

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,
CAMP COURT SWAT

Service Appeal No 556/2016

Date of Institution... 24.05.2016
Date of decision... 08.08.2017

Amjid Ali son of Muhammad Nawab, Ex-Constable No. 2017 Police Lines
Timergara R/O Ali Bagh P/O Och, Adenzai, District Dir Lower. . . . (Appellant)

Versus

1. Inspector General of Police, Khyber Pakhtunkhwa, Peshawar and 7 others.
(Respondents)

MR. AKBAR KHAN YOUSAFZAI,
Advocate ... For appellant.

MR. MUHAMMAD ZUBAIR,
District Attorney ... 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 charge sheeted due to his absence from duty on three
different periods. After the enquiry the impugned order of dismissal was passed
against him on 13.08.2015 against which he filed a departmental appeal on
19.08.2015 which was rejected on 08.10.2015. The appellant then filed a revision
petition under Rule-11-A of the Khyber Pakhtunkhwa Police Rules, 1975 which was

rejected on 10.5.2016. Thereafter the appellant filed the present appeal on 24.05.2016.

ARGUMENTS

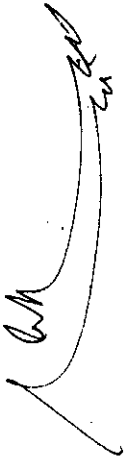
3. The learned counsel for the appellant argued that the appellant was, in fact, ill and that to this effect he had some prescriptions for 3 different periods which ~~were~~ pertained to the period of absence of the appellant. That the enquiry officer proposed warning whereas the authority awarded major penalty of dismissal from service which is untenable in the eyes of law. That no proper opportunity of defence was afforded to the appellant. That he was not afforded the opportunity of cross-examining the witnesses. That the impugned order is not a speaking one.

4. On the other hand learned District Attorney argued that the prescriptions referred to by the learned counsel for the appellant covered only one period of absence and not the other two periods. That the appellant has got not a good record as is apparent in the revision order dated 10.05.2016. That the present appeal before this Tribunal is time barred.

CONCLUSION

5. After availing the remedy of departmental appeal which was rejected on 08.10.2015, the appellant should have approached this Tribunal within 30 days but he filed the present appeal after almost 7 months. The learned counsel for the appellant when confronted with this situation argued that, in fact, the appellant resorted to revisional remedy as argued above. If one goes through Section 4 of the Khyber Pakhtunkhwa Service Tribunal Act, 1974, only the remedy of appeal, review or representation are provided there and no remedy of revision is included in that section. The revision does not enlarge the period of limitation. The period of

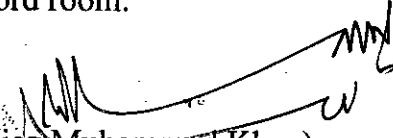
limitation can only be condoned in rare cases when the very order of the authority is void. There is jurisprudential difference between illegal, irregular and void orders. All illegal and irregular orders are not void and period of limitation cannot be condoned for illegal and irregular orders. The orders which falls in first category are those which are *void ab initio* like orders passed *coram non iudice*. In the present case the worst illegality pointed out by the learned counsel for the appellant is that the enquiry officer proposed warning and the authority imposed penalty of dismissal from service. This to our mind is not even illegality because it is settled proposition that the enquiry officer can never recommend any penalty. He can simply opine that the charges proved or not (guilty or not guilty)against the delinquent official. By proposing penalty of warning, the enquiry officer has exceeded his jurisdiction. It is always the authority to propose and impose the penalty after going through the enquiry report. If the authority does not agree with the enquiry report qua proved or otherwise, then the authority is bound to give notice to the aggrieved person or can order the fresh enquiry but in this case the authority has rightly disagreed with illegally proposed penalty of warning. Here it cannot be said that the order of the authority is void on this score. So far as the objection of the learned counsel for the appellant regarding non-observance of elements of fair trial (including personal hearing) are concerned, the same elements could not be presumed to be missing when the impugned order itself contains that the delinquent official was called in orderly room time to time but could not appear in orderly room. Secondly non fulfillment of any of the elements of fair trial in administrative proceedings cannot be held to be void proceedings, at the most these proceedings could be termed as illegal or irregular on case to case basis. No doubt non provision of opportunity of cross-examination or non production of defence is violation of settled principles of



procedure but for the purpose of enlarging limitation these cannot be held to be void proceedings. Had the present appeal been within time this Tribunal would have certainly given her opinion regarding this illegality or irregularity and could have upset the impugned order on the basis of any fatal illegality but at present this Tribunal shall have to be convinced that order is not illegal/irregular but void for the purpose of doing away with the period of limitation. Otherwise too on the face of record the appellant has not been able to show any prescription regarding the other two periods of absence from duty and if whole proceedings of the department are held to be of no value how would this Tribunal accept the present appeal when even today the appellant is not in possession of any prescription or medical certificate regarding the two periods mentioned above. This Tribunal cannot even give any chance to the appellant to defend these two period when he has got nothing in his hands for these periods today. So much so the revisional authority in its order dated 10.05.2016 held that the revision was also barred by law of limitation then how could that revision be counted towards enlargement of time for this very appeal when this is a settled principle of law that even when a departmental appeal is time barred the appeal before the Tribunal is also time barred. (PLD 1990-S.C-951).

6. Resultantly the present appeal being time barred is dismissed. Parties are left to bear their own costs. File be consigned to the record room.


(Gul Zeb Khan)
Member



(Niaz Muhammad Khan)
Chairman
Camp Court, Swat

ANNOUNCED
08.08.2017

04.04.2017

Appellant in person present. Mr. Zewar Khan, S.I (legal) alongwith Mr. Muhammad Zubair, Senior Government Pleader for respondents also present. Appellant submitted rejoinder and requested for adjournment. Adjourned. To come up for arguments on 08.08.2017 before D.B at Camp Court Swat.


(AHMAD HASSAN)
MEMBER

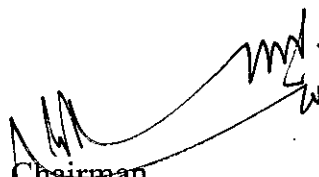

(MUHAMMAD AMIN KHAN KUNDI)
MEMBER
Camp Court Swat.

08.08.2017

Counsel for the appellant and Mr. Muhammad Zubair, District Attorney alongwith Zewar Khan, S.I (Legal) for the respondents present. Arguments heard and record perused.

As per detailed judgment, the present appeal being time barred is dismissed. Parties are left to bear their own costs. File be consigned to the record room.


Member


Chairman
Camp court, Swat

ANNOUNCED
08.08.2017

556/16

06.10.2016

Appellant in person and Mr. Muqaddar Khan, S.I(Legal) alongwith Mian Amir Qadir, GP for the respondents present. Written reply not submitted. Requested for further adjournment. Last opportunity granted. To come up for written reply/comments on 08.12.2016 at camp court, Swat.


Chairman
Camp Court, Swat

08.12.2016

Appellant in person and Mr. Muqaddar Khan, S.I (Legal) alongwith Mr. Muhammad Zubair, Sr.GP for the respondents present. Written reply by respondents No. 1 to 5 submitted while learned Sr.GP relies on the same on behalf of respondent No. 6 to 8. The appeal is assigned to D.B for rejoinder and final hearing for 04.04.2017 at camp court, Swat.


Chairman
Camp court, Swat

30.05.2016

Learned counsel for the appellant argued that the appellant was serving as Constable when subjected to enquiry on the allegations of willful absence and dismissed from service vide impugned order dated 13.08.2015 where-against he preferred departmental appeal on 19.08.2015 which was rejected on 08.10.2015 and the appellant then preferred appeal to Review Board on 19.10.2015 which was also rejected on 10.05.2016 and hence the instant service appeal on 24.05.2016.


