


27.06.2023


1. Junior to counsel for the appellant present. Mr. Asad Ali Khan, learned Assistant Advocate General alongwith Burhanud Din, ASI for the respondents present.

2. Former requested for adjournment due to engagement of learned senior counsel for the appellant before the Hon'ble Peshawar High Court, Peshawar. Granted. To come up for arguments on 26.10.2023 before the D.B. Parcha Peshi given to the parties.

SCANNED
KPST
Peshawar

Kaleemullah


(Fareeha Paul)
Member (E)



(Rashida Bano)
Member (J)

21st March, 2023

Counsel for the appellant present. Mr. Fazal Shah Mohmand, Addl. Advocate General alongwith Wisal HC for the respondents present.

Reply/comments on behalf of the respondents not submitted. Learned AAG sought adjournment in order to submit reply/comments. Last opportunity granted. To come up for written reply/comments on 27.04.2023 before the S.B. Parcha Peshi given to the parties.

SCANNED
14/03/23
Peshawar



(Fareeha Paul)
Member(E)

27th April, 2023

Counsel for the appellant present. Mr. Fazal Shah, Addl. AG for the alongwith Burhanud Din, S.I (Legal) for the respondents present.

Reply/comments on behalf of the respondents received which is placed on file and a copy whereof handed over to learned counsel for the appellant. To come up for rejoinder, if any, and arguments on 27.06.2023 before the D.B. Parcha Peshi given to the parties.

SCANNED
KPST
Peshawar


(Fareeha Paul)
Member(E)

Fazle Subhan P.S

31.01.2023

Appellant present in person. Muhammad Adeel Butt learned Additional Advocate General for respondents present.

Written reply not submitted. Learned AAG requested for time to submit written reply. Adjourned. To come up for written reply/comments on 24.02.2023 before S.B.

SCANNED
KPST
Peshawar



(Rozina Rehman)
Member (J)

24th Feb. 2023

Counsel for the appellant present. . Mr, Umair Azam Khan, Addl. Advocate General alongwith Wisal Khan, H.C for the respondents present.

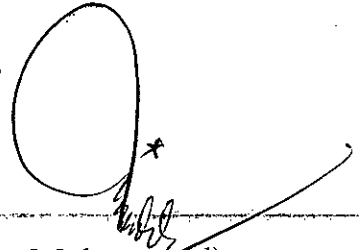
Reply/comments on behalf of the respondents not submitted. Learned AAG requested for further time, Last opportunity granted. To come up for written reply/comments on 21.03.2023 before the S.B

SCANNED
KPST
Peshawar



(Fareeha Paul)
Member(E)

Points raised need consideration. The appeal is admitted to regular hearing, subject to all just and legal objections. 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/comments. To come up for reply/comments before the S.B on 13.12.2022.


(Mian Muhammad)
Member (E)

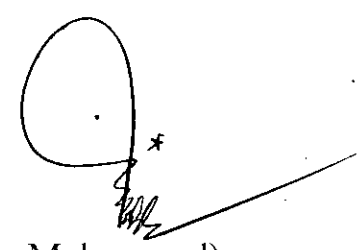
13.12.2022

Learned counsel for the appellant present. Mr.

Muhammad Riaz Khan Paindakhel, Assistant Advocate General
for the respondents present.

Reply/comments on behalf of respondents not submitted.

Learned Assistant Advocate General seeks time to contact the respondents for submission of reply/comments. To come up for reply/comments on 31.01.2023 before S.B.


(Mian Muhammad)
Member (E)

SCANNED
KP&T
Peshawar

SCANNED
KP&T
Peshawar

08.11.2022

Mr. Arbab Saiful Kamal, Advocate for the appellant present.

Preliminary arguments heard.

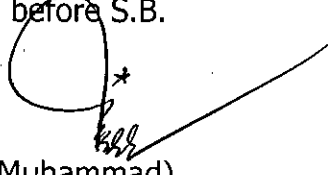
Learned counsel for the appellant contended that the appellant was appointed as Constable on 13.07.2009. He was proceeded against departmentally and awarded major penalty of dismissal from service on account of willful absence from duty vide order dated 12.07.2021. His departmental appeal against the impugned order was rejected vide appellate order dated 23.09.2021 whereafter he submitted revision petition under Rule 11-A of the Khyber Pakhtunkhwa Police Rules, 1975 and it was also declined on the ground "being time barred" vide order dated 26.01.2022 whereafter he filed the instant service appeal on 21.07.2022. When attention of the learned counsel for appellant was invited to the period of limitation because the revision petition was dismissed on 26.01.2022 and he filed the service appeal on 21.07.2022 i.e. after 06 months, learned counsel for the appellant argued that copy of the order on his revision petition dated 26.01.2022 was actually received to the appellant on 24.06.2022, the service appeal filed in the Service Tribunal is therefore, within time i.e. 30 days. Moreover, the time for submission of the service appeal has to be reckoned from the date of communication and in the instant case the last order on revision petition dated 26.01.2022 is very much established to have been duly mentioned by the appellant on face of it, on 24.06.2022. Learned counsel for the appellant also requested to allow him to submit application for condonation of delay which was also submitted during the course of arguments.

