

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,

Service Appeal No. 1585/2013

Date of Institution... 06.12.2013

Date of decision... 22.01.2018

Dad Muhammad Ex-Warder Central Prisons Peshawar son of Nasrullah R/O
 Mohallah Awan Abad, Shahbara Post office Prang Tehsil and District, Charsadda.
 ... (Appellant)

Versus

1. Inspector General of Prisons Khyber Pakhtunkhwa, Peshawar and two others.
 (Respondents)

Mr. Fazal Shah ... For appellant.
 Advocate.

Mr. Kabeerullah Khattak,
 Addl. Advocate General ... For respondents.

MR. NIAZ MUHAMMAD KHAN, ... CHAIRMAN
 MR. GUL ZEB KHAN, ... MEMBER

JUDGMENT

NIAZ MUHAMMAD KHAN, CHAIRMAN: - Arguments of the
 learned counsel for the parties heard and record perused.

FACTS

2. The appellant was compulsorily retired from service on 16.08.2013 against which he filed departmental appeal on 12.09.2013 which was rejected on 22.11.2013 and therefore, he filed the present service appeal on 06.12.2013.

ARGUMENTS

3. The learned counsel for the appellant argued that the very order of compulsory retirement dated 16.08.2013 showed that the appellant was preceded ex-parte due to his absence during some departmental proceedings. The learned

counsel for the appellant argued that it was not known till today that what were those departmental proceedings which were initiated against the appellant. Secondly that the appellant was not awarded penalty on the basis of those alleged departmental proceedings but on the basis of his desertion during pendency of those departmental proceedings. He further argued that in the relevant rules i.e. Khyber Pakhtunkhwa Government Servants (E&D) Rules, 2011 there was no such punishment of compulsory retirement from service on the basis of desertion during disciplinary proceedings.

4. On the other hand, the learned Addl. Advocate General argued that some departmental proceedings were initiated against the appellant and the appellant was served with show cause notice but the appellant instead of replying the show cause notice went into hiding and the department was constrained to proceed ex-parte. That the department rightly passed the impugned order.

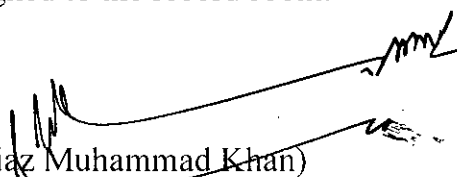
CONCLUSION

5. It is clear from the record that the appellant was compulsorily retired from service due to his desertion during some departmental proceedings. It is not known that what were those departmental proceedings because nothing has been written in the comments or in the show cause notice and nothing has been annexed with the comments about those proceedings. The disciplinary proceedings in vogue on the subject are Khyber Pakhtunkhwa Government Servants (E&D) Rules, 2011. In these rules the proceedings could either be taken under Rule 9 or under sub rule 5 of Rule 11. In the former the requirement of publication in two leading newspapers was must and thereafter, the appellant could have been removed from service and not compulsorily retired. Under the latter the Authority could have proceeded the appellant ex-parte on the main charge and could have taken disciplinary

proceedings to their logical ends by awarding penalty for the charge. But none of the above two procedures has been followed.

6. Consequently, the present appeal is accepted, the appellant is reinstated in service. The department is however, at liberty to hold denovo proceedings within a period of ninety days from the receipt of this judgment. The issue of back benefits etc. shall be subject to final outcome of denovo proceedings/rules on the subject. Parties are left to bear their own costs. File be consigned to the record room.


(Gul Zeb Khan)
Member


(Niaz Muhammad Khan)
Chairman

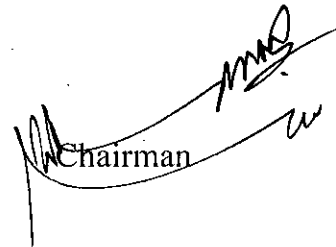
ANNOUNCED
22.1.2018

22.01.2018

Counsel for the appellant and Mr. Kabeerullah Khattak, Addl. AG alongwith Sohrab Khan, Senior Clerk for the respondents present. Arguments heard and record perused.

This appeal is accepted as per our detailed judgment of today. Parties are left to bear their own costs. File be consigned to the record room.