That the enquiry officer has recommended 43 days absence to be converted into 28 days medical leave and remaining 15 days as leave without pay but despite the said solid recommendations the competent authority has awarded major punishment in the shape of dismissal from service and maintained by the higher forum which are against facts and law and therefore liable to be set aside.

Points urged need consideration. Admit. Subject to deposit of security and process fee within 10 days, notices be issued to the respondents for written reply/comments for 28.07.2016 before S.B.


Chairman

28.07.2016

Appellant in person and Addl. AG for the respondents present. Fresh notices be issued to the respondents. Moreover the appeal pertains to territorial limits of Malakand Division as such the same be heard at Mingora Swat. To come up for written reply/comments on 06.10.2016 before S.B at camp court, Swat.




Chairman

Appellant Deposited
Security & Process Fee

Form- A
FORM OF ORDER SHEET

Court of _____

Case No. 556/2016

S.No.	Date of order Proceedings	Order or other proceedings with signature of judge or Magistrate
1	2	3
1	25/05/2016	<p>The appeal of Mr. Amjid Ali resubmitted today by Mr. Akbar Yousaf Khalil 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	26-5-16	<p>This case is entrusted to S. Bench for preliminary hearing to be put up there on <u>30-5-16</u>.</p> <p style="text-align: right;"> CHAIRMAN</p>

The appeal of Mr. Amjid Ali son of Muhammad Nawab ex-Constable no.2017 police line Timergra received to-day i.e. on 24.05.2016 is incomplete on the following score which is returned to the counsel for the appellatant for completion and resubmission within 15 days.


1- Memorandum of appeal may be got signed by the appellatant.

No. 880 /S.T,

Dt. 24/5 /2016


REGISTRAR
SERVICE TRIBUNAL
KHYBER PAKHTUNKHWA
PESHAWAR.

Mr. Akbar Yousaf Khalil Adv.

*Re Submitted all
objections solved.

25/5/16*

**BEFORE THE HON'BLE KHYBER PAKHTOON KHWA SERVICE
TRIBUNAL, PESHAWAR**

Service Appeal No. 556/2016


Amjid Ali(Appellant)

V E R S U S

Inspector General of Police, Khyber Pakhtunkhwa, Peshawar
and others.....(Respondents)

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Appellant

Through


Akbar Yousaf Khalil

Advocate High Court,
Peshawar.

Cell No. 0333-9888231

Dated: 23/05/2016

(1)

BEFORE THE HON'BLE KHYBER PAKHTOON KHWA SERVICE TRIBUNAL, PESHAWAR

Service Appeal No. 556 /2016

**K.W.F. Province
Service Tribunal
Diary No. 531
dated 24-5-2016**

Amjid Ali S/o Muhammad Nawab Ex-Constable No. 2017,
Police Lines Timargarah R/o Ali Bagh Post Office Och,
Adenzai, District Dir Lower.....(Appellant)

V E R S U S

1. Inspector General of Police, Khyber Pakhtunkhwa, Peshawar.
2. AIG Establishment, Central Police Office, Khyber Pakhtunkhwa, Peshawar, C.P.O. Peshawar.
3. RPO Malakand Range, Swat, Chinaran, Swat.
4. District Police Officer (DPO) Lower Dir, Timar Garah Area.
5. S.D.P.O Adinzai, Lower Dir, Police Station Och Dir Lower.
6. P.S.O to I.G.P, Khyber Pakhtunkhwa, Peshawar.
7. Public Relation Officer (PRO) to IGP, Khyber Pakhtunkhwa, Peshawar.
8. Office Superintendent, E-IV, CPO, Peshawar.

.....(Respondents)

**Filed to the
Registrar**

APPEAL UNDER SECTION 4 OF KHYBER PUKHTUNKHWA SERVICE TRIBUNAL ACT 1974 AGAINST THE IMPUGNED ORDER DATED 13/08/2015 OF THE DPO DIR LOWER/ RESPONDENT NO. 4 WHEREBY THE APPELLANT WAS DISMISSED FROM HIS SERVICED. AND AGAINST THE ORDER

re-submitted to the Registrar and filed.
25/5/16

DATED 08/10/2015 OF THE REGIONAL
POLICE OFFICER/ RESPONDENT NO. 3
WHO HAS DISMISSED THE FIRST
DEPARTMENTAL APPEAL OF THE
APPELLANT AND UPHELD THE ORDER
DATED 13/08/2015 OF THE DPO DIR
LOWER/ RESPONDENT NO. 4. AND
AGAINST THE ORDER DATED 10/05/2016
OF THE AIG ESTABLISHMENT/
RESPONDENT NO. 2 ON BEHALF OF IGP,
KPK/ RESPONDENT NO. 1 WHO REJECT
THE SECOND APPEAL OF THE APPELLANT
ON 10/05/2016 AND MAINTAINED THE
ORDER OF DPO LOWER DIR/ RESPONDENT
NO 4.

PRAYER IN APPEAL:

On acceptance of this appeal the impugned orders of the respoindtns may kindly be declare nulla and void, void ab-initio and the appellant may kindly be reinstated on his duties with all the back benefits.

Any other remedy the Hon'ble Tribunal deems fit may also granted in favour of the appellant.

Respectfully Sheweth:

1. That the appellant was appointment as Constable in the Police Department on 26/12/2010.

2. That the appellant performed his duty with due diligence and satisfaction of the superior.

3. That at the hard time of Talabinazation the appellant contained his duty at the venerable District with all his responsibility and never escaped his duties.

4. That on 18/05/2015 an inquiry was initiated against the appellant with respect to his absence from duties, though which was not deliberate but due to illness of appellant.

5. That an inquiry was constituted and Charge Sheet was handed over to the appellant along with Statement of allegation. (Copy of Charge Sheet and Statement of allegation are attached as annexure "A" & "B")

6. That in the Charge Sheet it was alleged that the appellant was absent from duties from 13/01/2015 to 19/01/2015 for six days. And from 14/02/2015

to 19/03/2015 for 33 days without any prior leave or permission.

7. That the appellant replied the same on 25/05/2015 and also produced the Medical Prescriptions of the Doctor/ Hospital where bed rest was advised for the dates and days on which he was shown absent from duties. (Copy of reply and medical prescriptions are attached as annexure "C" & "D").

8. That the Inquiry Officer after collecting the alleged evidence against the appellant and gave his suggestion that 28 days absence of the appellant may be treated as Medical Leave and the remaining 15 days absence be counted as leave without pay and awarded a warning to the appellant.

9. That the respondent No. 4 without paying attention to the inquiry outcome overlooked the same and imposed a major penalty of dismissal from service and the period of absence was treated as pay without leave void his office order memo 741 dated 13/08/2015 in his order stating there in that the appellant was called time and again but he never

appear before him but infat no such order for attendance was amounted to him nor any Parwana was issue nor any signature was taken for attending the office. (Copy of order is attached as annexure "E").

10. That feeling aggrieved of the same the appellant filed First Departmental Appeal on 19/08/2015 against the order dated 13/08/2015, but the same was rejected on 08/10/2015 without any considerable points. (Copy of appeal and order dated 08/10/2015 is attached as annexure "F" & "G").

11. That feeling aggrieved of the same the appellant moved second appeal to respondent No. 1 on 19/10/2015 against the order of DPO Malakand Range/ Respondent No. 4 but to the utmost surprise of appellant the same was rejected by AIG Establishment/ Respondent No. 2 on behalf of respondent No.1 on 10/05/2016. (Copy of the 2nd appeal and order dated 10/05/2016 is attached as annexure "H" & "I").

