

BEFORE THE KP SERVICE TRIBUNAL PESHAWAR.

Service Appeal No. 1890/2022

Khalid Khan

V/S

Police Deptt etc

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APPELLANT

Through:

M. Asif Yousafzai
(M. ASIF YOUSAFZAI)
ADVOCATE SUPREME COURT
OF PAKISTAN.
& *S. Noman Ali Bukhari*
(S. NOMAN ALI BUKHARI)
ADVOCATE HIGH COURT

Room No.FR-08, 4th Floor,
Bilour Plaza Peshawar Cantt:
Cell # 03339103240

BEFORE THE KPK, SERVICE TRIBUNAL, PESHAWAR.

Khyber Pakhtunkhwa
Service Tribunal

Service Appeal No. 1890/2022

Case No. 7406
Dated 11/09/23

Khalid Khan ASI No. 85/MR Rapid Response Force,
Peshawar-----**APPELLANT.**

VERSUS

1. The Inspector General of Police KP, Peshawar.
2. The AIG/Establishment CPO KP, Peshawar.
3. The Deputy Commandant, RRF KP, Peshawar.
4. The Regional Police Officer Mardan Region Mardan.

RESPONDENTS

.....

**REJOINDER ON BEHALF OF APPELLANT TO THE
REPLY OF RESPONDENTS NO. 01-04**

.....

RESPECTFULLY SHEWETH:

PRELIMINARY OBJECTIONS:

(I-VI) All objections raised by the respondents are incorrect and baseless. Rather the respondents are estopped to raise any objection due to their own conduct.

FACTS:

1. Admitted correct.
2. Para-2 of appeal is admitted correct by the respondents, needs no comments.
3. Admitted correct.
4. Admitted correct.
5. Incorrect and misleading. While para-5 of the appeal is correct.
6. The appellant seeks seniority with his batchmates who have been confirmed in the rank of Sub-Inspectors and shown at serial 16, 27 & 29 to 35 of notification dated 31.05.2023 (**Annexure-R**).

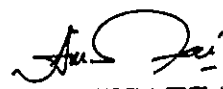

GROUND:

- A) Incorrect and hence denied. While Para-A of grounds of the appeal is correct. Moreover, that not considering the appellant for confirmation as ASI with his batch mates and rejection order is against the law/rules facts and norms of justice.
- B) Incorrect hence denied. Already explained in Para-A.
- C) Incorrect hence denied. While Para-C of grounds of the appeal is correct.
- D) Incorrect hence denied, that depriving appellant by placing him in seniority list with the batch mates proves malafide on the part of respondents.
- E) Incorrect hence denied. While Para-E of grounds of the appeal is correct.
- F) Incorrect hence denied. That the Judgment of the Superior Court bound to be followed by the respondents.
- G) Incorrect hence denied, while Para-G of grounds of the appeal is correct.
- H) Incorrect hence denied, while the appellant was deprived from his legal right of promotion and not treated according to law and rules and norms of justice.
- I) That the appellant seeks permission to advance other grounds and proofs at the time of hearing.

It is, therefore, most humbly prayed that the appeal of appellant may kindly be accepted as prayed for.

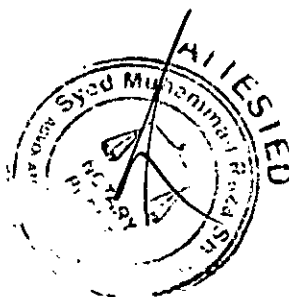
APPELLANT

Through:


(M. ASIF YOUSAFZAI)
ADVOCATE SUPREME COURT
OF PAKISTAN.
& 
(S. NOMAN ALI BUKHARI)
ADVOCATE HIGH COURT

AFFIDAVIT

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



To : The District Police Officer, Mardan.
District Police Officer, Swabi.
District Police Officer, Nowshera.
District Police Officer, Charsadda.

No. 3527-30 /ES, dated Mardan Region, the 31 /05/2023.

