appellant was supposed to file the present service appeal within thirty (30) days of the decision of the

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departmental appeal however the appellant has filed the present service appeal after a lapse of more than six (06) months of the decision of departmental appeal hence the present service appeal is hopelessly time barred. Further argued that from the perusal of order dated 11.04.2016 passed in the departmental appeal, it is evident that appellant was also heard in person by the appellate authority as such the plea of the appellant that the decision on the departmental appeal was not communicated to the appellant rather he obtained the same on 29.09.2016 does not appeal to prudent mind. Further argued that onus was upon the appellant to prove that the decision on the departmental appeal was not communicated to the appellant until 29.9.2016 but he failed to discharge the same and mere assertion/averment is not sufficient to condone the delay in filing the present service appeal.

6. Arguments heard. File perused.

7. The impugned order of dismissal from service was issued on 24.02.2016 and in case the order dated 11.4.2016 regarding disposal of departmental appeal was not communicated to the appellant, the appellant should have filed the present service appeal within a period of not more

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than 120 days from the issuance of the original order of dismissal from service. The decision on departmental appeal was made vide order dated 11.04.2016 and the appellant was supposed to file service appeal within a period of not more than thirty (30) days from the date of decision of departmental appeal. However the appellant has filed the present appeal after more than eight (8) months of the issuance of the original impugned order and after more than six (6) months of the decision of the departmental appeal. It was for the appellant to prove his assertion that he was not conveyed with the order regarding the rejection of his appeal until 29.09.2016, however the appellant failed to substantiate his averment to that effect. Period of more than six (06) months cannot be condoned merely on the basis of bald assertion. Consequently the application for condonation of delay is rejected with the result that the present service appeal being time barred is dismissed. Parties are left to bear their own costs. File be consigned to the record room after its completion.


(AHMAD HASSAN)
MEMBER


(MUHAMMAD HAMID MUGHAL)
MEMBER

09. 12.07.2017

Counsel for the appellant and Mr. Muhammad Jan, Deputy District Attorney alongwith Mr. Atta ur Rehman, SI for present. Counsel for the appellant seeks adjournment. Adjourned. To come up for arguments on 13.11.2017 before D.B.



(Ahmad Hassan)
Member



(Muhammad Hamid Mughal)
Member

13.11.2017

Appellant with counsel and Mr. Kabeerullah Khattak, Addl. AG alongwith Attaur Rahman, SI (Legal) for the respondents present. The learned counsel for the appellant requested for adjournment. Granted. To come up for arguments on 10.1.2018 before the D.B.



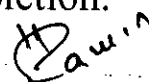
Member



Chahmah

10.01.2018

Learned counsel for the appellant present. Mr. Usman Ghani, Learned District Attorney along with Atta Ur Rehman ASI for the respondents present. Vide our separate judgment of today placed on file the application for condonation of delay is rejected with the result that the present service appeal being time barred is dismissed. Parties are left to bear their own costs. File be consigned to the record room after its completion.



(MUHAMMAD HAMID MUGHAL)
MEMBER



(AHMAD HASSAN)
MEMBER

31.01.2017

Counsel for the appellant ^{and} Mr. Khalid Mehmood HC, alongwith Addl. AG for respondents present. Written reply not submitted. Requested for adjournment. To come up for written reply/comments on 02.03.2017 before S.B.


Chairman

02.03.2017

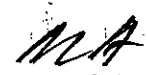
Clerk to counsel for the appellant and Mr. Atta ur Rehman, SI alongwith Assistant AG for respondents present. Written reply submitted. The appeal is assigned to D.B for rejoinder and final hearing on 11.04.2017.


Chairman

11.04.2017

Counsel for the appellant present. Mr. Atta-ur-Rehman, S.I alongwith Mr. Muhammad Adeel Butt, Additional AG for respondents also present. Learned counsel for the appellant submitted rejoinder and requested for adjournment. Adjourned. To come up for arguments on 12.07.2017 before D.B.


(Ahmad Hassan)
Member


(Muhammad Amin Khan Kundi)
Member

08.11.2016

Counsel for the appellant present and requested for adjournment. Adjournment granted. To come up for preliminary hearing on 21.11.2016.


(PIR BAKHSH SHAH)
MEMBER

21.11.2016

Counsel for the appellant present. Learned counsel for the appellant argued that the appellant was involved in FIR No. 1421 dated 24.12.2015 under sections 457/380/411 of Police Station City Mardan. He was released on bail on 13.01.2016 but was dismissed from service on account of absence and involvement in FIR vide impugned order dated 29.02.2016. His departmental appeal dated 03.03.2016 was rejected on 11.04.2016 where-after instant service appeal was filed on 28.10.2016 as rejection order was communicated on 29.09.2016 as stated by the learned counsel for the appellant.

Points urged need further consideration. The appeal is admitted for regular hearing subject to legal objections at the later stage and subject to deposit of security and process fee within 10 days, where-after notices be issued to the respondents for written reply/comments for 02.01.2017 before S.B.


(ABDUL LATIF)
MEMBER

02.01.2017

Appellant in person and Mr. Khaled Mahmood, HC alongwith Addl. AG for respondents present. Written reply not submitted. Requested for adjournment. Request accepted. To come up for written reply/comments on 31.01.2017 before S.B.

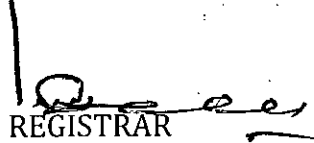


Member

Appellant Deposited
Security Process Fee

Form- A
FORM OF ORDER SHEET

Court of _____

Case No. 1103/2016

S.No.	Date of order proceedings	Order or other proceedings with signature of judge or Magistrate
1	2	3
1	28/10/2016	<p style="text-align: center;">The appeal of Muhammad Ayaz presented today by Mr. Fazal Shah Mohmand Advocate may be entered in the Institution Register and put up to the Worthy Chairman for proper order please.</p> <p style="text-align: right;"> REGISTRAR</p>
2-	31-10-2016	<p style="text-align: center;">This case is entrusted to S. Bench for preliminary hearing to be put up there on <u>08-11-2016</u></p> <p style="text-align: right;"> CHAIRMAN</p>

BEFORE THE SERVICE TRIBUNAL KPK PESHAWAR

Service Appeal No 1103 /2016

Muhammad Ayaz.....Appellant

V E R S U S


DIG & others.....Respondents

I N D E X

S.No	Description of Documents	Annexure	Pages
1.	Service appeal with affidavit <i>with Condonation</i>		1-5
2.	Copy of FIR	A	6-
3.	Copy of affidavit and Bail Order	B & C	7-10
4.	Copy of the Order dated 24-02-2016	D	11-
5.	Copy of departmental appeal & Order dated 11-04-2016	E & F	12-15
6.	Wakalat Nama		16

Dated:-27-10-2016

Appellant
Through


Fazal Shah Mohmand
Advocate Peshawar.

OFFICE:- Cantonment Plaza Flat 3/B Khyber Bazar Peshawar
Cell# 0301 8804841

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BEFORE THE SERVICE TRIBUNAL KPK PESHAWAR

Service Appeal No 1103 /2016.

Khyber Pakhtukhwa
Service Tribunal

Muhammad Ayaz Ex Constable No 562 District Police
Mardan.....

Diary No. 1135

Appellant 9-8-10-2016
Dated

V E R S U S

1. Deputy Inspector General of Police, Mardan Region-1 Mardan.
2. District Police Officer, Mardan.
3. Provincial Police Officer KPK Peshawar.....**Respondents**

**APPEAL U/S 4 OF THE KPK SERVICE TRIBUNAL ACT 1974
AGAINST THE ORDER DATED 11-04-2016 PASSED BY
RESPONDENT NO 1 WHERE BY DEPARTMENTAL
APPEAL OF THE APPELLANT FILED AGAINST THE ORDER
DATED 24-02-2016 OF RESPONDENT NO 2 HAS BEEN
REJECTED/FILED.**

PRAYER:-

On acceptance of this appeal the impugned order dated 11-04-2016 of respondent No 1 and Order dated 24-02-2016 of respondent No 2 may kindly be set aside and the appellant may kindly be ordered to be reinstated in service with all back benefits.

Respectfully Submitted:-

1. That the appellant joined the respondent Department in the year 1998 remained posted to various Police Stations and since then he performed his duties with honesty and full devotion.
2. That on 24-12-2015 the appellant along with one other was falsely implicated in case vide FIR No 1421 dated 24-12-2015 under sections 457/380 of Police Station City Mardan and was arrested. **(Copy of FIR is enclosed as Annexure A).**
3. That the appellant was released on bail when the complainant of the mentioned case gave an affidavit regarding the innocence of the appellant vide Order dated 13-01-2016 of the Judicial Magistrate Mardan. **(Copy of affidavit and Bail Order are enclosed as Annexure B & C).**
4. That after release from jail, the appellant reported for duty but was told by the Moharrer Fazal Malik that he has been dismissed from service however copy was not provided to him and later on the appellant came to know that he has been dismissed from service by respondent No 2 vide Order dated 29-02-2016. **(Copy of the order is enclosed as Annexure D).**

Filed to-day

Registrar

28/10/16

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5. That the appellant filed Departmental appeal before respondent No 1 on 03-03-2016, which was rejected/filed vide order dated 11-04-2016, however copy of the same was not conveyed to the appellant and finally he obtained copy of the same on 29-09-2016. **(Copy of departmental appeal and order dated 11-04-2016 are enclosed as Annexure E & F).**
6. That the impugned order dated 11-04-2016 of respondent No 1 and order dated 29-02-2016 of respondent No 2 are against the law, facts and principles of justice on grounds inter alia as follows:-

G R O U N D S :-

- A. That the impugned orders are illegal and void abinitio.
- B. That mandatory provisions of law and rules have badly been violated by the respondents and the appellant has not been treated according to law and rules and the appellant did nothing that amounts to misconduct.
- C. That no inquiry was conducted to find out the true facts and circumstances, and no one was examined during inquiry.
- D. That no charge sheet and show cause notice was communicate to the appellant.
- E. That the appellant was not afforded the opportunity of personal hearing.
- F. That the period of absence has been treated as leave without pay and thus the impugned orders are not tenable in the eyes of law.
- G. That the complainant has stated before the Court that the appellant is innocent and on the same base the appellant has been released on bail and as such is also sure of his acquittal, even the appellant has been dismissed from prior to the decision of the criminal case .
- H. That exparte action has been taken against the appellant and he has been condemned unheard.
- I. That the impugned order s are not speaking orders and thus not tenable in the eyes of law.
- J. That there is misapplication of law as the law mentioned in the orders is not applicable and the orders are thus void.