12. That being aggrieved the appellant approached this Hon'ble Tribunal on the following grounds amongst other inter alia:

GROUND:

A. That the impugned order dated 13/08/2015 of respondent No. 4 whereby the appellant dismissed from service and the impugned order dated 18/10/2015 of respondent No. 3 who upheld the order dated 13/08/2015 and the impugned order dated 10/05/2016 made on behalf of respondent No. 1 by respondent No. 2 are void ab-initio and are notification in the eye of law.

B. That the dismissal order dated 13/08/2015 is squarely out of the recommendation of the inquiry report and the respondent No. 4 has exceeded his power, thus resulted miscarriage of justice.

C. That no proper procedure was adopted and no chance of rebuttal/ hearing was given to the appellant.

D. That without prejudice to the above said but in addition thereto, the appellant has credit of more than 5 years of service un-blamed

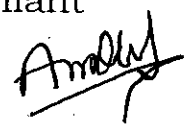
E. That appellant seeks leave of this Hon'able Tribunal to rely on additional grounds at the time of final hearing/ arguments.

It is, therefore, most humbly prayed that on acceptance of this appeal the impugned orders of the respoinctns may kindly be declare null and void, void ab-initio and the appellant may kindly be reinstated on his duties with all the back benefits.

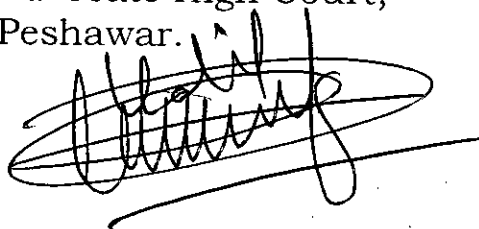
Any other remedy the Hon'ble Tribunal deems fit may also granted in favour of the appellant.

Appellant

Through



Akbar Yousaf Khalil
Advocate High Court,
Peshawar.



Dated: 23/05/2016

BEFORE THE HON'BLE KHYBER PAKHTOON KHWA SERVICE TRIBUNAL, PESHAWAR

Service Appeal No. _____/2016

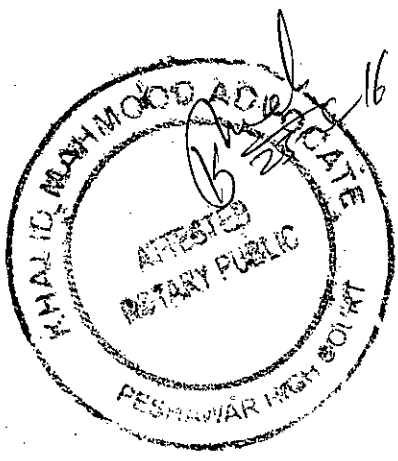
Amjid Ali(Appellant)

VERSUS

Inspector General of Police, Khyber Pakhtunkhwa, Peshawar
and others.....(Respondents)

AFFIDAVIT

I, Amjid Ali S/o Muhammad Nawab Ex-Constable No. 2017, Police Lines Timargarah R/o Ali Bagh Post Office Och, Adenzai, District Dir Lower, do hereby solemnly affirm and declare that the contents of the **Service Appeal** are true and correct to the best of my knowledge and belief and nothing has been concealed from this Hon'ble Court.



DEPONENT

Amjid Ali

BEFORE THE HON'BLE KHYBER PAKHTOON KHWA SERVICE TRIBUNAL, PESHAWAR

C.M. No. ____/2016

In

Service Appeal No. ____/2016

Amjid Ali(Appellant)

V E R S U S

Inspector General of Police, Khyber Pakhtunkhwa, Peshawar
and others.....(Respondents)

APPLICATION FOR GRANTING OF INTERIM RELIEF, SUSPENSION OF IMPUGNED ORDERS DATED 13/08/2015, 08/10/2015 and 10/05/2016, TILL THE FINAL DISPOSAL OF THE CASE.

Respectfully Sheweth:

1. That the above mentioned appeal is being field by appellant before this Hon'ble Tribunal, in which no date of hearing has yet been fixed.
2. That on the face of it, the appellant has got a strong arguable case and is sanguine about its success.

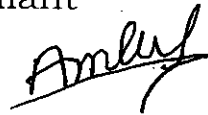
3. That the balance of convenience also in favour of appellant.

4. That if the interim relief as prayed for is not granted to the appellant then he will suffer an irreparable loss.

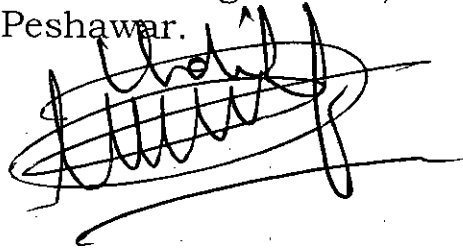
It is, therefore prayed that on acceptance of this application, the interim relief as prayed for in the heading of this application may kindly be granted to the appellant, till the final disposal of the main appeal.

Appellant

Through



Akbar Yousaf Khalil
Advocate High Court,
Peshawar.



Dated: 23/05/2016

BEFORE THE HON'BLE KHYBER PAKHTOON KHWA SERVICE TRIBUNAL, PESHAWAR

C.M. No. ____/2016

In

Service Appeal No. ____/2016

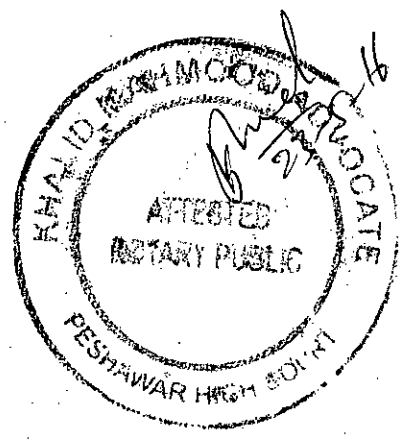
Amjid Ali(Appellant)

V E R S U S

Inspector General of Police, Khyber Pakhtunkhwa, Peshawar
and others.....(Respondents)

AFFIDAVIT

I, Amjid Ali S/o Muhammad Nawab Ex-Constable No. 2017, Police Lines Timargarah R/o Ali Bagh Post Office Och, Adenzai, District Dir Lower, do hereby solemnly affirm and declare that the contents of the **Application** are true and correct to the best of my knowledge and belief and nothing has been concealed from this Hon'ble Court.



DEPONENT

Amjid

BEFORE THE HON'BLE KHYBER PAKHTOON KHWA SERVICE TRIBUNAL, PESHAWAR

Service Appeal No. _____/2016

Amjid Ali(Appellant)

V E R S U S

Inspector General of Police, Khyber Pakhtunkhwa, Peshawar
and others.....(Respondents)

ADDRESSES OF THE PARTIES

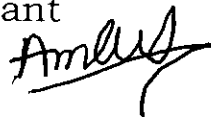
APPELLANT:

Amjid Ali S/o Muhammad Nawab Ex-Constable No. 2017,
Police Lines, Timargarah.

RESPONDENTS:

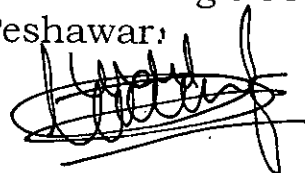
1. Inspector General of Police, Khyber Pakhtunkhwa, Peshawar.
2. AIG Establishment, Central Police Office, Khyber Pakhtunkhwa, Peshawar.
3. RPO Malakand Range, Swat.
4. District Police Officer (DPO) Lower Dir, Timar Garah Area.
5. S.D.P.O Adinzai, Lower Dir.
6. P.S.O to I.G.P, Khyber Pakhtunkhwa, Peshawar.
7. Public Relation Officer (PRO) to IGP, Khyber Pakhtunkhwa, Peshawar.
8. Office Superintendent, E-IV, CPO, Peshawar.