Member


Chairman

ANNOUNCED
22.01.2018

Handwritten notes:
C-10/30

Form-A
FORM OF ORDER SHEET

Court of _____

Appeal's Restoration Application No. 201/2017

S.No.	Date of order Proceedings	Order or other proceedings with signature of judge
1	2	3
1	26.10.2017	<p style="text-align: center;">The application for restoration of appeal No. 1585/2013 submitted by Mr. Fazal Shah Mohmand Advocate, may be entered in the relevant register and put up to the Court for proper order please.</p> <p style="text-align: right;">REGISTRAR 26/10/17</p>
2	27/10/17	<p style="text-align: center;">This restoration application is entrusted to S. Bench to be put up there on <u>15/11/17</u>.</p>
	15.11.2017	<p style="text-align: center;">CHAIRMAN</p> <p>Counsel for the petitioner present. Arguments on application for restoration of appeal heard and case file perused. Through instant petition the petitioner has prayed for setting aside order dated 16.10.2017 vide which the appeal of the present petitioner was dismissed due to non prosecution.</p> <p>Since the instant application has been filed well within time, hence the appeal be restored and be fixed for its previous proceedings on 22.01.2018 before D.B. Notice be also issued to the respondents for the date fixed.</p> <p style="text-align: right;">(Gul Zeb Khan) Member (E)</p>

(P)

BEFORE THE SERVICE TRIBUNAL KPK PESHAWAR

CM No _____/2017

Appeal's Restoration Application no. 201/17
In

Khyber Pakhtunkhwa
Service Tribunal

Diary No. 884

Dated 26-10-17

Service Appeal No 1585/2013

Dad Muhammad.....Appellant

V E R S U S

IGP and Others.....Respondents

APPLICATION FOR THE RESTORATION OF TITLED
SERVICE APPEAL

Respectfully Submitted:-

1. That the above titled Service Appeal was pending before this honorable Tribunal and was dismissed for non-prosecution on 16-10-2017. **(Copy of Order is enclosed as Annexure A).**
2. That the Counsel for the appellant as well as the appellant had appeared before this honorable Tribunal on the date fixed but had gone for prayer at the time when the case was called for.
3. That instant application is well within time and there is no bar on the restoration of titled petition.
4. That the valuable rights of the appellant are involved and if the titled petition is not restored, the appellant would suffer an irreparable loss.


2

It is therefore prayed, that on acceptance of this application, the titled appeal may kindly be restored.

Dated:-26-10-2017.


Applicant/Petitioner

Through


Fazai Shah Mohmand
Advocate, Peshawar

AFFIDAVIT

I, Dad Muhammad Ex Jail Warder R/O Awan Abad, Shabara Prang Charsadda (the Appellant), do as per instructions of my client, 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.


DEPONENT



3) 2A

BEFORE THE SERVICE TRIBUNAL KPK PESHAWAR

Service Appeal No 585/2013



Dad Muhammad Ex Warder, Central prison Peshawar S/O Nasrullah
R/O Mohalla Awan Abad, Shahbara P/O Prang Tehsil and District
Charsadda..... **Appellant**

VERSUS

1. Inspector General of Prisons KPK Peshawar.
2. Superintendent, Headquarters Prison Peshawar.
3. Secretary to Govt. of KPK Home and Tribal Affairs
Department Peshawar.....**Respondents**

1625
106-12-13

APPEAL U/S 4 OF THE KPK SERVICE TRIBUNAL ACT 1974/RW SECTION 19 OF THE KPK GOVT. SERVANTS E & D RULES 2011 AGAINST THE APPELLATE ORDER DATED 20-11-2013 COMMUNICATED TO THE APPELLANT VIDE NO 2927/PB DATED 22-11-2013 OF RESPONDENT NO 1 WHEREBY DEPARTMENTAL APPEAL OF THE APPELLANT AGAINST THE ORDER DATED 16-08-2013 OF RESPONDENT NO 2 WHEEBY THE APPELLANT WAS COMPULSORILY RETIRED FROM SERVICE WITH IMMEDIATE EFFECT HAS BEEN FILED.