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K. That the appellant has about 18 years of service with unblemished service record and is jobless since his illegal dismissal from service.

L. That the appellant seeks the permission of this honorable tribunal for further/additional grounds at the time of arguments.

It is therefore prayed that appeal of the appellant may kindly be accepted as prayed for in the heading of the appeal.

Dated:-27-10-2016

Through

Appellant 


Fazal Shah Mohmand
Advocate, Peshawar

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BEFORE THE SERVICE TRIBUNAL KPK PESHAWAR

Service Appeal No _____ /2016

Muhammad Ayaz.....Appellant

VERSUS

DIG & others.....Respondents

AFFIDAVIT

I, Muhammad Ayaz Ex Constable No 562 District Police Mardan, do hereby solemnly affirm and declare on oath that the contents of this **Appeal** are true and correct to the best of my knowledge and belief and nothing has been concealed from this honorable Tribunal.

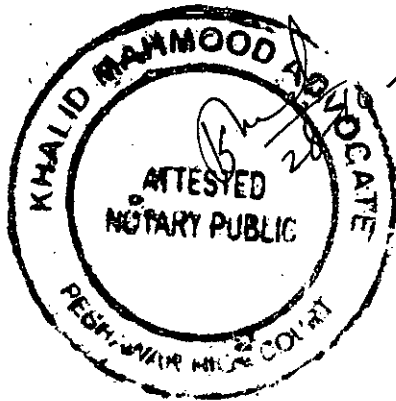
Identified by

Fazal
Fazal Shah Mohmand
Advocate Peshawar

[Signature]

DEPONENT

Nic: 16101-4091498-3



(5)

BEFORE THE SERVICE TRIBUNAL KPK PESHAWAR

Service Appeal No _____/2016

Muhammad Ayaz.....Appellant

VERSUS

DIG & others.....Respondents

Application for the condonation of delay if any.

Respectfully submitted:-

1. That the accompanying appeal is being filed today in which no date of hearing has been fixed so far.
2. That the grounds of appeal may be considered as integral part of this application.
3. That the impugned order being void abinitio, illegal and time factor becomes irrelevant in such cases, furthermore copy of impugned order was communicated to the appellant on 10-11-2014 and the appeal is as such within time.
4. That the law as well as the dictums of the superior Courts also favors decisions of cases on merit.

It is therefore prayed that on acceptance of this application, the delay if any in filing of appeal may kindly be condoned.

Dated:-27-10-2016


Appellant

Through

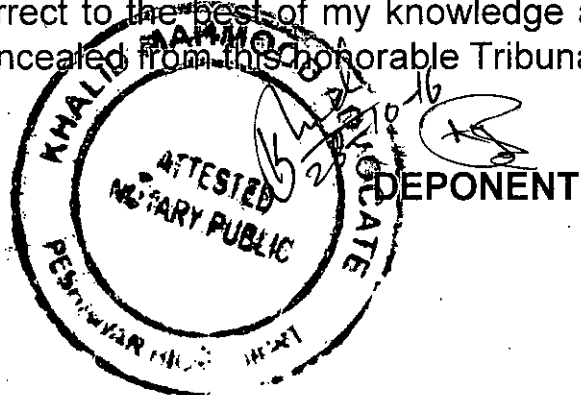

**Fazal Shah Mohmand
Advocate, Peshawar**

AFFIDAVIT

I, Muhammad Ayaz Ex Constable No 562 District Police Mardan, do hereby solemnly affirm and declare on oath that the contents of this **Application** are true and correct to the best of my knowledge and belief and nothing has been concealed from this honorable Tribunal.

Identified by

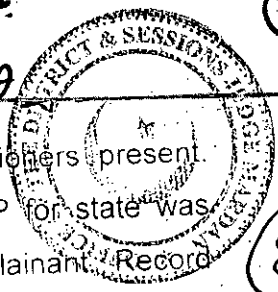

**Fazal Shah Mohmand
Advocate Peshawar**



معدنه تم نقولات جملہ دستاویزات منقلہ از مندرجہ ذیل محبہ الرحمی Jmic مندرجہ ذیل

پتہ: من
آب پورہ

پر منہ / جود / منقلہ / حوالہ /
27/BA 09-01-16 12-01-16 23-01-16



O----03

13.01.2016

APP for State present. Counsel for the petitioners present. Complainant not in attendance, therefore, APP for state was asked to assist the court on behalf of complainant. Record received.

Accused/petitioners Ayaz Ahmad and Shahab seek their post arrest bail in case FIR No.1365 dated 17.12.2015 u/s 457/380 PPC P.S City.

Arguments heard and record perused. Perusal of the record reveals that the complainant has charged no one in the FIR and the case was registered against unknown accused. The local police on the basis of suspicion implicated present accused petitioner later on. Neither any recovery nor

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EXAMINER
Copying Department
Sessions Court Multan

Or.....03
Contd.....

13.01.2016

any confessional statement has been brought on record. No eyewitness of the occurrence is available on record, which makes the case one of further inquiry.

In view of above discussion, application in hand is hereby allowed and accused petitioners are held entitled for concession of bail subject to furnishing of bail bonds to the tune of Rs.100, 000/- with two sureties each in the like amount to the satisfaction of the court.

Copy of the instant order be placed on police file as well as on Judicial file. Record be returned and file be consigned to record room, Mardan after its necessary completion and compilation

Announced
13.01.2016

(Mohib-ur-Rehman)
JM-I, Mardan

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m. 25-10-16
EXAMINER
Copying Department
Sessions Court Mardan

آپوزیشن کی نقل سہ ماہی

Application No	NO 2/10/35
Date of Presentation of Application	25-10-16
Date on which copy Prepared	25-10-16
Date on which copy Examined	25-10-16
No. of Pages	04 P
Urgency	1
signed of copy	m. P
Date of Delivery	25-10-16

Before the court of Judicial Magistrate Mardan

1. Ayaz Ahmad s/o Taze Gul r/o Bushdada
Mardan.



(ii) Shahab s/o Shajehan r/o Shareef Abad

(9)

(3) Mardan.

----- Accused / PTRs

v/s

(i) Khan Zeb Lodi s/o Rehmanudeen Lodi
r/o Bar Kandy Bushdada, Mardan.

(ii) The state

----- Respondents

FIR NO 1365 Dated 17-12-15

u/s 457/380 PPC. P.S City.

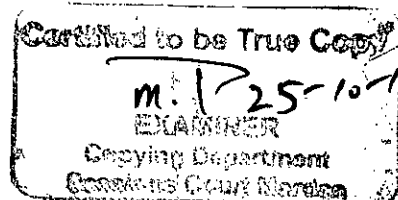
Subject: - Application For Bail

Sir, The accused / PTRs beg to state as under.

(i) That the above mentioned case is registered against the above named accused / PTRs and are behind the bars.

(ii) That the accused / PTRs are innocent and falsely implicated in the instant case by the local police.

P.T.D



(iii) That the accused / p'trs are not directly charged in the FIR and mala fide charged by the local police. (10)

(iv) That no recovery has been effected

(v) From the possession of the accused / p'trs

(vi) That the version of the complainant and site plane does not corroborate each other.

It is therefore requested that the accused / p'trs may kindly be released on bail till the final disposal of the case.

Date 8-01-16

Submitted by

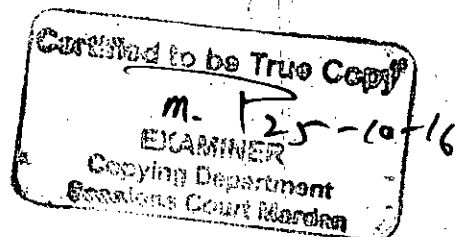
(i) Ayaz s/o Taza Gul

(ii) Shahab s/o Shajahan

Through Counsel

M. Ibrar Advocated





POLICE DEPARTMENT

MARDAN DISTRICT

ORDER

My this order will dispose of the departmental inquiry, which is conducted against Constable Muhammad Ayaz No. 562, while at Police Lines Mardan, while posted at Police Lines Mardan, is involved in case FIR No. 1421 dated 24.12.2015 u/s 457/380/411 PS City and also remained absent vide DD No. 28 dated 22.12.2015 to-date. His this attitude adversely reflected on his performance, while discharge his official duty which is an indisciplined act and gross misconduct on his part as defined in rule 2(iii) of Police Rules 1975.

In this connection, Constable Muhammad Ayaz No. 562, was issued charge sheets vide this office Nos. 02/R, dated 06.01.2016, 18/R, dated 13.01.2016 and also proceeded against departmentally through the Saleem Riaz Khan DSP/TBI Mardan, who after fulfilling necessary process, submitted his findings to the undersigned vide his office endorsement No. 684/ST & 685/ST dated 17.02.2016 as the allegations have been established against him and recommended him for major punishment.

The undersigned agreed with the findings of enquiry officer and the alleged Constable Muhammad Ayaz No. 562, is hereby dismissed from service, while his absence period treated as leave without pay in exercise of the power vested in me under the above quoted rules.

Order announced

O.B No. 470

Dated 24/2/2016

(Faisal Shahzad) PSP
District Police Officer,
Mardan.

No. 1259-641 dated Mardan the 29-2/2016

Copy for information and necessary action to:-

1. The Deputy Inspector General of Police Mardan Region-1, Mardan.
2. The S.P Operations, Mardan.
3. The DSP/HQrs Mardan.
4. The Pay Officer (DPO) Mardan.
5. The E.C (DPO) Mardan.
6. The OSI (DPO) Mardan.