Appellant



Through

Akbar Yousaf Khalil
Advocate High Court,
Peshawar:



Dated: 23/05/2016

Enquiry No. 1626 /EB
Dated Timergara the 18/5 /2015


CHARGE SHEET

I, **Qasim Ali (PSP)**, District Police Officer, Dir Lower at Timergara as competent authority, hereby charge you **Constable Amjad Ali No.2017** committed as follows:-

That you while posted at Police Lines Timergara absented yourself from your lawful duty with effect from 13/01/2015 to 19/01/2015 **(06) days**, 14/02/2015 to 19/03/2015 **(33) days** and 13/04/2015 to 17/04/2015 **(04) days** total **(43) days** without any leave or prior permission from his superior, which is gross misconduct on your part.

By the reason of above, you appear to be guilty of miss-conduct and have rendered yourself liable to all or any penalties specified in Rule-4 of the disciplinary Rules, 1975.

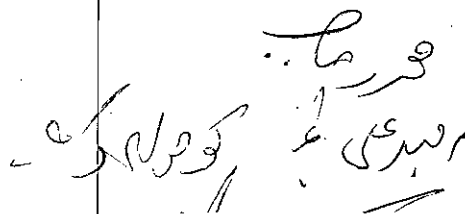
- 2- You are: therefore, required to submit your written reply within 07 days of the receipt of this charge sheet to the enquiry officer.
- 3- Your written reply, if any, should reach to the enquiry officer, within the specified period, failing which it shall be presumed that you have no defense to put in and in that case ex-parte action shall follow against you.
- 4- Intimation as to whether you desire to be heard in person or not?
- 5- A statement of allegation is enclosed.


District Police Officer,
Dir Lower at timergara

No. 10312 /EC,

Dated 18-5 /2015.

Copy to Constable Amjad Ali No.2017 through Line Officer Police Lines Timergara.



ATTESTED


No 53-21A
18-5-15

Amendment B Page (14)

Enquiry No. 1626 /EB
Dated Timergara the 18/5 /2015

DISCIPLINARY ACTION

I, **Qasim Ali (PSP)**, District Police Officer, Dir Lower at Timergara as competent authority as of the opinion that you **Constable Amjad Ali No.2017** have rendered yourself liable to be proceeded against departmentally as you have committed the following acts /omission in the Rule 2 (iii) of Police Rules 1975


STATEMENT OF ALLIGATION

That he while posted at Police Lines Timergara absented himself from his lawful duty with effect from 13/01/2015 to 19/01/2015 (06) days, 14/02/2015 to 19/03/2015 (33) days and 13/04/2015 to 17/04/2015 (04) days total (43) days without any leave or prior permission from his superior, which is gross misconduct on his part.

2. For the purpose of scrutinizing the conduct of said officer, with reference to the above allegation **Mr Hidayat ullah Shah SDPO Adenzai**, is appointed as enquiry officer.

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

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


District Police Officer,
Dir Lower at timergara

No. 10310-11 /EC,

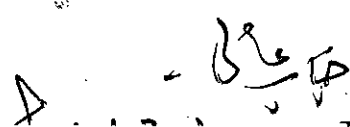
dated 18-5 /2015

5. **Mr Hidayat ullah Shah SDPO Adenzai**, (Enquiry Officer) for initiating proceeding against above defaulter official within 25 days, under Police Rules 1975 in the Light of attached 08 documents.

6. Above named defaulter official.

ATTESTED





خدا عالی!

Statement of / Disciplinary Action

Allegation نمبر 1626/15 فی 18⁵/₂₅ 18 بجارر خیاب - DR P
 دیر کوئی سرکاری خدمت پر نہ کم فزوی کو دوران تعیناتی پولیس لائن بیمار
 اور سہرت بیمار کو مد نظر رکھتے ہوئے شب باشی پر خارج حکمرانہ
 Hospital میں ڈاکٹر سے متعلقہ کے خیاب DR مہمان نے فی 21²/₁₅
 سے 21²/₁₅ تک Rest/leave کا عارض کی - فی 21²/₁₅ کو دوبارہ
 مہمان کے مہاجر کا DR نے نوٹس بیمار کو مد نظر رکھتے ہوئے دریا
 ادویات اور سہرتوں کی رخصت از فی 21²/₁₅ تا 3³/₁₅ کا تحریر فرمایا۔ نوٹس
 صدر ایس قدر وجہ، نروا کو اس انے کا موجب، صل 15¹⁵ - فی 3³/₁₅
 کو تیسرا بار تھا۔ DR P مہمان کے ساتھ دوا کے علاوہ بعد
 3³/₁₅ تا 17³/₁₅ تک رخصت کی تحریر فرمایا۔ مہمان کا نذر
 مہمان کے 15¹⁵۔ اس کا ایسا دوران ڈیوٹی پر حاضر ہونا
 سہرت، نوٹس بیمار رکھا ہے۔ صل کی نیت DR P نے ہی تحریر
 فرمایا ہے۔ صل تا 13³/₁₅ تا 19³/₁₅، 4⁴/₁₅ تا 13³/₁₅، 4⁴/₁₅ تا 17³/₁₅ تک
 نوٹس بیمار فرمایا ہے بیمار کے مہمان سزومر نام 15¹⁵ اس دوران سائل
 نے خلیفہ ڈاکٹر سے رجوع کی تھا۔

خیاب 15¹⁵: پہلے بیمار فرمایا ہو یہ امتیاز بیمار کا سزومر اسائل نے مردہ ڈاکٹر
 رخصت تحریر سزومر ہی نسل کے فی۔ نام دایہ مہمان کے حالت کا ذکر
 امتداد ہے کہ ایام بیمار فرمایا رخصت میں سہرا نے اور انکو
 صل کے لئے ہرگز کارواں مہمان کے صل کا صل مہمان

امام 25/15
 ATTESTED
 25/15
 2017
 PC

Sold for

OUT DOOR PATIENT TICKET

District _____ CRP No: _____

Facility Name _____

Name _____ Age: _____ Sex: _____

Father's/Husband's Name _____

Monthly OPD Serial No. 23050

Provisional Diagnosis: Duo / UTI

Date	Clinical Findings / Investigations / Treatment / referred / Test Findings
14/2/15	<p><i>Non-bial and O.P.D. Register of the Doctor concerned and the Hospital is correct.</i></p> <p><i>incharge THQ Hospital Chakdara Dist.</i></p> <p><i>Dr. Javed Iqbal</i></p> <p><i>177-116 Chit 1/11/15 Uca 177/11/15</i></p> <p><i>Cyclo Hf</i></p> <p><i>1. Tr. Depressant 2. B. Durgalip 3. P. Berry Plus 4. ... 5. ...</i></p> <p><i>Advice Home Rest one week w.e.f 14/2/15 upto 21/2/15 Dr. Javed Iqbal 4/1/15</i></p> <p><i>D.M.S.C.M.O THQ Hospital Chakdara</i></p>

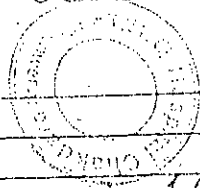
Chakdara

ATTESTED
[Signature]

16-A

OUT DOOR PATIENT TICKET

Sent To: _____



District _____

CRP No: _____

Facility Name _____

Name _____ Age: _____ Sex: _____

Father's/Husband's Name _____

Handwritten notes: 15121, 3906

Monthly OPD Serial No. _____

Provisional Diagnosis: LBA / WTL, e chui

Date	Clinical Findings / Investigations / Treatment / Referred / Test Findings
21/2/15	9' - Diastolic BP - 162 ⁰ Chest - / NAD Atrial - 114/8 14 12 14 2 14 2 Advise Home Rest for 02 weeks w.e. 21/2/15 upto 6/3/15

Entry verified and the
OPD. Resident in the Hospital
is correct.