PRAYER:-

6/12/13

On acceptance of this appeal the impugned order dated 20-11-2013 of Respondent No 1 communicated vide No 2927/PB Dated 22-11-2013 and order dated 16-08-2013 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 as warder in the year 1994 and since then performed his duties with

ATTESTED

[Signature]
**EXAMINER
Khyber Pakhtunkhwa
Service Tribunal,
Peshawar**

[Signature]
D. Ado

[Signature]
**SUPERINTENDENT
CENTRAL PRISON PESHAWAR**

2124/18



Appeal No. 1585/2018
Dad Muhammad vs Govt

16.10.2017

Appellant absent. Learned counsel for appellant also absent. Mr. Usman Ghani, District Attorney General for the respondents present. Case called for several times but no one appeared on behalf of the appellant. Consequently the present appeal is dismissed in default. Parties are left to bear their own costs. File be consigned to be record room.

Announced
16-10-2017

Member (E) (Ahmad Hassan) (M. Hamid Nughal)
Member (J)

Certified to be true copy
Khyber Pakhtunkhwa
Service Tribunal,
Peshawar

Certified to be true copy
Khyber Pakhtunkhwa
Service Tribunal,
Peshawar

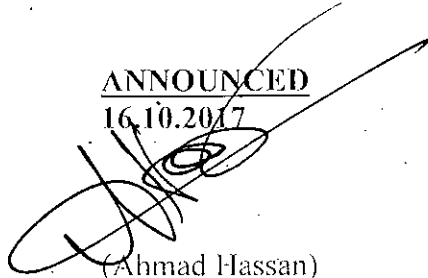
Date of Presentation of Application 24-10-17
Number of Words 800
Copying Fee 6/-
Urgent 2/-
Total 8/-
Name of Copyist
Date of Completion of Copy 24-10-17
Date of Delivery of Copy 24-10-17

16.10.2017

Appellant absent. Learned counsel for appellant also absent. Mr. Usman Ghani, District Attorney General for the respondents present. Case called for several times but no one appeared on behalf of the appellant. Consequently the present appeal is dismissed in default. Parties are left to bear their own costs. File be consigned to be record room.

ANNOUNCED

16.10.2017



(Ahmad Hassan)
Member (E)



(Muhammad Hamid Mughal)
Member (J)

20.12.2016

Counsel for the appellant and Mr. Ziaullah, GP for respondents present. Counsel for the appellant requested for adjournment. Request accepted. To come up for arguments on

3.5.17.



(ASHFAQUE TAJ)
MEMBER



(MUHAMMAD AAMIR NAZIR)
MEMBER

03.05.2017

Counsel for the appellant and Mr. Muhammad Jan, Government Pleader for the respondents present. Learned GP requested for adjournment to submit certain record. He is directed to submit the same on or before the date fixed without fail. To come up for final hearing on 24.08.2017 before D.B.



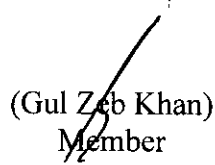
Member



Chairman

24.08.2017

Clerk to counsel for the appellant and Mr. Ziaullah, DDA for respondents present. Clerk to counsel for the appellant seeks adjournment as his counsel has gone for performing of Hajj. Adjourned. To come up for arguments on 16.10.2017 before D.B.



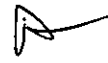
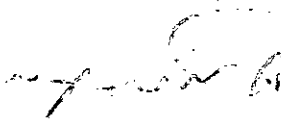
(Gul Zeb Khan)
Member



(Ahmad Hassan)
Member

27.10.2015

Appellant with counsel and Addl. AG for respondents present. Arguments could not be heard due to learned Member (Judicial) is on official tour to D.I. Khan. Therefore, the case is adjourned to 18/4/16 for arguments.



Member

18.04.2016

Counsel for the appellant and Mr. Muhammad Jan, GP for respondents present. Arguments could not be heard due to paucity of time. To come up for arguments on 10.08.2016.



Member




Member

10.08.2016

Agent to counsel for the appellant and Addl. AG for respondents present. Arguments could not be heard due to general strike of the bar. To come up for arguments on 20-12-16.



Member



Member

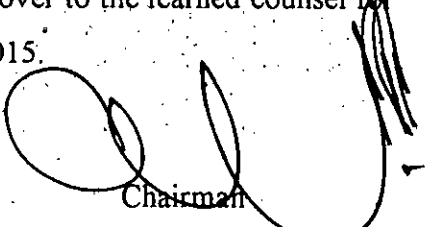
27.5.2014

Counsel for the appellant and Mr. Sheharyar, Assistant Supdt. Jail for respondents with AAG present. Written reply has not been received. To come up for written reply/comments on 5.9.2014.