~~ATTESTED~~

to be true copy
Advocate

REGISTERED A/D

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To

The D.I.G. Police,
Mardan Region,
Mardan.

THROUGH : PROPER CHANNEL

Sub: APPEAL AGAINST THE ORDER OF THE DPO MARDAN
DATED 29.02.2016.

Sir,

With reference to order of The DPO Mardan
contained in letter No. 1259-641 dated 27.02.2016,
(O.B. No. 470 dated 24.02.2016,) whereby I am awarded
the punishment of dismissal from service. (Copy attached)

It is submitted that the impugned order is
unjustified, illegal and liable to be set aside, on
the following amongst many other grounds :-

1. That I was falsely charged in case FIR No. 1421
dated 24.12.2015 U/S 457/380 PPC of The P.S.
City Mardan on account of doubt, malice and
the complainant was misled by my ill-wishers.

~~ATTESTED~~

to be true copy
Advocate

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Resultantly, I was arrested by the Local Police
i.e. The P.S. City Mardan and remained in Custody
and prison till my release on bail on 13.01.2016.

2. That on my release, I attended the Police Lines,
for duty on the same day i.e. 13.01.2016 where
Mr. Fazal Malik, the Moharrir did not allow me
to perform duty on the plea that you are
dismissed from service.

3. That I was not conveyed the copy of the impugned
order.

4. That I obtained the copy thereof today on
03.03.2016 from the Office of the DPO Mardan.

5. That my absence from duty was beyond my control
as I was in custody.

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~~ATTESTED~~
to be true copy
Advocate

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6. That no enquiry was conducted in my presence, when I attended the office of the DSP / Takht Bhai / The Enquiry Officer for Enquiry. He informed me that your absence is proved. Yet, he neither recorded my statement nor any witnesses was present there.

7. That I was not served with the final show cause notice nor supplied the copy of the enquiry report, if any, Thus, I am condemned unheard through - out.

It is requested that setting aside the impugned order, I may kindly be re-instated in service with back service benefits and oblige.

Yours Obediently,

3.3.2016

(MUHAMMAD AYAZ)
Ex-Constable No. 562
Police Lines, Mardan

Address: Mohallah Kooz Kendi Baghdada
Mardan.

ATTESTED

to be true copy
Advocate

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(15)


ORDER.

This order will dispose-off the appeal preferred by Ex-Constable Muhammad Ayaz No. 562 of Mardan District Police against the order of District Police Officer, Mardan wherein he was dismissed from service vide OB No. 470 dated 24.02.2016.

Brief facts of the case are that, he while posted at Police Lines Mardan, involved in case FIR No. 1421 dated 24.12.2015 u/s 457/380/411 Police Station, City, Mardan and also remained absent vide daily diary No. 28 dated 22.12.2015 to-date. His this attitude adversely reflected on his performance, while discharging his official duty which is an indiscipline act and gross misconduct on his part as defined in rule 2(iii) of Police Rules 1975. In this connection, he was issued charge sheet and also proceeded against departmentally through the Saleem Riaz Khan Deputy Superintendent of Police Takht Bhai, Mardan, who after fulfilling necessary process, submitted his findings to the District Police Officer, Mardan as the allegations were established against him and recommended him for major punishment. The District Police Officer, Mardan agreed with the findings of enquiry officer and the alleged Constable was dismissed from service.

I have perused the record and also heard the appellant in Orderly Room held in this office on 06.04.2016, but he failed to justify his innocence and could not produce any cogent reason about his absence. Therefore, I Muhammad Tahir Deputy Inspector General of Police, Mardan Region-I, Mardan in exercise of the powers conferred upon me reject the appeal and do not interfere in the order passed by the competent authority, thus the appeal is filed forthwith.

ORDER ANNOUNCED.


(Muhammad Tahir) PSP
Deputy Inspector General of Police,
Mardan Region-I, Mardan.

No. 2867 /ES, Dated Mardan the 11 /04 /2016.

Copy to District Police Officer, Mardan for information and necessary action w/r to his office Memo: No. 177/Legal dated 18.03.2016. His service roll is returned herewith for record in your office

(*****)

~~ATTESTED~~

to be true copy
Advocate

**BEFORE THE HONOURABLE SERVICE TRIBUNAL KHYBER PAKHTUNKHWA,
PESHAWAR.**

Service Appeal No. 1103/2016.

Mohammad Ayaz Ex- ConstableAppellant.

VERSUS.

District Police Officer, Mardan & others.....Respondents.

Parawise comments on behalf of respondents.

Respectfully Sheweth:

PRELIMINARY OBJECTIONS:-

1. That the appellant has not come to this Honourable Tribunal with clean hands.
2. That the appellant has got no cause of action.
3. That the appellant has concealed material facts from this Honourable Tribunal.
4. That the appellant is estopped by his own conduct, by law to bring the instant appeal.
5. That the present appeal is bad in its present form hence not maintainable and liable to be dismissed.
6. That the appeal is bad due to non-joinder of necessary parties and mis-joinder of unnecessary parties.
7. That the instant appeal is barred by law & limitation.

REPLY ON FACTS.

1. Pertains to record, hence, no comments.
2. Incorrect the appellant has been charged, by one namely: Mohammad Niaz Ali, for the commission of impugned offence. **(Copy of FIR is attached as Annexure-A)**
3. Pertains to criminal record in the impugned case, hence, no comments.
4. As the appellant had been found involved in a criminal case and also absented from his duty, reported vide DD No. 28 dated 22.12.2015, till the day of his dismissal from service. **(Copies of DD report & dismissal order as Annexure-B & C).**
5. Correct to the extent of rejection of appeal by respondent No. 01, as competent Departmental Appellate Authority. Rest of the para is incorrect and baseless, hence, no comments.
6. Incorrect. Both the impugned orders are according to law, facts and principle of justice, hence, hold no grounds to stand on.

REPLY ON GROUNDS.

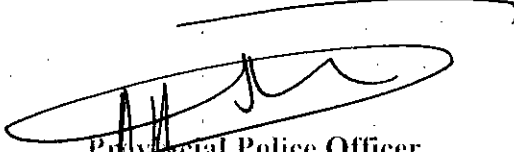
- A. Incorrect as the impugned orders are legal and as per rules.
- B. Incorrect as there is no violation of any rules/ law and the appellant has been treated accordingly.
- C. Incorrect. Proper departmental inquiry was conducted through DSP/Takht Bhai Saleem Riaz, who after fulfillment of all codal formalities recommended the appellant for major penalty. **(Copies of charge sheet etc are attached as Annexure-D).**
- D. Incorrect. Proper charge sheet was issued to the appellant, Annexed in para -C above.
- E. Incorrect the appellant was heard in person by respondent No. 01 in Orderly Room held on 06.04.2016 but he had failed to justify his absence. **(Copy of order appeal rejection is attached as Annexure-E).**
- F. As the absence period he spent out of duty and is based on the principle of "No work no pay". Hence, the impugned orders are tenable in the eyes of law.
- G. Incorrect the appellant has been dismissed from service on two grounds: (I) involvement in criminal case and (II) absence from duty. Both the grounds amount to misconduct under Police Rules.
- H. Incorrect & baseless. The appellant has been properly inquired and also provided opportunity of hearing by the competent authority, as explained in respondent No. 01 appeal rejection order.
- I. Incorrect. The impugned order are speaking orders and tenable in the eyes of law.
- J. Incorrect. The appellant has been properly dealt under relevant rules/law. The impugned orders are, therefore, legal and justified.

K. Correct to the extent tenure of his service in police but his long service is filled with a series of red/bad entries. His services, as police official could not be retained further in this disciplined force. **(Copies of red/ bad entries are attached as Annexure -F).**


L. The respondents also seek permission of this Honourable Tribunal to present further/additional, if any, grounds etc. at the time of arguments.

PRAYER:-

The appellant's plea for reinstatement in service holds no legal grounds to stand on in the instant service appeal for his being involved in a criminal case and prolonged absence from duty, which amounts to misconduct under Police Rules. His appeal, as prayed, may please be dismissed with costs.



**Provincial Police Officer,
Khyber Pakhtunkhwa, Peshawar.
(Respondent No. 03)**



**Dy: Inspector General of Police,
Mardan Region-I, Mardan.
(Respondent No. 01)**



**District Police Officer,
Mardan.
(Respondent No. 02)**

تاریخ 28 دسمبر 2015

محترم اسی پی سی ماردان صاحب کو
موضوع: سب سے پہلے سب سے پہلے سب سے پہلے
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محترم اسی پی سی ماردان صاحب کو

اس کے لئے

تو یہ سب سے پہلے سب سے پہلے

31
22-12-015
Sir, Forwarded
R. S. ...
PIL Mardan

Sir, Forwarded
Lo PIL Mardan
28/12/15

PO
Stop his pay
Issue charge sheet

Forwarded pl. Case in
P.S City
DPO Mardan
DSP/Hqrs./Traffic
MARDAN

OB 51
5-1-16

OFFICE OF THE DISTRICT POLICE OFFICER, MARDAN

No. 02 /R/D.A-P.R-1975.

Dated 06-01- /2016

DISCIPLINARY ACTION UNDER NWFP POLICE RULES - 1975

I, **Faisal Shahzad** District Police Officer, Mardan as competent authority am of the opinion that Constable **Muhammad Ayaz No. 562**, rendered himself liable to be proceeded against as he committed the following acts/omission within the meaning of section-02 (iii) of NWFP Police Rules 1975.


STATEMENT OF ALLEGATIONS

That **Constable Muhammad Ayaz No. 562**, while posted at Police Lines Mardan, is involved in case FIR No. 1421 dated 24.12.2015 u/s 457/380/411 PS City. He is recommended for departmental actions by Head of Investigation Mardan vide his office letter No. 6029/GB dated 31.12.2015 Mardan.