Adm
Ward
HQA Hospital
Chakdara
Dr. Javed Iqbal

D.M.S.C.M.O THQ Hospital
Chakdara

ATTESTED

Sent To: _____

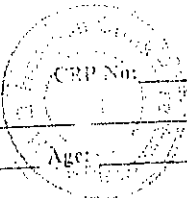
OUT DOOR PATIENT TICKET

District _____

Facility Name _____

Name _____

Father's/Husband's Name _____



CRP No. _____

Age: _____

Sex: _____

Monthly OPD Serial No. _____

Provisional Diagnosis: _____

Date	Clinical Findings / Investigations / Treatment / Referred / Test Findings
10/3/15	<p>up - 120 SLR 2/2</p> <p>7 - Satisfactory</p> <p>DM - Cephalexin</p> <p>784</p> <p>Refer - 06</p> <p>1377 1007/8</p>
<p>10/3/15</p> <p>Verified and the Entry made in the Hospital O.P.D Register and the signature of the Doctor is correct.</p> <p>Incharge THQ Hospital Chakdara Dist. (K. P. S. 10)</p>	<p>10/3/15</p> <p>10 - Fucidin</p> <p>10 - Spadol</p> <p>B - Meloranol</p> <p>4 - Citra</p> <p>Ad Home Rest</p> <p>10/3/15 upto 12/3/15</p>

ATTENDED

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انضمام (E) Page (17)

1240390

OFFICE OF THE DISTRICT POLICE OFFICER, DIR LOWER AT TIMERGARA
ORDER

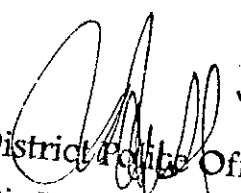
This order will dispose of the departmental enquiry conducted against Constable Anjad Ali No.2017, who while posted at Police Lines Timergara, absented himself from lawful duty with effect from 13/01/2015 to 19/01/2015 (06 days), 14/02/2015 to 19/03/2015 (33 days) and 13/04/2015 to 17/04/2015 (04 days) Total 43 days without any leave or prior permission from his superior, therefore he was served charge sheet coupled with statement of allegation and Mr. Hidayat Ullah Shah SDFO Adenzai, was appointed as enquiry officer to conduct proper departmental enquiry and submit his finding.

The enquiry officer during the course of enquiry recorded the statement of all concerned, as well as the delinquent official. The Enquiry Officer in his finding report suggested that 28 days absented period is treated as Medical leave and the remaining 15 days absence is counted as leave without pay and awarded him "Warning".

The delinquent Official was called in Orderly Room time to time, but could not appear to the undersigned in Orderly Room.


Therefore, I Qasim Ali (PSP), District Police Officer, Dir Lower in exercise of power vested to me under (E & D) Rules 1975 with amendment 2014, awarded him a major punishment and **Dismissed him from Service**, with immediate effect and the period of absence is Counted as leave without pay.

ORDER ANNOUNCED


District Police Officer,
Dir Lower at Timergara

OP No. 161 /EC,
Dated 13-6 2015.

Attention to Superintendent

ATTENDED


لیکن جنرل آف پولیس کو براہ کراچی سے

عنوان - درخواست برادر دربارہ بحالی

جناب عالی

خودباندہ گزارش ہے کہ سائیل محمد پولیس میں بحالی ہو کر تاحال زبردستی بنایت ایمانداری سے سہرا انجام دے رہا تھا۔

یہ کہ سائیل بوجہ غیر جانبداری اور نشانہ بنانے بحوالہ آرڈر نمبر

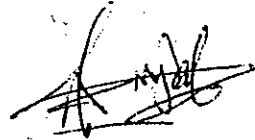
741 مورخہ 13-08-2015 حکم پولیس سے درخواست کر دیا ہے۔

یہ کہ سائیل انتہائی غریب اور نوکر کرنے کا بے حد شوقین ہے۔

استدعا ہے کہ سائیل کو دوبارہ بحال کر کے تاحیات دعا گو رہے گا۔

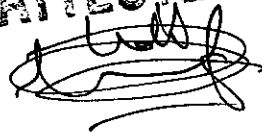
19/08/2015

عین نواز شہزاد



العارض
سابقہ دارالحیثیت مورخہ 2017، حکم پولیس لاہور، محمد کراچی

ATTESTED



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OFFICE OF THE REGIONAL POLICE OFFICER, MALAKAND REGION
AT SAIDU SHARIF SWAT


ORDER:

This order will dispose off departmental appeal of Ex-Constable Amjad Ali No. 2017 of Dir Lower District for reinstatement in service.

Brief facts of the case are that Ex-Constable Amjad Ali No. 2017 while posted to Police Lines Timergara, absented from lawful duty without leave or permission from his superior with effect from 13/01/2015 to 19/01/2015 (06 days), 14/02/2015 to 19/03/2015 (33 days) and 13/04/2015 to 17/04/2015 (04 days) total (43 days). He was issued charge sheet couple with statement of allegations and Mr. Hidayat Ullah Shah SDPO/Adenzai was appointed as Enquiry Officer. The Enquiry Officer conducted proper departmental enquiry against the defaulter Constable and recorded the statements of all concerned, including the defaulter Constable and found him guilty. The Enquiry Officer in his finding suggested that 28 days absence period may be treated as Medical Leave and the remaining 15 days absence be counted as leave without pay and awarded him "Warning". However, the District Police Officer, Dir Lower dismissed him from service with immediate effect and the period of his absence was treated as leave without pay, vide his office Memo: No. 741, dated 13/08/2015

He was called in Orderly Room on 06/10/2015 and heard him in person. The appellatant did not produce any substantial material in his defense. Therefore, I uphold the order of District Police Officer, Dir Lower, whereby the appellatant has been awarded punishment of dismissal from service. His appeal is rejected.

Order announced


(AZAD KHAN) TSP, PSP
Regional Police Officer,
Malakand, At Saidu Sharif Swat

No. 7901 /E,

Dated: 08-10-2015.

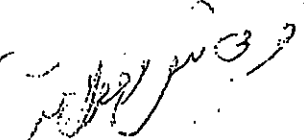
Copy to District Police Officer, Dir Lower for information and necessary action, with reference to his office Memo: No. 19410/EB, dated 31/08/2015. His service record is returned herewith for record in your office.

Encls
S-Roll
F-MISAL

Regard

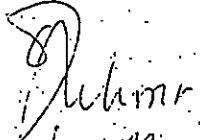
EC
for n/a







10-10-15


D.O. / D.N. / M.M.
16/10/2015

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کی ضرورت اس کے لئے حاصل کیا گیا ہے اور پولیس
خبر دہندگان کو

معاون۔ اس کے خلاف حکم جاری کیا گیا ہے اور پولیس

آفیسر ملائمت عظام سید و شریف فیرہ 8 10
2015

حلی روئے سائل کی اسل خارج و سائل حکم DPO دیر
یا سب سے برقرار رکھا

استدعا۔ منظوری اسل حکم RPO ملائمت
مستور سائل کو ملازمت پر بحال کیا جائے

حالی اسل حسب ذیل عرض گزار ہے

- (1) یہ کہ سائل جلسہ پولیس میں بطور سیاسی ملازم تھا جو کہ پولیس
لائسنس فیرہ میں ڈیوٹی انجام دے رہا تھا۔
- (2) یہ کہ سائل کے خلاف جو سب غیر حاضری انکوائری شروع ہوئی
تاسم مذکورہ غیر حاضری قصداً لگائی گئی تھی اور جو سب ہماری
تھی اس لئے سائل نے بدوران انکوائری مستعمل نہیں کرتے
ہوئے جس سے اتفاق کرتے ہوئے انکوائری آگے 28 دن