Chairman

5.9.2014

Appellant with counsel and Mr. Sheharyar Khan, Assistant Supdt. Jail on behalf of respondents with Mr. Usman Ghani, Sr. G.P present. Written reply/written statement received on behalf of the respondents, copy whereof is handed over to the learned counsel for the appellant for rejoinder on 01.01.2015.


Chairman

01.01.2015

No one is present on behalf of the appellant. Mr. Muhammad Adeel Butt, AAG for the respondents present. The Tribunal is incomplete. To come up for rejoinder on 24.04.2015.


Reader.

24.04.2015

Appellant with counsel and Addl: A.G for respondents present. Rejoinder submitted, copy whereof is handed over to the learned Addl: A.G. To come up for arguments on 27.10.2015.


Member

Appeal No. 1585/2013.

Mr. Dad Muhammad

29.1.2014

Counsel for the appellant present. Preliminary arguments heard and record perused. Through the instant appeal, the appellant has impugned order dated 16.8.2013 of respondent No.2 vide which the appellant was awarded major penalty of compulsory retirement from service. Against the impugned order, the appellant filed departmental appeal on 12.9.2013 which was filed on 22.11.2013, hence the present appeal.

Appellant Deposited Security & Process Fee Rs. 180/- Bank Receipt is Attached with File.

MLL
27-2-14

Since the appeal is within time and required further consideration, hence admitted for regular hearing. The appellant is directed to deposit security and process fee within 10 days. Thereafter, notices be issued to the respondents for submission of written reply on 15.4.2014.

[Signature]
MEMBER

29.1.2014

This case be put up before the Final Bench for further proceedings.

[Signature]
CHAIRMAN

15.4.14

The Bench is on recess
Therefore, can be agreed to


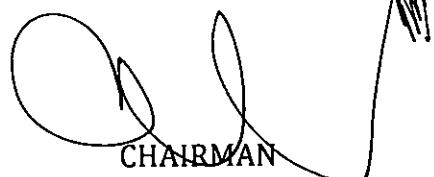
27-5-14

[Signature]
Rajesh

Form- A
FORM OF ORDER SHEET

Court of
Case No.

1585/2013

S.No.	Date of order Proceedings	Order or other proceedings with signature of judge or Magistrate
1	06/12/2013	3
1	06/12/2013	The appeal of Mr. Dad Muhammad presented today by Mr. Fazal Shah Mohmand Advocate may be entered in the Institution register and put up to the Worthy Chairman for preliminary hearing.  REGISTRAR
2	9-12-2013	This case is entrusted to Primary Bench for preliminary hearing to be put up there on 29-1-2014  CHAIRMAN

BEFORE THE SERVICE TRIBUNAL KPK PESHAWAR

Service Appeal No 1585 /2013

Dad Muhammad Appellant

VERSUS

Inspector General and Others..... Respondents

I N D E X

S No	Description of Documents	Annexure	Pages
1	Service appeal with affidavit		1-4
2.	Copy of order dated 16-08-2013	A	5
3.	Copy of Departmental appeal and letter dated 22-11-2013	B and C	6-7
4.	Copies of pay slips	D & E	8-9
5.	Wakalat Nama		10

Dated:-05-12-2013

Through

Appellant

Fazal Shah Mohmand
Advocate Peshawar

OFFICE:-

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

BEFORE THE SERVICE TRIBUNAL KPK PESHAWAR

Service Appeal No 1585/2013

Dad Muhammad Ex Warder, Central prison Peshawar S/O Nasrullah
R/O Mohalla Awan Abad, Shahbara P/O Prang Tehsil and District
Charsadda..... **Appellant**

VERSUS

1. Inspector General of Prisons KPK Peshawar.
2. Superintendent, Headquarters Prison Peshawar.
3. Secretary to Govt. of KPK Home and Tribal Affairs
Department Peshawar..... **Respondents**

AWJ. Prasad
Barada Prasad
Case No. 1625
Dated 06-12-13

**APPEAL U/S 4 OF THE KPK SERVICE TRIBUNAL ACT
1974/RW SECTION 19 OF THE KPK GOVT. SERVANTS E &
D RULES 2011 AGAINST THE APPELLATE ORDER
DATED 20-11-2013 COMMUNICATED TO THE APPELLANT
VIDE NO 2927/PB DATED 22-11-2013 OF RESPONDENT NO
1 WHEREBY DEPARTMENTAL APPEAL OF THE
APPELLANT AGAINST THE ORDER DATED 16-08-2013 OF
RESPONDENT NO 2 WHEEBY THE APPELLANT WAS
COMPULSORILY RETIRED FROM SERVICE WITH
IMMEDIATE EFFECT HAS BEEN FILED.**