2. For the purpose of scrutinizing the conduct of the said official with reference to the above allegations **Saleem Riaz Khan DSP/TBI Mardan** is appointed as Enquiry Officer.

3. The enquiry officer shall conduct proceedings in accordance with provisions of Police Rules 1975 and shall provide reasonable opportunity of defense and hearing to the accused official, record its findings and make within twenty five (25) days of the receipt of this order, recommendation as to punishment or other appropriate action against the accused officer.

4. The accused officer shall join the proceedings on the date, time and place fixed by the Enquiry Officer.


(FAISAL SHAHZAD)
District Police Officer,
Mardan

OFFICE OF THE DISTRICT POLICE OFFICER, MARDAN

No. 02 /R, dated Mardan the 06-01- /2016.

Copy of above is forwarded to the:

1. DSP/TBI Mardan for initiating proceedings against the accused official / Officer namely Constable **Muhammad Ayaz No. 562**, under Police Rules, 1975.
2. Constable **Muhammad Ayaz No. 562**, with the directions to appear before the Enquiry Officer on the date, time and place fixed by the enquiry officer for the purpose of enquiry proceedings.

***** !!! *****

ND-01/R
06-01-16

CHARGE SHEET UNDER NWFP POLICE RULES 1975

I, **Faisal Shahzad** District Police Officer, Mardan as competent authority hereby charge you **Constable Muhammad Ayaz No. 562**, as follows.

That you constable, while posted at Police Lines Mardan, is involved in case FIR No. 1421 dated 24.12.2015 u/s 457/380/411 PS City. You are recommended for departmental actions by Head of Investigation Mardan vide his office letter No. 6029/GB dated 31.12.2015 Mardan.

This amounts to grave misconduct on your part, warranting departmental action against you, as defined in section - 6 (1) (a) of the NWFP Police Rules 1975.

1. By reason of the above, you appear to be guilty of misconduct under section - 02 (iii) of the NWFP Police Rules 1975 and has rendered yourself liable to all or any of the penalties as specified in section - 04 (i) a & b of the said Rules.
2. You are therefore, directed to submit your written defense **within seven days** of the receipt of this charge sheet to the enquiry officer.
3. Your written defence if any, should reach to the enquiry officer within the specified period, failing which, it shall be presumed that you have no defense to put-in and in that case, an ex-parte action shall follow against you.
4. Intimate whether you desired to be heard in persons.



(FAISAL SHAHZAD)
District Police Officer,
Mardan

(ev)

BEFORE THE DISTRICT POLICE OFFICER MARDAN

Subject: Reply to charge sheet + statement of Allegation
NO: 02/R Dated 06-01-2016

Respected Sir,

Your Honour had issued the subject charge + statement of Allegation with the following: and handed over to the Petitioner 21.1.2016

That Constable Muhammad Ayaaz No. 562 who is posted at Police Lines Mardan, is involved in case FIR No. 1421 dated 24.12-2015 u/s 457/380/411 PPC PS City. He is recommended for departmental actions by Head of Investigation Mardan vide office letter No. 6029/4B dated 31-12-2015 Mardan. (copy enclosed)

1. The Petitioner is innocent and has been implicated in case FIR No. 1421 dated 24-12-2015. That no recovery has been effected from the possession of the Petitioner and was charged on suspicion.
2. That during investigation the complainant of the case appeared before the Judicial Magistrate Mardan and produced a written Affidavit to the effect that the Petitioner is innocent and he has got no objection on the release/acquittal of the Petitioner in the instant case. (Copy of written Affidavit enclosed).
3. The Petitioner was released on bail by the Honourable Judicial Magistrate, Mardan. (Copy of Court order enclosed).

That the investigation officer of the case did not brought any kind of evidence against the Petitioner to connect the Petitioner with the offence.

5. The present case was registered by the complainant on the consultation and direction of Petitioner illudiker and has got no legs to stand upon.

6. The Petitioner has got shining Service record and was not dealt departmentally prior to this.

- Keeping above the facts and circumstances, it is humbly requested that the charge sheet against the Petitioner may kindly be filed please.

Yours obediently

Dated: 22.1.2016.

Constable (MUSHAMMAD A412) No. S
Police line, Mordau



**OFFICE OF THE
DEPUTY SUPERINTENDENT OF POLICE
TAKHT BHAI CIRCLE**

Tel. & Fax: 0937552211, E-Mail: dsp.tbi@gmail.com

No. 684 /ST, Dated: 17/02/2016

**The District Police Officer,
Mardan**

Subject: **DISCIPLINARY ACTION AGAINST CONSTABLE MUHAMMAD
AYAZ NO. 562**

Memo:

Kindly refer to your office Diary No. 02/R, dated 06.01.2016.

In pursuance of your kind order, the undersigned completed enquiry in the above cited case. Its step-wise detail is given below:

i. STATEMENT OF ALLEGATIONS:

That Constable Muhammad Ayaz No. 562, while posted at Police Line Mardan, is involved in case FIR No. 1421, dated 24.12.2015, u/s 457/380/411 PPC PS City. He is recommended for departmental actions by Head of Investigation Mardan vide his office Letter No. 6029/GB, dated 31.12.2015, Mardan.

ii. BRIEF FACTS OF THE CASE:

The complainant Muhammad Niaz Ali reported to ASI Javid Khan (in-charge of PP Baghdada) on 24.12.2015 that he was running a business of CNG cylinders in Koz Kandi, Baghdada and for that purpose he had hired a godown from one Ayaz s/o Taza Gul r/o Baghdada at the rate of Rs 3500 per month. He had locked his godown on 23.12.2015 as usual and had gone home. When he unlocked the godown the next day (on 24.12.2015), he found the CNG cylinder of Teez Raftar Rickshaw missing. On suspicions he checked the remaining stock and found 27 other CNG cylinders missing. He directly charged the property owner Ayaz s/o Taza Gul r/o Koz Kandi Baghdada for trespassing and stealing 28 CNG cylinders as his house was adjacent to godown and a portion of partition-wall made of hard-board was found broken towards Ayaz's house. He also charged the co-accused Shahab s/o Shah Jehan r/o Sharif Abad, a friend of Ayaz, for the same crimes. ASI Javid Khan drafted a Marasila to this effect and sent it to PS City whereupon case FIR No. 1421, dated 24.12.2015, u/s 457/380 PPC was lodged in PS City. The investigation was entrusted to ASI Ziarat Gul Khan of Investigation Wing. He prepared site plan on the pointation of complainant. Accused Muhammad Ayaz was found to be a police constable, posted in Police Line Mardan, and absent from his lawful duty vide DD No. 28, dated 22.12.2015 Police Line Mardan. Both the accused were arrested vide DD No. 39, dated 25.12.2015 PS City from beneath the double-bed of accused Shahb's house. Two days police custody was obtained for each accused. During interrogation accused Muhammad Ayaz confessed his guilt and revealed that he, his friend Shahab and Shahab's nephew Danyal had stolen 27 CNG cylinders from the godown with collective intention. He further revealed that 05 CNG cylinders had been sold to one Zawar Khan s/o Gul Zamin Shah r/o Katlang presently residing in Koragh Chowk Mardan, 05 CNG cylinders to Wasim s/o Rasool Khan r/o Gujar Garhi, Mardan, 02 CNG cylinders to Syed Akbar s/o Muhammad Akbar r/o Hathian, 06 CNG cylinders to Salman Ali s/o Sartaj r/o Toru, 01 CNG cylinder to Sulaiman s/o Fazal Ghani r/o Rasheed Abad Toru, 04 cylinders to Afsar Jan s/o Gul Hamid Khan r/o Guli Bagh, Mardan at the rate of Rs 3000/3500. Similarly, the remaining CNG cylinders were told to have been sold to some other people. The IO recovered almost all the above mentioned stolen CNG cylinders on the pointation of arrested accused – Muhammad Ayaz and

and recovery memo, pointation memo and sketch for each of the recovery; statement of all purchasers and marginal witnesses u/s 161 CrPc. Statements of purchasers namely – (i) Salman Ali, (2) Sulaiman, (3) Afsar Jan, (4) Wasim, (5) and (6) Zavar Khan were also recorded u/s 164 CrPc against the accused – Shahab. The third co-accused – Danyal was arrested later on. All the three got post arrest bail on the basis of compromise affected between the parties. Complete Challan has been submitted in the case.

iii. PROCEEDINGS:

For the purpose of scrutinizing the conduct of Constable Muhammad Ayaz No. 562 with reference to the above allegations, he was summoned; charge sheet and summary of allegations were served upon him; he submitted his written reply; he was heard in person, too. The case file of FIR No. 1421, dated 24.12.2015 of PS City was perused. His previous service record was also obtained through Establishment Clerk.

iv. STATEMENT OF MUHAMMAD AYAZ NO. 562:

“Respected Sir,

Your honor had issued the subject charge sheet and summary of allegations against the petitioner with the following allegations and handed over to the petitioner on 21.01.2016.

“That Constable Muhammad Ayaz No. 562, while posted at Police Line Mardan, is involved in case FIR No. 1421, dated 24.12.2015, u/s 457/380/411 PPC PS City. He is recommended for departmental actions by Head of Investigation Mardan vide his office Letter No. 6029/GB, dated 31.12.2015, Mardan”.

1. The petitioner is innocent and has been implicated in case FIR No, 1421, dated 24.12.2015 that no recovery has been effected from the possession of the petitioner and was charged on suspicious.
2. That during investigation the complainant of the case appeared before the Judicial Magistrate Mardan and produced a written affidavit to the effect that the petitioner is innocent and he has got no objection on the release/acquittal of the petitioner in the instant case (copy of written affidavit enclosed).
3. The petitioner was released on Bail by the Honorable Judicial Magistrate, Mardan (copy of court order enclosed).
4. That the investigation officer of the case did not brought any kind of evidence against the petitioner to connect the petitioner with offence.
5. The present case was registered by the complainant on the consultation and direction of petitioner ill-wisher and has got no legs to stands upon.
6. The petitioner has got shining service regard and was not dealt departmental prior to this.