(جاری ہے)



میڈل Leave میں حساب کیے اور 15 دن نڈا تنخواہ چھٹی
حساب و وارنٹسائل و Warming دیا گیا۔

(3) یہ کہ انکوٹری آفسر صاحب SDPO اور سیرائی کے ایسی سٹیشن

حساب DPO دیر دیا گیا اور ارسال کی نام DPO صاحب

سائل کو سنیے لکھ کر بلا جواز اور غیر قانونی حکم صادر کرتے ہوئے

انکوٹری آفسر کی رپورٹ کے برعکس حکم صادر کرتے ہوئے مذکورہ صاحب

کو نڈا تنخواہ چھٹی میں حساب کرتے ہوئے سائل کو نوٹری سے پر

(4) یہ کہ قانون کا یہ ایک ملکہ اصول ہے کہ No one

should be condemned un-heard. چونکہ سائل کو اپنے دفاع کا حق

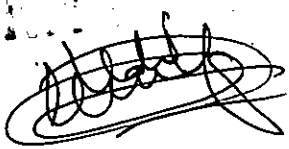
موجود ہے اور اس میں بنا گیا ہے بدین و حکم DPO صاحب قابل

مسئوبی ہے۔ یہ کہ مذکورہ حکم کے خلاف سائل نے RPO صاحب ملائی

سے رجوع بنا تا اسم انہوں نے بھی بنا کسی حورے DPO صاحب

کے حکم سے اتفاق کرتے ہوئے سائل کی ایس خارجگی

(جاری ہے)



(6) یہ کہ سائل کی غیر حاضری قصداً عمدتاً نہ تھی بلکہ وجہ
 بیماری تھی اور جس سے متعلق سائل نے ڈاکٹری سرٹیفکیٹ و نسخہ جات
 پیش کیے ہیں۔ نیز انکو ڈری آفسیر نے بھی سائل کو نوکری سے برخاست
 کرنے کی کوئی سفارش نہیں کی ہے۔

(7) یہ کہ انکو ڈری آفسیر کی رپورٹ اور حکم DPO صاحب ایک ڈسٹر
 سے متعارف ہے اور العاف کا تقاضا یہی ہے کہ انکو ڈری آفسیر
 رپورٹ کو مد نظر رکھتے ہوئے سائل کو دی گئی تہنہ کافی لغوری
 جائز سائل کو ملازمت سر بحال کیا جائے۔

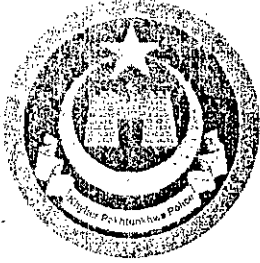
(8) یہ کہ سائل اپنے خاندان کا واحد نعیل ہے اور ملازمت
 پر بحال نہ کرنے سے سائل کا خاندان تباہ ہو جائیگا۔

اسد عاصد سائل کو ملازمت سر بحال فرمایا
 جا کر حکم RPO صاحب منوع فرمایا جائے۔

اسد عاصد

19.10.2015 احمد علی مراد 2017 پولیس رینسٹر

اسد عاصد



Signature (i)
Page (21)

OFFICE OF THE
INSPECTOR GENERAL OF POLICE
KHYBER PAKHTUNKHWA
CENTRAL POLICE OFFICE,
PESHAWAR.

No. S/ 3611 /16, dated Peshawar the 10/05/2016.


ORDER

This order is hereby passed to dispose of departmental appeal under Rule 11-A of Khyber Pakhtunkhwa Police Rule-1975 submitted by Ex-Constable Amjad Ali No. 2017. The appellant was awarded punishment of **dismissal** from service by DPO, Dir Lower vide OB No. 741, dated 13.08.2015, on charges that absence from service for a period of 43 days.

He preferred appeal before the RPO, Malakand which was examined and filed / rejected vide Order Endst: No. 7901/E, dated 08.10.2015.

Meeting of Appeal Board was held on **31.03.2016**, wherein the appellant was heard in person. The enquiry papers were also examined. On examination of record, it revealed that he was dismissed from service. He has 26 bad entries on his service record. Therefore, the petition of the petitioner is barred by law and limitation and **worth rejection**.

This order is issued with approval by the Competent Authority.


(NAJEEB-UR-RAHMAN)
AIG / Establishment,
For Inspector General of Police,
Khyber Pakhtunkhwa, Peshawar.

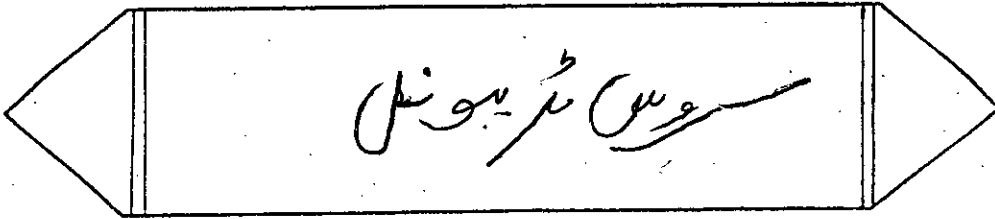
No. S/ 3612-19 /16,

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

1. Regional Police Officer, Malakand Region Swat.
2. District Police Officer, Dir Lower.
3. PSO to IGP/Khyber Pakhtunkhwa, CPO Peshawar.
4. PRO to IGP/Khyber Pakhtunkhwa, CPO Peshawar.
5. PA to Addl: IGP/HQrs: Khyber Pakhtunkhwa, Peshawar.
6. PA to DIG/HQrs: Khyber Pakhtunkhwa, Peshawar.
7. Office Supdt: E-IV, CPO, Peshawar.
8. I/C Central Registry Cell, (CRC), CPO.

ATTESTED


بعدالت



2 مخائب
ایڈوکیٹ جنرل
بنام ایف بی وغیرہ
وکیل محمد خواجہ
constable

سروس (ریبل)

موزعہ
مقدمہ
دعویٰ
جرم

باعث تحریر آنک

مقدمہ مندرجہ عنوان بالا میں اپنی طرف سے واسطے پیروی و جواب دہی دکل کاروائی متعلقہ
آن مقام لیٹور کیلئے السرٹیفکیشن
مقرر کر کے اقرار کیا جاتا ہے۔ کہ صاحب موصوف کو مقدمہ کی کل کاروائی کا کامل اختیار ہوگا۔ نیز
وکیل صاحب کو راضی نامہ کرنے و تقرر ثالت فیصلہ برحلف دینے جواب دہی اور اقبال دعویٰ اور
بصورت ڈگری کرنے اجراء اور صولی چیک دروپیہ عرضی دعویٰ اور درخواست ہر قسم کی تصدیق
زرائیں پر دستخط کرانے کا اختیار ہوگا۔ نیز صورت عدم پیروی یا ڈگری یکطرفہ یا اپیل کی برآمدگی اور 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 با اختیارات حاصل ہوں گے اور اس کا ساختہ
پرواختہ منظور قبول ہوگا۔ دوران مقدمہ میں جو خرچہ دہر جانہ التوائے مقدمہ کے سبب سے دہوگا۔
کوئی تاریخ پیشی مقام دورہ پر ہو یا حد سے باہر ہو تو وکیل صاحب پابند ہوں گے۔ کہ پیروی
مذکور کریں۔ لہذا وکالت نامہ لکھنیا کہ سندر ہے۔

المرقوم 18 ماہ 5 2016

العبار واد العبار

بمقام لیٹور کے لئے منظور ہے۔

attested and accepted
Albar yousaf khalil
adv.

ایڈوکیٹ جنرل
بنام ایف بی وغیرہ
#2017
Exemplar
2017



BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR.