Subject: CONFIRMATION IN THE RANK OF SUB INSPECTORS

Memo: Consequent upon recommendations of the Departmental Promotion Committee Meeting held in this office on 08.05.2023, the following Officiating Sub Inspectors of this Region are hereby confirmed in the rank of Sub Inspector.

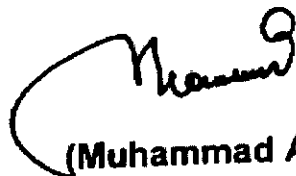
S. No.	Name & Number	Date of Confirmation as Sub Inspector
1.	Fazal Qayum No. 82/MR	12.11.2016 conditionally subject to outcome of CPLA pending before the Supreme Court of Pakistan
2.	Naeem Khan No. 126/MR	28.12.2017
3.	Asif Ali No. 100/MR	28.12.2017
4.	Karim Khan No. 350/MR	02.06.2016
5.	Muhammad Ibrar No. 358/MR	12.11.2016
6.	Akhtar Khan No. 279/MR	28.12.2017
7.	Abdur Rehman No. 371/MR	02.07.2017
8.	Bashir Ahmad No. 288/MR	02.07.2017
9.	Ashiq Ali No. 382/MR	28.12.2017
10.	Sadique Akbar No. 308/MR	02.09.2022
11.	Bismillah Jan No. 312/MR	30.09.2022
12.	Shahbir Ahmad No. 315/MR	26.11.2022
13.	Iltaf Hussain No. 314/MR	10.01.2023
14.	Baidar Bakht No. 311/MR	12.04.2023
15.	Ziarat Gul No. 391/MR	28.12.2017
16. 165	Farooq Shah No. 412/MR	08.11.2018
17.	Ifrikhar Ali No. 419/MR	08.11.2018
18.	Irshad Ahmad No. 139/MR	24.05.2019
19.	Abdul Wahid No. 210/MR	24.05.2019
20.	Mehboob Khan No. 45/MR	22.03.2020
21.	Ibrar Ali No. 19/MR	18.10.2019
22.	Fazal Akbar No. 215/MR	24.05.2019
23.	Safdar Iqbal No. 01/MR	24.05.2019
24.	Imtiaz Ali No. 120/MR	24.05.2019
25.	Mazhar Ali No. 520/MR	18.10.2019

ATTESTED

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27. ✓	Ali Akbar No. 526/MR	18.10.2019
28.	Alamgir No. 640/MR	14.04.2020
29. ✓	Shaheen Shah No. 641/MR	24.04.2020
30. ✓	Rabnawaz No. 528/MR	27.07.2020
31. ✓	Akhtar Hussain No. 647/MR	09.10.2020
32. ✓	Nasir Khan No. 535/MR	20.04.2021
33. ✓	Muhammad Jehangir No. 648/MR	03.02.2022
34. ✓	Fazal Hussain No. 545/MR	08.04.2022
35. ✓	Raza Khan No. 546/MR	12.04.2022
36.	Said Ul Amin No. 649/MR	02.06.2022

Necessary Gazette Notification may be issued accordingly.



(Muhammad Ali Khan)PSP
Regional Police Officer,
Mardan.

CC.

Copy forwarded for information and necessary action to the:-

1. Deputy Inspector General of Police Special Branch, Khyber Pakhtunkhwa, Peshawar.
2. Deputy Inspector General of Police, Traffic Khyber Pakhtunkhwa, Peshawar.
3. Commandant Police Training College, Hangu.
4. Deputy Inspector General of Police CTD Khyber Pakhtunkhwa, Peshawar.
5. Commandant FRP Khyber Pakhtunkhwa, Peshawar.
6. Deputy Inspector General of Police, NH&MP, Islamabad.
7. Capital City Police Officer, Peshawar.
8. Deputy Commandant, Elite Force Khyber Pakhtunkhwa, Peshawar.
9. Director Anti Corruption Establishment, Khyber Pakhtunkhwa, Peshawar.
10. All SsP Investigation in Mardan Region.
11. ACR Clerk Region Office, Mardan.

ATTACHED