Keeping in view the above facts and circumstances it is humbly requested that the charge sheet against the petitioner may kindly be filed please”.

v. FINDINGS:

Constable Muhammad Ayaz No. 562 put forth six points in his defense in his written statement. They all are false and misleading. Let us take them one by one for scrutiny.

Point No. 1: The accused Constable Muhammad Ayaz No. 562 is directly charged by name in the FIR. Almost all the stolen CNG cylinders have been recovered mainly on the pointation of accused Muhammad Ayaz. Recovery-memos, pointation-memos and sketches of all the recoveries are placed on file. The 06 purchasers have recorded their

statement u/s 164 CrPc against the accused Muhammad Ayaz. The statement of complainant and marginal witness are also available on the investigation file. The case is very very strong against the nominated accused on the basis of undeniable cogent ocular and circumstantial evidences. Hence the claim of accused Muhammad Ayaz that "no recovery from his possession has been affected and that he has falsely been implicated and is innocent" is unbelievable and ridiculous. It is also worth mentioning that the statement for delinquent Muhammad Ayaz has been written by his counsel for him in English Text for his defense which is totally false and misleading.

Point No. 2: Actually, when accused Muhammad Ayaz saw himself entangled in a case of defamation and disgrace, strongly supported by cogent ocular and circumstantial evidences, he found no way of his escape except to accept all the conditions of the complainant and affect a compromise with him. So, he did it and on the basis of this compromise the complainant gave a lenient statement showing no objection on the release of accused Muhammad Ayaz. Hence, it is incorrect to suggest that the complainant had found him (Ayaz) innocent during investigation.

Point No. 3: The accused has been granted bail on the basis of compromise. It is incorrect to say that there were no proofs against him on the case file.

Point No. 4: It is not only incorrect but ridiculous to say that the investigation officer of the case did not bring any kind of evidences against the accused to connect him with the offence. All the proofs and evidences available on the case file have been discussed under point No. 1. So, no need to repeat them.

Point No. 5: It is incorrect and false to say that the present case was registered by the complainant on the consultation and direction of ill-wisher of the accused and has got no legs to stand upon. There is no ill-wisher of the accused except himself. Figuratively speaking, the case has more than enough legs to stand upon as it is endorsed by strong evidences of 19 witnesses and cogent circumstantial proofs.

Point No. 6: This claim of the accused Muhammad Ayaz is also ridiculous and baseless that the accused has got a shining service record because his service record reflected 75 bad entries against zero good entries. Hence, none of the pleas put forth by the accused is correct and valid.

Moreover, accused Constable Muhammad Ayaz has been found absent from his lawful duty vide DD No. 28, dated 22.12.2015, Police Line Mardan. The incident has occurred on 23.12.2015. So he cannot prove his alibi.

vi. LIST OF THE WITNESSES AGAINST ACCUSED MUHAMMAD AYAZ IS GIVEN BELOW:

<i>S. No</i>	<i>Name of Witness</i>	<i>S. No</i>	<i>Name of Witness</i>
1	Afsar Khan s/o Gul Muhammad r/o Shahi Bagh, Mardan	11	Sulaiman s/o Fazal Ghani r/o Rahid Abad, Toru
2	Muhammad Niaz Ali s/o Dilawar Khan r/o Pirano Daga	12	Salman Ali s/o Sartaj r/o Roru
3	Zorawar Khan s/o Gul Zamin r/o Chel	13	Hammad No. 3433
4	Wasim s/o Rizwan Khan r/o Gujar Garhi	14	Waqar Ahmad s/o Muhibullah r/o Baghdada
5	Muzafar Shah s/o Yousaf Shah r/o Baghdada	15	Said Akbar s/o Muhammad Akbar r/o Hathian
6	Wajid No. 2857 PS City	16	Javid Khan ASI
7	Hussain Bacha Mian Gul r/o Swabi	17	Jamalullah Khan SI
8	Muhammad Ayaz No. 1482 PS City	18	Ziarat Gul Khan SI
9	Nizar Ali No. 736 PS City	19	Ashiq Hussain Khan SHO
10	Kashif No. 2945 PS City		

Note: The date of enlistment of Constable Muhammad Ayaz No. 562 is 18.07.1998.

vii. CONCLUSION:

A case FIR No. 1421, dated 24.12.2015, u/s 457/380/411 PPC, has been registered against accused Constable Muhammad Ayaz No. 562 wherein he has been found guilty of stealing 28 CNG cylinders worth around Rs 84000 to 90000. The case is strongly supported by undeniable cogent ocular and circumstantial evidences. The accused is directly charged in the FIR. Almost all the stolen CNG cylinders have been recovered on his pointation. Recovery memos, pointation memos and sketches of all the recoveries have been placed on case file. The 06 purchasers have recorded their statements u/s 164 CrPc against accused Muhammad Ayaz. The statements of total 19 eye witnesses against the accused Muhammad Ayaz are available on case file. The previous service record of Constable Muhammad Ayaz reflected 75 bad entries against zero good entries. He has got post arrest bail only on the basis of compromise.

viii. RECOMMENDATIONS:

Constable Muhammad Ayaz No. 562 has been proved a thief and there is no place, post, accommodation, vacancy for thieves in police department. Hence, Constable Muhammad Ayaz No. 562 is recommended for Major Punishment of Dismissal from police services w.e.f 23.12.2015, the date of occurrence.

Encl: (113 papers including Judicial, Police files and alongside second enquiry report.)


Deputy Superintendent of Police,
Takht Bhai.

ORDER

My this order will dispose of the departmental inquiry, which is conducted against Constable Muhammad Ayaz No. 562, while at Police Lines Mardan, while posted at Police Lines Mardan, is involved in case FIR No. 1421 dated 24.12.2015 u/s 457/380/411 PS City and also remained absent vide DD No. 28 dated 22.12.2015 to-date. His this attitude adversely reflected on his performance, while discharge his official duty which is an indiscipline act and gross misconduct on his part as defined in rule 2(iii) of Police Rules 1975.

In this connection, Constable Muhammad Ayaz No. 562, was issued charge sheets vide this office Nos. 02/R, dated 06.01.2016, 18/R, dated 13.01.2016 and also proceeded against departmentally through the Saleem Riaz Khan DSP/TBI Mardan, who after fulfilling necessary process, submitted his findings to the undersigned vide his office endorsement No. 684/ST & 685/ST dated 17.02.2016 as the allegations have been established against him and recommended him for major punishment.

The undersigned agreed with the findings of enquiry officer and the alleged Constable Muhammad Ayaz No. 562, is hereby dismissed from service, while his absence period treated as leave without pay in exercise of the power vested in me under the above quoted rules.

Order announced

O.B No. 11703

Dated 19/2/2016

(Faisal Shahzad)PSP
District Police Officer,
Mardan.

No. 11703 Dated Mardan the 19-2 /2016

Copy for information and necessary action to:-

1. The Deputy Inspector General of Police Mardan Region-I, Mardan.
2. The S.P Operations, Mardan.
3. The DSP/BIQ: Mardan.
4. The Pay Officer (DPO) Mardan.
5. The E.C (DPO) Mardan.
6. The OSI (DPO) Mardan.

(15) (E)

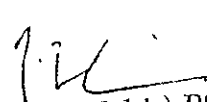
ORDER.

This order will dispose-off the appeal preferred by Ex-Constable Muhammad Ayaz No. 562 of Mardan District Police against the order of District Police Officer, Mardan wherein he was dismissed from service vide OB No. 470 dated 24.02.2016.

Brief facts of the case are that, he while posted at Police Lines Mardan, involved in case FIR No. 1421 dated 24.12.2015 u/s 457/380/411 Police Station, City, Mardan and also remained absent vide daily diary No. 28 dated 22.12.2015 to-date. His this attitude adversely reflected on his performance, while discharging his official duty which is an indiscipline act and gross misconduct on his part as defined in rule 2(iii) of Police Rules 1975. In this connection, he was issued charge sheet and also proceeded against departmentally through the Saleem Riaz Khan Deputy Superintendent of Police Takht Bhai, Mardan, who after fulfilling necessary process, submitted his findings to the District Police Officer, Mardan as the allegations were established against him and recommended him for major punishment. The District Police Officer, Mardan agreed with the findings of enquiry officer and the alleged Constable was dismissed from service.

I have perused the record and also heard the appellant in Orderly Room held in this office on 06.04.2016, but he failed to justify his innocence and could not produce any cogent reason about his absence. Therefore, I Muhammad Tahir Deputy Inspector General of Police, Mardan Region-I, Mardan in exercise of the powers conferred upon me reject the appeal and do not interfere in the order passed by the competent authority, thus the appeal is filed forthwith.


ORDER ANNOUNCED.


(Muhammad Tahir) PSP
Deputy Inspector General of Police,
Mardan Region-I, Mardan.

No. 2867 /ES, Dated Mardan the 11/04 /2016.

Copy to District Police Officer, Mardan for information and necessary action w/r to his office Memo: No. 177/Legal dated 18.03.2016. His service roll is returned herewith for record in your office

(*****)



BEFORE THE HONOURABLE SERVICE TRIBUNAL KHYBER PAKHTUNKHWA,
PESHAWAR.

Service Appeal No. 1103/2016.

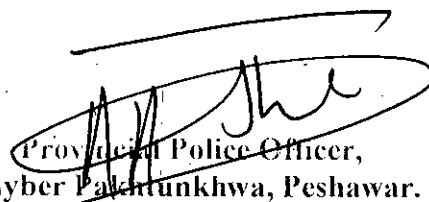
Mohammad Ayaz Ex- ConstableAppellant.


VERSUS.

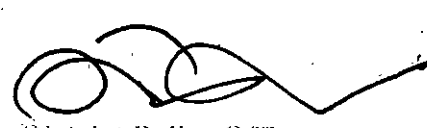
District Police Officer, Mardan & others.....Respondents.

COUNTER AFFIDAVIT.