PRAYER:-

On acceptance of this appeal the impugned order dated 20-11-2013 of Respondent No 1 communicated vide No 2927/PB Dated 22-11-2013 and order dated 16-08-2013 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

AWJ. Prasad
Signature
6/12/13

Respectfully Submitted:-

1. That the appellant joined the respondent Department as warder in the year 1994 and since then performed his duties with

honesty and full devotion and to the entire satisfaction of his superior officers.

2. That the appellant remained posted to various Jails including District Jail Charsadda and District Jail Mardan and was transferred to Central prison Peshawar in the year 2013 and while posted to Central Prison Peshawar, was suspended on the allegations that he had locked/confined one juvenile prisoner namely Waseem Hayat S/O Abdullah Shah in Special Ghat No2 with aged prisoners instead of Ghat No1 and was finally awarded the punishment of Compulsory retirement from service as exparte action with immediate effect by respondent No 2 vide order dated 16-08-2013. (Copy of the order is enclosed as Annexure A).
3. That the appellant preferred departmental appeal before respondent No 1 on 12-09-2013, which was filed on 20-11-2013 communicated to the appellant vide No 2927/PB Dated 22-11-2013. (Copy of departmental appeal, and letter dated 22-11-2013 are enclosed as Annexure B & C).
4. That the impugned orders dated 20-11-2013 of respondent No 1 communicated to the appellant vide No 2927/PB Dated 22-11-2013 and order dated 16-08-2013 of respondent No 2 are against the law, facts and principles of justice on grounds inter alia as follows:-


GROUNDS:-

- A. That the impugned orders are illegal and void ab-initio.
- B. That the appellant has not been treated in accordance with law and mandatory provisions of law have been violated by the respondents and the respondents have violated all norms of justice.
- C. That exparte action has been taken against the appellant and he has been condemned unheard.

- D. That no inquiry has been conducted in the matter to find out the true facts and circumstances, and to prove or negate the allegations leveled against the appellant.
- E. That no charge sheet and show cause notice was communicated to the appellant, despite the fact that he was on duty and the salaries of the months of July and August were paid to him, thus the allegation of desertion is not correct. (Copies of pay slips are enclosed as Annexure D and E).
- F. That even nothing has been brought on record that that the appellant is involved in the matter in any way or he has been given any benefits, as per the version of the appellant the mentioned prisoner was not a juvenile rather he was of 25/26 years of age.
- G. That mandatory provisions of law regarding publication have not been complied with and thus the appellant have been denied the rights guaranteed by law.
- H. That the appellant has about 19 years of service with Unblemished service record and is jobless since his illegal retirement from service.
- I. 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.

Dated:-05-12-2013

Appellant
Through 
Fazal Shah Mohmand
Advocate Peshawar

BEFORE THE SERVICE TRIBUNAL KPK PESHAWAR

Service Appeal No _____/2013

Dad Muhammad **Appellant**

VERSUS

Inspector General and Others.....**Respondents**

A F F I D A V I T

I, Dad Muhammad Ex Warder, Central prison Peshawar S/O Nasrullah R/O Mohalla Awan Abad, Shahbara P/O Prang Tehsil and District Charsadda, 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.

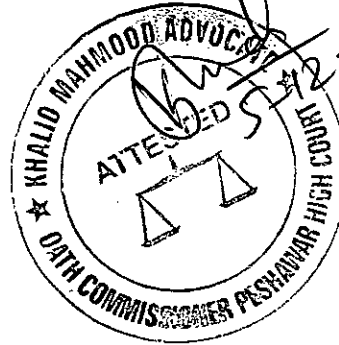
داد محمد

DEPONENT

Identified by

Fazal Shah Mohmand

**Fazal Shah Mohmand
Advocate Peshawar**





OFFICE OF THE
SUPERINTENDENT
CIRCLE HQs. PRISON PESHAWAR
No. _____ /P.B/ Dt: 16/08/2013

OFFICE ORDER

Warder Dad Muhammad attached to Central Prison Peshawar was placed under suspension in a disciplinary case against him vide this Headquarters P.B Order No. 1067 dated 06-05-2013 and was served with show-cause notice under government Khyber Pakhtunkhwa Efficiency & Disciplinary (E&D) rule 2011 with further directives to submit his written reply/ defense against the allegations made, but instead of compliance he deserted himself w.e.f 06-05-2013.