Service Appeal No. 556/2016.

Ex Constable Amjad Ali No 2017 s/o Muhammad Nabi r/o Lower Dir
..... Appellant.

VERSUS

- 1) Provincial Police Officer, Khyber Pakhtunkhwa Peshawar.
- 2) AIG Establishment CPO Khyber Pakhtunkhwa Peshawar.
- 3) Regional Police Officer Malakand at Saidu Sharif, Swat.
- 4) District Police Officer Dir Lower.
- 5) SDPO Adenzai Dir Lower.....Respondents.

PARA WISE REPLY ON BEHALF OF RESPONDENTS.

Respectfully Sheweth:

PRELIMINARY OBJECTIONS.

- 1) That the present service appeal is not maintainable in its form.
- 2) That the appellant has not come to this August tribunal with clean hands.
- 3) That the present appeal is badly time barred.
- 4) That this Honorable Service Tribunal has no jurisdiction to entertain the present service Appeal.
- 5) That the appellant has got no cause of action.
- 6) That the appellant has suppressed the material facts from this Honorable Tribunal.

ON FACTS:

1. Pertains to record.
2. Incorrect, the appellant is habitual absente and always remained absent from duty without seeking any leave or prior permission from his superior. The record is quite clean in this regard.
3. Incorrect, being Law enfacing agency; it is the duty of all the members of Police Force to cope with situation in time of insurgency. It is a disciplined Force and the Appellant always remind absent creating a negative sense among other members of force.

4. Correct to the extent that SDPO Adinzai was appointed as enquiry Officer and the total absence is counted as 43 days from time to time without any leave or prior permission..
5. Correct. Copy of charge sheet and statements of allegation is attached as annexure A and B).
6. Correct, further the Appellant was remained absent from 13-04-2015 to 17-04-2015 for (4) days, from 13.01.2015 to 19.01.2015 for (06) days and from 14.02.2015 to 19.03.2015 for (33) days thus total absent is 45 days without leave or prior permission of superiors.
7. Incorrect. The Appellant being a member of disciplined Force to produce the complete Medical chits/ prescriptions to the relevant authorities, Prior to absentia or during the course of departmental inquiry but the Appellant failed to do so.
8. Pertains to record. However the competent authority is not bound to follow the recommendations/suggestions of his subordinates while conducting enquiry, as the absentia of the Appellant is deliberate.
9. Incorrect. After forwarding the recommendations of the enquiry officer to the competent authority, the Appellant was called to be heard in person time and again, but the Appellant did not bother to appear before the competent authority, hence the competent authority rightly awarded major penalty to the Appellant.
10. Pertains to record..
11. Pertains to record.
12. Need no comments.

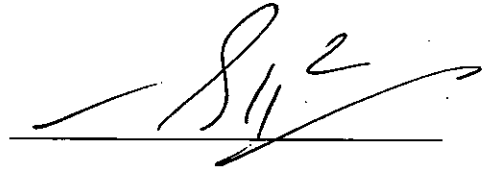
ON GROUND

- (A). Incorrect, all the Orders of respondents are correct in accordance with Law..
- (B). Incorrect, no miscarriage of Justice has been done by the respondents with the Appellant at all.
- (C). Incorrect. The respondents kept in view the Rule of natural Justice while conducting inquiry against the Appellant.
- (D). Incorrect, Pertains to record.
- (E). The respondents also seek leave of this Honorable Tribunal to rely on Additional Grounds at time of arguments/hearing.

PRAYER:

It is therefore humbly prayed that on acceptance of this Para-wise reply the service appeal may graciously be set aside along with costs.

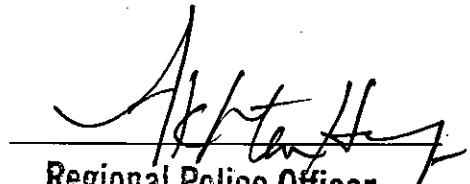
Provincial Police Officer,
Khyber Pakhtunkhwa Peshawar.



Assistant Inspector General of Police,
Establishment CPO Peshawar

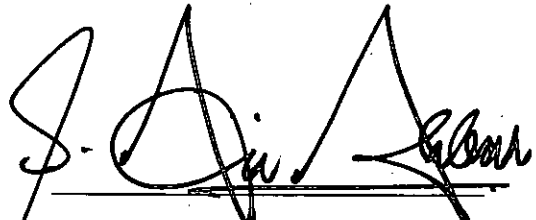


Regional Police Officer,
Malakand at Saidu Sharif, Swat.



Regional Police Officer,
Malakand, at Saidu Sharif Swat.

District Police Officer,
Dir Lower.



District Police Officer,
Dir Lower.

Sub Divisional Police Officer,
Adenzai Dir Lower.



SDPO, Adenzai

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR.

Service Appeal No. 556/2016.

Ex Constable Amjad Ali No 2017 s/o Muhammad Nabi r/o Lower Dir
..... Appellant.

VERSUS

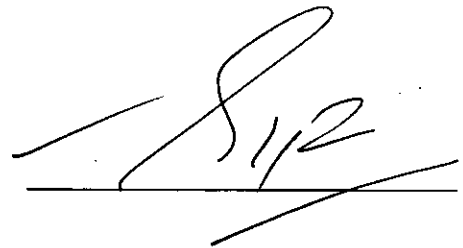
- 1) Provincial Police Officer, Khyber Pakhtunkhwa Peshawar.
- 2) AIG Establishment CPO Khyber Pakhtunkhwa Peshawar.
- 3) Regional Police Officer Malakand at Saidu Sharif, Swat.
- 4) District Police Officer Dir Lower.
- 5) SDPO Adenzai Dir Lower.....Respondents.

POWER OF ATTORNEY

We the following respondents do hereby authorize Mr. Muqdar Khan SI Legal Dir Lower to appear on our behalf before the Honourable service Tribunal in the above Service appeal and pursue the case on each and every date.

He is also authorized to submit all the relevant documents in connection with the above case.

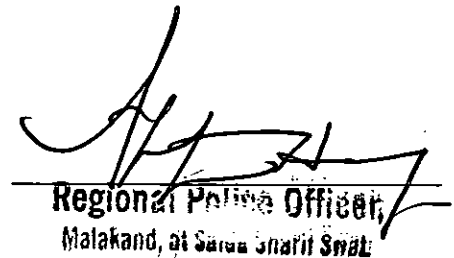
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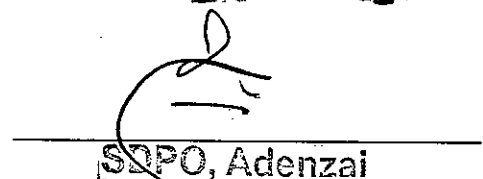
Regional Police Officer,
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District Police Officer,
Dir Lower.



District Police Officer
Dir Lower at Timergar

Sub Divisional Police Officer,
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SDPO, Adenzai

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VERSUS

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- 3) Regional Police Officer Malakand at Saidu Sharif, Swat.
- 4) District Police Officer Dir Lower.
- 5) SDPO Adenzai Dir Lower..... Respondents.

AFFIDAVIT

We the following respondents do hereby solemnly affirm and declare on Oath that the contents of Para-wise reply are true and correct to the best of our knowledge and belief and nothing has been concealed from this Honorable Tribunal.