We, the respondents do hereby declare and solemnly affirm on oath that the contents of the Para-wise comments in the service appeal cited as subject are true and correct to the best of our knowledge and belief and nothing has been concealed from this Honourable Tribunal.


Provincial Police Officer,
Khyber Pakhtunkhwa, Peshawar.
(Respondent No. 03)


By: Inspector General of Police,
Mardan Region-I, Mardan.
(Respondent No. 01)


District Police Officer,
Mardan.
(Respondent No. 02)

**BEFORE THE HONOURABLE SERVICE TRIBUNAL KHYBER PAKHTUNKHWA,
PESHAWAR.**

Service Appeal No. 1103/2016.

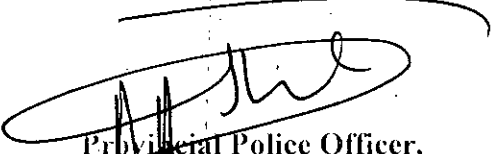
Mohammad Ayaz Ex- Constable Appellant.


VERSUS.

District Police Officer, Mardan & others..... Respondents.

AUTHORITY LETTER.

Mr. Muhammad Shafiq Inspector Legal, (Police) Mardan is hereby authorized to appear before the Honourable Service Tribunal, Khyber Pakhtunkhwa, Peshawar in the above captioned service appeal on behalf of the respondents. He is also authorized to submit all required documents and replies etc. as representative of the respondents through the Addl. Advocate General/Govt. Pleader, Khyber Pakhtunkhwa Service Tribunal, Peshawar.


Provincial Police Officer,
Khyber Pakhtunkhwa, Peshawar.
(Respondent No. 03)


Dy. Inspector General of Police,
Mardan Region-I, Mardan.
(Respondent No. 01)


District Police Officer,
Mardan.
(Respondent No. 02)

14. COMMENDATORY ENTRIES—contd.

ORDER

He is hereby dismissed, from service for his long absence with immediate effect while period of absence is treated as fine in exercise of power vested in me under N.W.F.P Removal from Service (SPL Power) Ordinance 2000.

OB No. 2168

DT 21/3/2007.

[Signature]
DPO/Mardan.

P.I. as ~~fe~~ @ Rs. 115 + ~~Rs. 2760~~ / PM
with effect from 1.12.06

[Signature]
S. P. Madan

Fined Rs 200/- for his absence

OB No. 3379
21.12.12 *[Signature]*

①

7	
1/07	3185-
1/07	3320-
7	3980-
1/08	
1/08	4140-

CHARACTER ROLL OF

14 - COMMENTARY ENTRIES - conclud.

Serial No.

Charge: Absence from duty w.e. 15/9/02
 and is still his pay is heavy staff
 @ B no 807
 18/9/02

Superintendent of Police
 Frontier Reserve Police
 Peshawar Range Peshawar.

Charge: Absence from duty 15/9/02 to 28/9/02
 Permit: (1) period of absence 13 days & is
 counted as s/l leave
 (2) increments for 2 years stalled
 with commutative effect and
 warned to be careful in future
 (3) pay reduced

m/l

@ B no 843
 2/10/02

Superintendent of Police
 Frontier Reserve Police
 Peshawar Range Peshawar.

Charge: Absence from duty on 30-9-02 to 2-10-02

(1) period of absence treated as
 s/l
 (2) Awarded 6 months s/d duty

@ B no 882
 7-10-02

Superintendent of Police
 Frontier Reserve Police
 Peshawar Range Peshawar.

Charge: Absence from duty 6-11-02 to 7-11-02
 1 day treated as s/l

(1) Awarded 3 months s/d duty

@ B no 910
 7/11/02

Superintendent of Police
 Frontier Reserve Police
 Peshawar Range Peshawar.

15-CENSURES AND PUNISHMENTS.

Charge of Absence from duty 4 ¹⁰/₅₈ to 5 ¹⁰/₅₈ v.o. pay

OB No. 1001
24-11-58

Police
Peshawar.

(1)

Charge: Absence from duty from 12/11/58 to 13/11/58

Punishment: one day absence treated as leave w.o. pay

(1)

Superintendent of Police
Frontier Reserve Police
Peshawar Range Peshawar.

Charge: Absence from duty 2 ³/₂₀₀₀ to 3 ³/₂₀₀₀

Punishment: Absolved one day E/D/ill.

OB No 175
6-3-2000

(1)

Superintendent of Police
Frontier Reserve Police
Peshawar Range Peshawar.

Charge: Absence from duty for 11/20/58 on 28/5/58

Fine at Rs. 20/-

OB No 435
8-7-2000

(2) M (1)

Superintendent of Police, FRP,
Peshawar Range Peshawar.

Charge: Absence from duty for 11/12 to 11/12 and 11/12 to 12/12/58

Punishment: 2 days treated as leave w.o. pay
warrant to be called in future
Fine at Rs 100/-

OB No 29
6-11-2001

(3) M (1)

Superintendent of Police, FRP,
Peshawar Range Peshawar.

Charge: Absence from duty for 12/11 to 13/11/58

Punishment: one day treated as leave w.o. pay
warrant to be called in future
Fine at Rs 100/-

OB No 31
27-11-2001

M (1) (2)

Superintendent of Police,
Peshawar Range Peshawar.

15--CENSURES AND PUNISHMENTS--contd.

Serial No.

Charges - Absence from duty for 14/3 to 15/3
 5/4 to 6/4 and 6/4 to 7/4/2001.
 Punish: 3 days period of absence treated as
 leave - 0 - pay.
 O.B. No 231
 25/4/2001

Superintendent of Police, P.P.
 Peshawar Range Peshawar

Charges - Absence from duty for
 12/4 to 13/4 and 14/4 to 15/4/2001
 Punish: period of absence 2 days treated
 as leave - 0 - pay.
 O.B. No 237
 27/4/2001

Superintendent of Police, P.P.
 Peshawar Range Peshawar

Charges - Absence from duty for 15/5 to 25/5/2001
 Punish: period of absence one day
 treated as leave - 0 - pay.
 O.B. No 296
 9/6/2001

Superintendent of Police, P.P.
 Peshawar Range Peshawar

Charges - Absence from duty for 11/5 to 15/5/2001
 Punish: 4 days period of absence treated as leave
 - 0 - pay.
 O.B. No 325
 25/5/2001

Superintendent of Police, P.P.
 Peshawar Range Peshawar

Charges - Absence from duty for 26/5 to 31/5 and
 2/6 to 2/6/2001
 Punish: 2 days period of absence treated as
 leave - 0 - pay.
 O.B. No 355
 6/6/2001

Superintendent of Police, P.P.
 Peshawar Range Peshawar

Charges - Absence from duty for 5/6 to 6/6/2001
 Punish: 1 day period of absence treated as leave
 - 0 - pay.
 O.B. No 358
 6/6/2001

Superintendent of Police, P.P.
 Peshawar Range Peshawar

15-CENSURES AND PUNISHMENTS-contd.

Charge Absence from duty for 18/8/01 to 20/8/01
 Punish: 1 day Treatment & 2 w/o pay
 OB No 522
 22/8/01

Signature
 Peshawar Range Peshawar.

Charge Absence from duty for 11/9/01 to 12/9/01
 Punish: one day Treatment & 2 w/o pay
 OB 576
 17/9/01

Signature
 Peshawar Range Peshawar.

Charge Absence from duty from 5/10/01 to 7/10/01
 Punish: Awarded one day allowance and one day
 E/DVill.
 OB 662
 25/10/01

Signature
 Superintendent of Police
 Frontier Reserve Police
 Peshawar Range Peshawar.

Charge Absence from duty 5 ²/₀₂ to 11 ²/₀₂ 6 days
 as w/o pay vide OB no 172
 25-2-02

Signature
 Superintendent of Police, FRP,
 Peshawar Range Peshawar.

Charge Absence from duty 2 ⁴/₀₂ to 5 ⁴/₀₂ 3 days w/o pay
 vide OB no 312
 9-4-02

Signature
 Superintendent of Police FRP
 Peshawar Range Peshawar

Charge Absence from duty 17 ⁴/₀₂ to 19 ⁴/₀₂ 02 days as
 w/o pay vide OB no 355
 24-4-02

Signature
 Superintendent of Police FRP
 Peshawar Range Peshawar

Charge Absence from duty 1 ⁵/₀₂ to 2 ⁵/₀₂ one day
 as w/o pay vide OB no 395
 11-5-02

Signature
 Superintendent of Police FRP
 Peshawar Range Peshawar

CHARACTER ROLL OF

15-CENSURES AND PUNISHMENTS--concl'd.

Serial No.

Charge Absence from duty on 8-6-02 to 10-6-02 2 days treated as leave with out pay. OB no 510 dt 12/5/02

(1)

Superintendent of Police Frontier Reserve Police Peshawar Range Peshawar.

Charge Absence from duty 31/5/02 to 5/6/02 5 days treated as L/w. out pay OB no 560

28-6-02 (1)

Superintendent of Police Frontier Reserve Police Peshawar Range Peshawar.

Charge Absence from duty w.e. 7/2/02 and still absent his pay is hereby stopped. OB no 674 6/8/02 (1)

Superintendent of Police Frontier Reserve Police Peshawar Range Peshawar.

Charge Absence from duty 27/5/02 to 30/5/02 period of absence treated as L/w. out pay. OB no 675 6/8/02 (1)

Superintendent of Police Frontier Reserve Police Peshawar Range Peshawar.

Absence from duty on 2/8/02 to 5/8/02 period of absence to be treated as L/w. out pay OB no 712 19/8/02 (1)

Superintendent of Police Frontier Reserve Police

charge: A absence from duty 4/15/03

Pay stopped

OB 231
19/3/03

Superintendent of Police
District of Jammu
Jammu

①

charge of absence from duty on 6/4/03 to 6/9/03 6 days
treated as leave w/o pay and Sensored.