On 30-05-2013 a notice bearing No. 1292 was issued to him on his home address through registered post and was directed to report to the Superintendent Central Prison Peshawar within stipulated period, but he did not report and remained deserter.

On 21-06-2013, 2nd notice bearing No. 1820 was issued to him on his home address through registered post with the aforementioned directives, but again the past practice of desertion was revised.

On 09-07-2013, a notice bearing No. 1981, was sent to his home through registered post and was directed that the same may be reckoned as Final/ Ultimate notice, and if failed to comply, Ex-parte action will be initiated, but he again declined the orders, every possible & available mean was tried to contact him, but failed.

In view of above, Warder Dad Muhammad attached to Central Prison Peshawar is hereby awarded the major Penalty of "**Compulsory Retirement from Service**" as Ex-parte action with immediate effect.


SUPERINTENDENT
CIRCLE HQs. PRISON PESHAWAR

Endorsement No: 210-02

Copy of the above is forwarded to the: -

- 1- Superintendent Central Prison Peshawar.
 - 2- Warder concerned through address "Dad Muhammad S/O Nasrullah (Jail Constable), Mohallah Awan Abad, Shahbara, P.o Prang, Tehsil & District Charsadda.
 - 3- Accountant General Khyber Pakhtunkhwa, Peshawar.
- For Information & further necessary action.

Attested




SUPERINTENDENT
CIRCLE HQs. PRISON PESHAWAR
16/08/13

خدمت خباب ۶۱ جل خانہ جات صورہ شہر گتوں خواہ لکھنؤ

صدر دفتر اسپل ٹیبل کمانڈر ۴۸۵ دادخدر
جل لکھنؤ (حال جبری رہائش گاہ)

جناب عالی!

گذشتہ سال ستمبر میں سترہ سالہ سیدہ سہیلہ نے اپنی دوستی خوش اسلوبی سے سہرا انجام دیا تھا۔
سال اندھنہ قتل مردانہ جل سے تبدیل ہو کر سترہ سالہ سیدہ سہیلہ میں خافری کی تھی۔

خورشید 65/2013 دت 230؛ (جلی ٹیبل) ٹیبل لکھنؤ (جلی ٹیبل)۔ اندھنہ

وسیم حیات لکھنؤ 25/26 سال ولد اللہ اللہ جو ۲۲ سے پہلے ڈیوٹی والے تھے جلی میں
مندرگتے رہے۔ کیونکہ علاج جلی میں منشیات کے فروغ کا دھندہ لکھنؤ

اس دوران خباب سہیلہ نے جلی خباب خالد عباس صاحب نے راوند میں
اکر علاج وسیم حیات کی جلی میں بند ہونے پر ناراضگی کا اظہار کر کے علاج

وسیم حیات لکھنؤ 25/26 سال لکھنؤ (جلی ٹیبل) سے نکال کر دوسرے جلی میں بند کیا
جناب اللہ! اس معمولی سی حرکت کے بناء سائل کو معطل کیا گیا۔ اور سائل کو

شوکار نوٹس جاری کیا گیا۔ جو سائل ناخواندہ ہے۔ اس لیے
جلی کو علی لکھنؤ تھا۔ اس میں جواب دینا چاہیے۔

اس دوران جلی تاج محل میں اور شوکار لکھنؤ کے تہہ ہر ارسال
ہونا بیان ہوا ہے۔ جو سائل شاہ پرا جنتل جلی) دیات کا باشندہ ہے

جس کو لکھنؤ سے سائل کو شوکار نوٹس ملے ہیں، اور نہ کسی بھی اخبار میں سائل
کو نوٹس کے بارے میں مشہر کیا گیا۔

جناب اللہ! شوکار میں جس علاج وسیم حیات کے بارے میں کچھ لکھنؤ تھا، خالد اللہ
۲۵/26 سال کا بارش نو جوان تھا۔ سائل کو ناگزیرہ تہہ کے بناء جبری

رہائش گاہ کیا گیا۔ اس لیے اس لکھنؤ کوئی دیاری وغیرہ نہیں لکھنؤ
کے ہیں۔ جو زیر تعلیم ہے۔ اب اس کی منتقلی بھی تاہم نظر آ رہا ہے