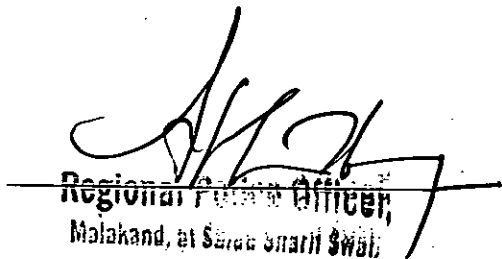
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Assistant Inspector General of Police,
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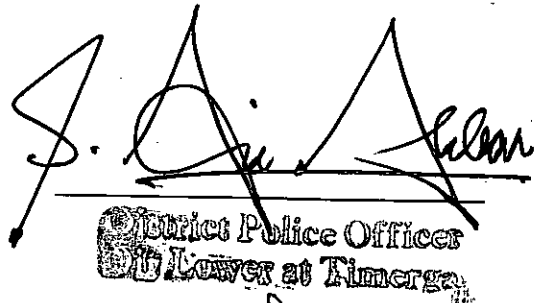


Regional Police Officer,
Malakand at Saidu Sharif, Swat.



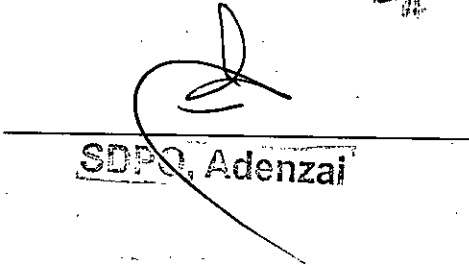
Regional Police Officer,
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District Police Officer,
Dir Lower.

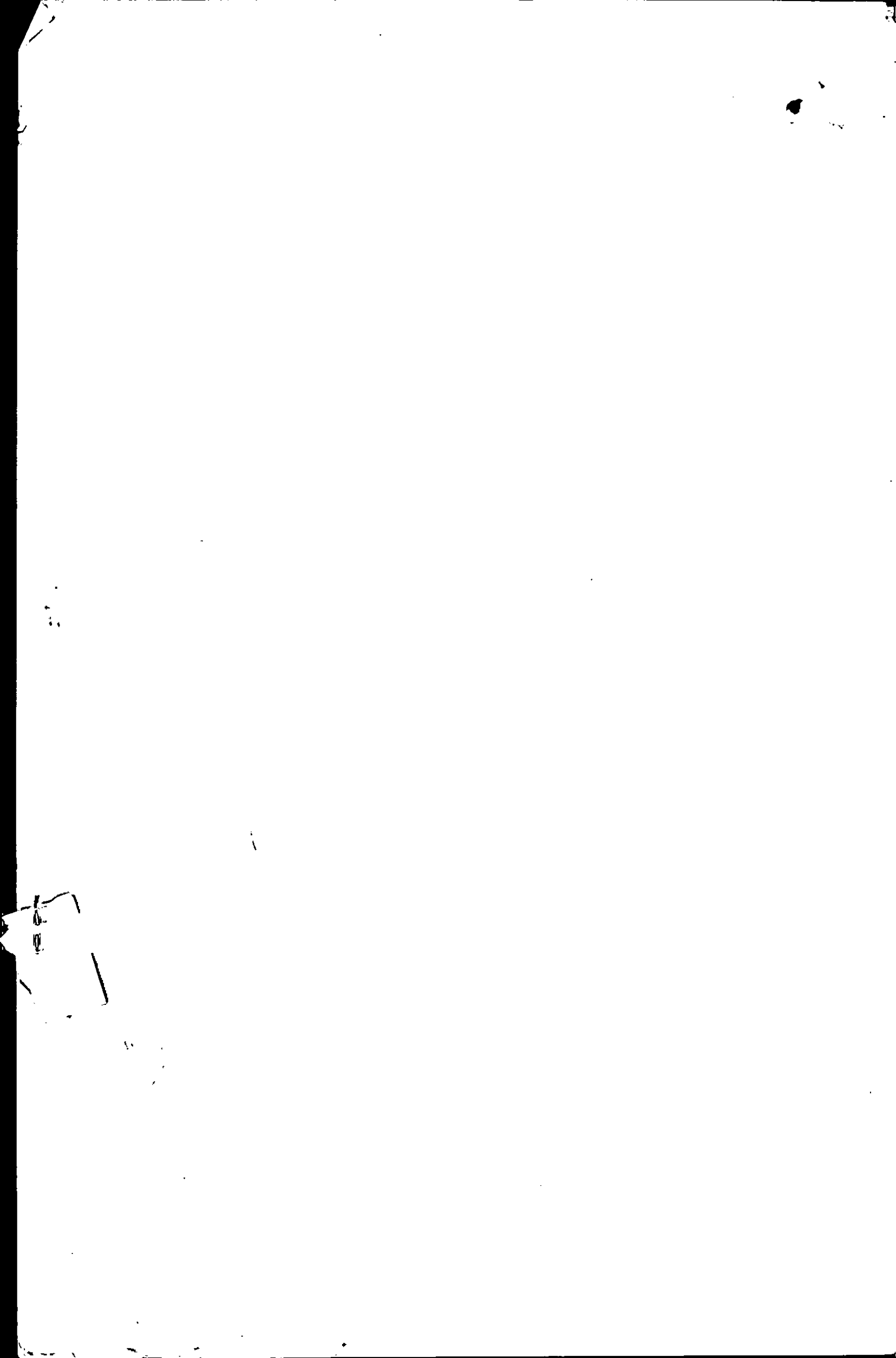


District Police Officer
Dir Lower at Timerga.

Sub Divisional Police Officer,
Adenzai Dir Lower.



SDPO, Adenzai



**BEFORE THE HON'BLE KHYBER PAKHTOON
KHWA SERVICE TRIBUNAL, PESHAWAR**

Service Appeal NO. _____ 2016

Amjad Ali S/o Muhammad Nawab Ex-constable NO. 2017
Police Lines Timargarah R/o Ali Bagh Post Office Och,
Adenzai, District Dir

Lower.....(Appellant)

VERSUS

1. PPO KPK
2. AIG Establishment central Police Office Peshawar
3. R.P.O Malaknad range Swat
4. D.P.O Dir lower.
5. S.D.P.O Adezai Lower Dir.

Rejoinder to the para wise comments filed by the
respondents.

Respectfully Sheweth:

The objection raised by the respondents that is from para 1 to 6 of the comments are incorrect and perhaps the result of the misreading or non reading of the main appeal hence the same are denied.

Reply on facts

1. In reply to para 1 the record of the petition is clear in the respondent department.
2. The petition has never absented willfully form his duties and he has absolutely observed his duty to the satisfaction of the his superior hence the para is denied.
3. Para 3 is denied the duty and task assigned to the petitioner has always been completed by him and being

the member of the force always coordinated with members and superiors.

4. Para 4 of the appeal is correct while para 4 of comments is suppression of real facts.
5. Para 5 of comments need no reply but it is to clarify that the charge sheet and statements of allegation was not based on real facts.
6. Para 4 of comments and para 6 of comments shows that the record has not been properly concerned hence the para is denied.
7. Para 7 of comments is incorrect while that of appeal is correct.
8. Para 8 of appeal is correct while that para 8 of comments is unjust and abuse of power by the respondent.
9. Para 9 of appeal is correct and para 9 of comments is without justification hence denied.
10. Para 10 ,11 and 12 of appeal are correct and based on real facts.


Reply on grounds :

- a. Para A to para E of comments replies are unjust hence denied while that of the appeal are true and correct.

In the above circumstances it is humbly submitted that on the acceptance of the appeal along with the rejoinder the impugned order dated 13/08/2015 of the respondents no. 4 where in the services of the appellant were terminated may kindly be set at naught and the services of appellant may be reinstated with all back benefits.


Appellant through

AKBAR YOUSAF KHALIL
RAB NAWAZ KHATAK
ADVOCATES HIGH COURT



**BEFORE THE HON'BLE KHYBER PAKHTOON
KHWA SERVICE TRIBUNAL, PESHAWAR**

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AKBAR YOUSAF KHALIL
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ADVOCATES HIGH COURT