OB 357
23/4/03

Superintendent of Police
District of Jammu
Jammu

①

Order

Constable M D Ajeer, when no. 26
of PRR/PR Platoon No. 2, while deployed
at Police Station Jora Killa D/SAC
charge, absented himself from
duty with effect from 15-9-2002
to 23-9-2002 (13 days) with any
leave permission of the competent authority.

I have also heard that he
did not explain any reason
for his deliberate/intentional
fault of absence from duty.

To give him period of absence
from duty i.e. 13 days should be
counted as E/leave and awarded
penalty for stoppage of award

①

for a period of two
years. He is also awarded
penalty to be imposed in
future pay is released.

hms

(Peshawar District, Jammu)

Police
Police
Jammu
of Police
to Pol:

Charges Absence from duty 19 ⁴/₀₃ to 6 ¹¹/₀₃
 17 days treated as Leave w/pay.

B 646
 1/8/03 He is awarded a minor
 punishment i.e forfeited
 1m of his one year approved
 Service.

Superintendent of Police
 Frontier Reserve Police
 Peshawar Range Peshawar

Charge absence from duty 9 ²/₀₃ to 11 ²/₀₃

Two days as Leave w/pay

OR No 740
6-9-03

Superintendent of Police
 Frontier Reserve Police
 Peshawar Range Peshawar

Charge absence from duty 3 ¹⁰/₀₃ to 4 ¹⁰/₀₃ one day as Leave w/pay

OR No 844

13-10-03

Superintendent of Police
 Frontier Reserve Police
 Peshawar Range Peshawar

Charge absence from duty 14 ¹⁰/₀₃ to 15 ¹⁰/₀₃ one day as Leave w/pay

OR No 844

13-10-03

Superintendent of Police
 Frontier Reserve Police
 Peshawar Range Peshawar

Charge Absence from duty on 10 ¹⁰/₀₃ to 12 ¹⁰/₀₃
 2 days treated as Leave w/pay


OR No 57
11-10-03

M D


order

The defaulter constable Muhammad Ayaz no-626 in orderly Room. he is awarded Major punishment of bringing him to lower stage in time scale. The period of absence i.e 93 days is treated as Leave without pay. pay is ordered to be released vide this office order no-9-11/PA/FRP/PR dated 7-1-04 order copy is enclosed.

M.F.


Supdt. of Police FRP
Pesh. Range Peshawar.


Charge: Absence from duty 24¹²/₀₃ to 25¹²/₀₃ one day treated as L.W. out pay and censured


Supdt. of Police FRP
Pesh. Range Peshawar.

No 34

14-1-04

Charge: Absence from duty 15¹²/₀₃ to 16¹²/₀₃ one day treated as L.W. out pay and censured


Supdt. of Police FRP
Pesh. Range Peshawar.

No 45

17-1-04

Charge Absence from duty wef 18¹/₀₄ to 19¹/₀₄ one day treated as leave w/o pay and censured vide o.b - no - 75/23-1-04


Supdt. of Police FRP
Pesh. Range Peshawar.

PUNISHMENT

He is hereby fined Rs 250/= for his three days absence

C/S No. 436

5/4/05

M.P.

D.P. Mandam

w2

ORDER

Being a habitual absentee, having 50 bad entries in his Record he is hereby awarded minor punishment Penalty by forfeiting of his one year approved service and his absence period i.e. 66 days counting as leave without pay in exercise of power vested in me under WFP Removal from Service (SP2 Power) Ord. 2000.

C/S No. 784

29/4/2005

District Police Officer
Mardan

Charge Absence from duty w.e.f. 28-1-04 to 29-1-04
one day treated as leave w/o pay and censured
vide OB - no - 109
11-2-04

Supdt. of Police FRP
Pesh. Range Peshawar.

(1)

Charge Absence from duty w.e.f. 30-1-04 to 31-1-04
one day treated as leave w/o pay and censured
vide OB - no - 114
11-2-04

Supdt. of Police FRP
Pesh. Range Peshawar.

(1)

Charge Absence from duty 18/2/04 & 20/2/04
2 days treated as L/W part pay and
no 154 Sanctioned
25/2/04

Supdt. of Police FRP
Pesh. Range Peshawar.

(1)

Charge Absence from duty w.e.f. 24-3-04
and is still absent his pay stopped and
issue statement of allegation under local
Service order 2000 vide OB - no -
307
2-4-04

Supdt. of Police FRP
Pesh. Range Peshawar.

(1)

(1)

Charge Absence from duty 24-3-04 to 2-4-04
treated as leave with out pay and censured
fine of RS. 150/ only. vide OB No. 482

31-5-04

Supdt. of Police FRP
Pesh. Range Peshawar.

(1)

Charge Absence from duty w.e.f. 07-6-04 to 08-6-04
one day treated leave with out pay and warned.
vide OB No 573
21-6-04

Supdt. of Police FRP
Pesh. Range Peshawar.

(1)

Charge Absence from duty w-ef-8-6-04 to 13-6-04 fine 5-days without pay and fine of RS: 100/only. vide OB No. 536

(10)

M.D.

22-6-04

Sd/-
P.S. [Signature] FRP
Fazlwar

This order
Special P
nder the
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authority c

ORDER

Sanctioned two week medical leave and 12 days absence period treated as leave w/o pay and also awarded certificate.

OB No. 744

DT 4.6.05

[Signature]

[Signature]
DP [Signature]

- 1.
- 2.
- 3.
- 4.
- 5.
- 6.

ORDER

App. regarding [Signature]

in service in R/o Ex-Constable Muhammad Amin No. 770 Lt shall be reinstated vide D.O. No. 1440/2008 dated 18/10/2008. He is now working as Constable No. 562.

[Signature]

ORDER

Ex-Constable Muhammad Agaz No. 770 is hereby re-instated in service vide NWFP Service Tribunal's verdict dated 18/10/2008. He is allotted constabulary No. 562 and pay fixed.

OB No. 54

[Signature]
Police Officer
Mardan

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dated 23.1
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ORDER.

Ex-Constable Muhammad Ayaz No.770 is hereby re-instated in service vide NWFP Service Tribunal Peshawar verdict dated 18.10.2008. He is allotted Constabulary No. 562.

OB NO. 54
Dated 12/11/2009.

District Police Officer,
Mardan.

No. 565-68 / EC, dated Mardan the 12/11 /2009.

Copy to:-

1. P.A to District Police Officer, Mardan to issue fresh Charge Sheet with statement of allegations to Constable Muhammad Ayaz for denote departmental enquiry into his deliberate absence from duty as directed by the Honourable service Tribuna.

- 2. Pay Officer.
- 3. Estt: Clerk.
- 4. OASI.

2007
OFFICE OF THE ACCOUNTANT GENERAL
NWFP PESHAWAR.
PAY FIXED IN THE REVISED BASIC
PAY SCALES

OF RS. 2780-135-6830 (5)
AT RS. 3185 PMW.E.F. 1-07-2007
With Next increment on 1-12-2007

Pay fixed provisionally in the Revised PPS 2007.
Rs 3185 PM
with effect from 1-7-2007

District Police Officer
MARDAN

Accounts Officer
Pay Fixation Party N.W.F.P. Peshawar
12/12

25395
318575
352075

2008.
Pay fixed provisionally in the Revised PPS 2008.
Rs 3820 PM
with effect from 1-7-2008

District Police Officer
MARDAN

2008
OFFICE OF THE ACCOUNTANT GENERAL
NWFP PESHAWAR
PAY FIXED IN THE REVISED BASIC
PAY SCALES I

OF RS 3340-160-8140 (5)
AT RS 3820 PMW.E.F. 1-07-2008
With Next increment on 1-12-2008

Accounts Officer
Pay Fixation Party N.W.F.P. Peshawar
12/12

Pay Fixation Party N.W.F.P. Peshawar
Accounts Officer
With next increment on
AT RS 1-07-2008
OF RS 1-12-2008

GENERAL
10000
(5)
07-2005
12-2005
16
eshawar
3980
08
DFO/MARDAN
4140
10
DFO/MARDAN

Fined Rs: 200/= for his
Absence.

OB No: 62
4-1-013

DPO/MR
✓

Fined Rs: 200/= for his
Absence.

CB No: 502
20-2-013

DPO/MR
✓

ORDER

He is hereby dismissed from
service, while his absence period treated
as leave without pay in exercise of the
power vested in me under PR-1975.

OB No 470
24/2/16.

Signature:
DPO/MR

BE
1. District P
2. Deputy I
3. Provincia
APPEAL
RESPOND
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THE APP
NO. 2
REJECTED
FAZAL SHAH
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JUSTICE (R)
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ORDER

Involved in Case File No. 470
dated 23-4-2013 US 406/100e PS City
therefor he is hereby suspended
and closed to police line with immediate
effect.

CP No. 1030

Dt. 3/5/2013

[Signature]
District Officer
Muzaffar

ORDER

He is re-instated in service
because the case is under trial in court
of law and the pay is also released
in exercise of power vested in me under
PR-1575.

CP No 86

Dt. 9-01-2014

[Signature]
DPO/Muzaffar

② days Extra dail for hrs Absen

CP No. 466
20-2-14

[Signature]
DPO/Muz

② days Extra dail for hrs Absen -

CP No. 518

LEAVE, ABSENCE AND BREAKS IN SERVICE

All periods not counting "approved service" to be entered in red ink.