لہذا آ صافان سے نذر لکھنؤ در خواست صدر دفتر اسپل ٹیبل لکھنؤ کے
کو رہتی نوٹس لکھنؤ کے لکھنؤ صاحب فرمائے شوکار نوٹس میں نوٹس لکھنؤ

سائل اور سائل کا نام خالدان تہہ کے لکھنؤ لکھنؤ
اللہ لکھنؤ ۶۱

Attested
copy
Ad

۱۲/۹
۱۲/2013

صدر دفتر اسپل ٹیبل ۴۸۵ دادخدر جلی خانہ جات سترہ سالہ سیدہ

C/7

BETTER COPY

OFFICE OF THE
SUPERINTENDENT
HEADQUARTER PRISON
PESHAWAR
No 2927/PB Dt 22-11-2013

The Superintendent
Central Prison Peshawar.

Subject: Departmental Appeal

Memo:

Appeal regarding setting aside the major penalty of "Compulsory Retirement from Service" in respect of Warder Dad Muhammad attached to your jail has been considered and filed by the competent authority i.e IG Prisons Khyber pakhtunkhwa Peshawar as contained in his letter No 32958 dated 20-11-2013.

He may be informed accordingly.

SUPERINTENDENT
CIRCLE HQS PRISON PESHAWAR

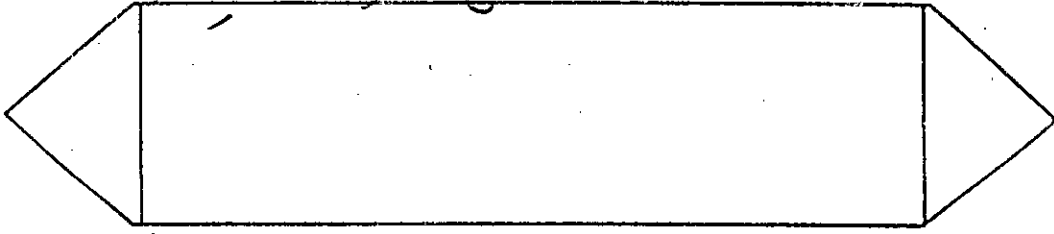
Endorsement No: _____ /

Copy of the above is forwarded to the Worthy Inspector General of Prisons Khyber Pakhtunkhwa Peshawar for information with reference to above please

SUPERINTENDENT
CIRCLE HQS PRISON PESHAWAR

Attested
[Signature]
c. Ado

بعدالت مدوس ڈی بی پیرول جسٹس کی اور



3 اس 2 مخائب اسلانیٹ
 29 نومبر
 دارالحدیث جامعہ دارالعلوم دیوبند
 مقدمہ
 دعوی
 جرم

باعث تحریر آئندہ

مقدمہ مندرجہ عنوان بالا میں اپنی طرف سے واسطے پیروی و جواب وہی وکل کاروائی متعلقہ
 آن مقام نسے اور کیلئے حصل ساہ محمد میر دیکھ لے اور
 مقرر کر کے اقرار کیا جاتا ہے۔ کہ صاحب موصوف کو مقدمہ کی کل کاروائی کا کامل اختیار ہوگا۔ نیز
 وکیل صاحب کو راضی نامہ کرنے و تقررنالت ہ فیصلہ برحلف دیئے جواب وہی اور اقبال دعوی اور
 بصورت ڈگری کرنے اجراء اور صولی چیک دروپہ ار عرضی دعوی اور درخواست ہر قسم کی تصدیق
 زرائیں پر دستخط کرانے کا اختیار ہوگا۔ نیز صورت عدم پیروی یا ڈگری یک طرفہ یا اپیل کی برآمدگی 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 دہر جانہ التوائے مقدمہ کے سبب سے وہوگا۔
 کوئی تاریخ پیشی مقام دورہ پر ہو یا حد سے باہر ہو تو وکیل صاحب پابند ہوں گے۔ کہ پیروی
 مذکور کریں۔ لہذا اوکالت نامہ لکھد یا کہ سندر ہے۔

المرقوم 29 نومبر 2013

العین مایا 33-172-176/176-176

17/11/2013

واہ الع

کے لئے منظور ہے۔

بمقام

Attested & Accepted

can

17/11/2013