DATE	EXTENT			No. of District Order	Description of leave i. e. privilege, hospital, sick leave, or furlough, or of absence, or forfeiture of approved service. All entries to be initialled, by Superintendent of Police.
	Years	Months	Days		
2/11/2000 to 13/11/2000			1 day	OB No. 40 17/11/2000	Leave w.o pay Superintendent of Police Frontier Reserve Police Peshawar Range Peshawar.
			30 days	OB No. 134 19/12/2000	Leave w.o pay Superintendent of Police Frontier Reserve Police Peshawar Range Peshawar.
12/11/12 to 12/12/12			2 days	OB No. 209 6/1/2001	Leave w.o pay Superintendent of Police, FRP Peshawar Range Peshawar.
1/13/12			1	OB No. 212 6/1/2001	Leave w.o pay Superintendent of Police, FRP Peshawar Range Peshawar.
13/12/13 to 15/12/13			3 days	OB No. 231 25/12/13	Leave w.o pay Superintendent of Police, FRP Peshawar Range Peshawar.
14/12/13 to 15/12/13			2 days	OB No. 237 27/12/13	Leave w.o pay Superintendent of Police, FRP Peshawar Range Peshawar.
15/12/13 to 16/12/13			1 day	OB No. 246 9/1/2004	Leave w.o pay Superintendent of Police, FRP Peshawar Range Peshawar.
15/12/13 to 15/12/13			4 days	OB No. 325 25/12/13	Leave w.o pay Superintendent of Police, FRP Peshawar Range Peshawar.
15/12/13 to 15/12/13			70 days	OB No. 355 2/6/2004	Leave w.o pay Superintendent of Police, FRP Peshawar Range Peshawar.
16/12/13			1 day	OB No. 356 9/6/2004	Leave w.o pay Superintendent of Police, FRP Peshawar Range Peshawar.
18/12/13 to 18/12/13			1 day	OB No. 522 22/12/13	Leave w.o pay Superintendent of Police, FRP Peshawar Range Peshawar.
19/12/13 to 12/1/14			1 day	OB No. 596 19/1/14	Leave w.o pay Superintendent of Police, FRP Peshawar Range Peshawar.
			30 days	OB No. 434 22/5/02	Leave w.o pay Superintendent of Police, FRP Peshawar Range Peshawar.
			60	OB No. 1062	Leave w.o pay Superintendent of Police, FRP Peshawar Range Peshawar.

1 day - 03N0 462

Leave with pay

31-5-04

1 day 03N0 513

Leave with out pay

21-5-04

Superior Police FRP
Reserve Range Pashtun

15 days
12 days

744
4,605

- 14 -

will leave on full pay.
Leave with pay.

DPD/made

2-11-05 To 10-11-05

1453 (entire)
14-11-05

Leave with pay

DPD/made

10-6-06 To 14-6-06

1086
19/6/06

- do -

DPD/made

01-466 Leave with pay DPD/ml

27-518 do DPD/ml

01-152 do DPD/ml

01-1159 do DPD/ml

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HAND THU
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Pay fixed Provisionally

In Service BPS PC

Rs. 6700 / pm.

With Effect From 1-7-01

[Signature]
District Police Officer
Mardan

Pl as PC @ Rs 260 / Rs 696 / pm.

with effect from 1-12-11

[Signature]
DPO/MARDAN

Pl as PC @ Rs 260 / Rs 7220 / pm.

with effect from 1-12-11

[Signature]
DPO/MARDAN

Pl as PC @ Rs 260 / Rs 7480 / pm.

with effect from 1-12-12

[Signature]
DPO/MARDAN

Pl as PC @ Rs 260 / Rs 7740 / pm.

with effect from 1-12-14

[Signature]
DPO/MARDAN

Pay on 1-7-10-RS:- 10045 / pm
1-12-15 RS:- 10385 / pm

[Signature]
District Police Officer
Mardan

2005

OFFICE OF THE ACCOUNTANT GENERAL

PAKISTAN

PAY FIXED TO THE REVISED BASIC

PAY SERIES:

CPRS 2415-115-5865 (5)

ATRS 2530 PM.W.E.F. 1-07-2005

With effect from 1-12-2005

[Signature]
Accounts Officer

Fixation Party N.W.F.P. Peshawar

Pl as PC @ Rs 160 / Rs 3980 / pm.

with effect from 12-08

DPO/MARDAN

Pl as PC @ Rs 160 / Rs 4140 / pm.

with effect from 12-10

BEFORE THE KPK SERVICE TRIBUNAL
PESHAWAR

Service Appeal No.1103/2016

Muhamad Ayaz.....**Petitioner**

V E R S U S

DPO Mardan and others.....**Respondents**

REAPPLICATION ON BEHALF OF THE APPELLANT

REPLY TO PRELIMINARY OBJECTIONS

All the preliminary objections of the respondents are illegal and as such denied. The appellant has got no cause of action, instant appeal is well within time and appellant has come to this honorable tribunal with clean hands. Nothing has been concealed by the appellant, nor the appellant is estopped by his conduct to bring instant appeal in which all necessary parties have been impleaded and instant appeal is not bad rather maintainable in its present form.

REPLY TO FACTS/GROUNDS

All The objections raised by respondents are incorrect, hence denied comments of the respondents are full of contradictions, rather amount to admission on their part. Respondents have failed to denied the plea of the appellant through cogent and convincing evidence. Respondents have admitted that show cause notice was not issued to the appellant nor proper inquiry in the matter was conducted to dig out the true facts and circumstances. Respondents have also admitted that the period of absence has been treated as leave without pay. Respondents have also not denied the plea of the appellant that the complainant of the criminal case after

satisfaction have given his affidavit to the effect that the appellant is innocent , as such the appellant is sure of his acquittal, in the circumstances the impugned orders are not maintainable and liable to struck down.

It is therefore prayed that appeal of the appellant may kindly accepted as prayed for.

Dated:-11-04-2017.

Petitioner

Through



Fazal Shah Mohmand

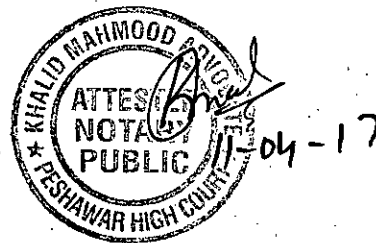
Advocate Peshawar.

AFFIDAVIT

I, Muhammad Ayaz, do hereby solemnly affirm and declare on oath that the contents of this **Rejoinder** are true and correct to the best of my knowledge and belief and nothing has been concealed from this honorable court.



DEPONENT



① مسلمان علی ولد سیدنا ج. قلم اصفان بم 29 سال سنہ طور و مردان بدین
 بیان کیا کہ عند یوم قبل مہمان محمد آواز ② شہاب اور وانیال نیباد
 سے ملے ملائی ہو کر ایک سائے CN6 ٹینٹی کے اور فروخت کرنا
 میرا یہ سہ سنان یا سائے 3000 روپے اور 3500 روپے میرا ہاتھ کے لیے
 صفوں ③ عدد ٹینٹی میرا دوکان لاکر جو میرا فروخت کی میں نے
 یہ سہ سنان کو رقم رقم دے کر میرے لئے اسدوڑ آیت نے مہمان
 آواز اور شہاب میرا دوکان لاکر مہمان کی نشان دہی میں
 نے آیت کو ④ عدد ٹینٹی آیت کھاندا، اسدوڑ میرا دوکان سے مہمان
 کے لئے یہ میرا آمد کر کے قلعہ پوٹوں کی ہے میرا بیان ہے جو درستی

Nic 16101-9025236-5

27/12

② مسلمان عد فضل علی قلم اصفان بم 24 سال سنہ طور و
 یہ در وقت بیان کیا کہ میرا آواز ② ٹینٹی کے جو آواز
 شہاب اور وانیال لاکر صلیب سائے CN6 ٹینٹی کے اور فروخت
 کرنا ہے میرا یہ سہ سنان یا سائے 3000 روپے میرا ہاتھ کے لیے
 صفوں ① عدد ٹینٹی میرا دوکان لاکر جو میرا فروخت کی ہے
 یہ سہ سنان کو رقم رقم دے کر میرے لئے اسدوڑ آیت نے مہمان
 آواز اور شہاب میرا دوکان لاکر مہمان کی نشان دہی میں
 میں آیت کو ① عدد ٹینٹی آیت کھاندا، اسدوڑ میرا دوکان سے
 مہمان کے لئے یہ میرا آمد کر کے قلعہ پوٹوں کی ہے میرا بیان ہے
 جو درستی ہے

③ نیکل محمد احمد 3433 کھانہ کی بدولت میں بیان کیا کہ اسدوڑ میرا
 موجودگی میں آیت کھاندا، اسدوڑ مہمان آواز اور شہاب لاکر
 کرنا کہ وہ اس نشان مہمان کے فروخت کے اندر میرا سہ
 میرا ہاتھ کے لیے اسدوڑ میرا دوکان لاکر مہمان کی نشان دہی میں

حساب شده چون دوستان بسیاری علی اثر مزمن آن
 می نشاندن می آید ASI ، دوستان عزیزان را به (6) عدد
 CNG به آمدن کرنا می رود عزیزان عزیزان عزیزان عزیزان
 به موقع به مدت کرنا می آید به وسیله درست به
 بیان به

(4) نشان خاصیت 2945 نشان به در وقت بیان نه ایندی
 صحت موجود می آید ASI ، دوستان عزیزان را به (6) عدد
 آن به دوران انداختن مردم آن را به (6) عدد خاصیت کرنا
 صحت به مدت کرنا در وقت ظهور کرنا به (6) عدد خاصیت کرنا
 به مدت کرنا حساب شده چون دوستان بسیاری علی اثر مزمن آن
 می نشاندن می آید (6) عدد کرنا CNG به آمدن کرنا به (6) عدد
 به وقت کرنا عزیزان عزیزان عزیزان عزیزان عزیزان عزیزان
 به (6) عدد درست به (6) عدد به (6) عدد به (6) عدد به (6) عدد

(5) وقایع بود تحت نظر قوم انفرادی با مسائل سنگین بعد از به
 در این بیان به (6) عدد به (6) عدد به (6) عدد به (6) عدد
 آید ASI که موقعی در وقت نشان می کرنا خود به آید ASI
 به موقع به مدت کرنا به (6) عدد به (6) عدد به (6) عدد به (6) عدد

(6) نشان ویژه 2948 نشان به در وقت بیان به (6) عدد
 به (6) عدد به (6) عدد به (6) عدد به (6) عدد به (6) عدد
 درست نشان می کرنا عزیزان عزیزان عزیزان عزیزان عزیزان عزیزان
 کرنا به (6) عدد به (6) عدد به (6) عدد به (6) عدد به (6) عدد