Rs-100/-
Appellant Deposited
Security & Process Fee

A. Saifullah
20/11/22

02.09.2022

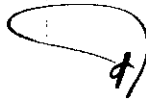
Learned counsel for the appellant present and requested for adjournment in order to further prepare the brief. Adjourned. To come up for preliminary hearing on 17.10.2022 before S.B.


(Mian Muhammad)
Member (E)

17.10.2022

Appellant present through counsel

He made a request for adjournment in order to prepare the brief. Adjourned. To come up for preliminary hearing on 08.11.2022 before S.B.

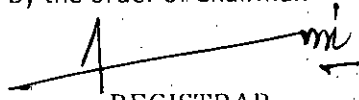
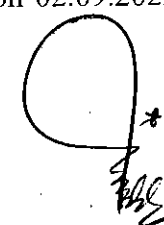

(Rozina Rehman)
Member (J)

Form- A

FORM OF ORDER SHEET

Court of _____

Case No.- 1137/2022

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	20/07/2022	<p>The appeal of Mr. Muhammad Rasheed Khan presented today by Mr. Saadullah Khan Marwat Advocate. It is fixed for preliminary hearing before Single Bench at Peshawar on 22.07.2022. Parcha peshi is given to the appellant/counsel.</p> <p>By the order of Chairman  REGISTRAR</p>
22.07.2022		<p>Learned counsel for the appellant present and requested for adjournment on the ground that he has not gone through the record. Adjourned. To come up for preliminary hearing on 02.09.2022 before S.B.</p> <p> (Mian Muhammad) Member (E)</p>

BEFORE THE KPK SERVICE TRIBUNAL PESHAWAR

S.A. No. 1137/2022

Muhammad Rasheed Khan

versus

DPO & Others

I N D E X

S. No.	Documents	Annex	P. No.
1.	Memo of Appeal		1-4
2.	Medical Receipts 21-4-2016 to 30-06-2021	"A"	5-17
3.	Seven days leave dated 10-03-2021	"B"	18
4.	Report for absence DD dated 18-03-2021	"C"	19
5.	Report of Admit in hospital, 22-03-21	"D"	20-21
6.	Charge Sheet dated 16-04-2021	"E"	22
7.	Reply to Charge Sheet dated 09-05-2021	"F"	23
8.	Final Show Cause Notice dated 14-06-21	"G"	24
9.	Reply to FSCN dated 18-06-2021	"H"	25
10.	Dismissal order dated 12-07-2021	"I"	26
11.	Representation dated 15-07-2022	"J"	27
12.	Rejection order dated 23-09-2021	"K"	28
13.	Revision Petition dated 13-01-2022	"L"	29
14.	Rejection order dated 26-01-2022	"M"	30

Appellant

Through



Saadullah Khan Marwat
Advocate

21-A, Nasir Mansion,
Shoba Bazaar, Peshawar
Ph: 0300-5872676.

Dated 20-07-2022

BEFORE KPK SERVICE TRIBUNAL PESHAWAR

S.A No. _____/2022

Muhammad Rasheed Khan
S/O Gul Badshah,
R/o Aba Khel, Lakki Marwat.
Ex-Constable No. 521.
Police Station, Dadiwala,
Lakki Marwat. Appellant

VERSUS

1. District Police Officer,
Lakki Marwat.
2. Regional Police Officer,
Bannu, Region Bannu.
3. Provincial Police Officer,
KP, Peshawar Respondents

⊕<=>⊕<=>⊕<=>⊕<=>⊕

**APPEAL U/S 4 OF SERVICE TRIBUNAL ACT, 1974
AGAINST OFFICE ORDER NO. 4476-78 DATED 12-
07-2021, OF R. NO. 01 WHEREBY APPELLANT WAS
DISMISSED FROM SERVICE ON ACCOUNT OF
ABSENCE OR OFFICE ORDER NO. 4369/EC DATED
23-09-2021 OF R. NO. 02 WHEREBY DEPARTMENTAL
APPEAL OF APPELLANT WAS REJECTED OR OFFICE
ORDER NO. 91/22 DATED 26-01-2022 OF R. NO. 03
WHEREBY REVISION PETITION OF APPELLANT WAS
REJECTED.**

⊕<=>⊕<=>⊕<=>⊕<=>⊕

Respectfully Sheweth:

1. That appellant was appointed as Constable on 13-07-2009 and since then served the department with devotion.

2. That during the course of service, appellant fell ill regarding mental disorder and examined from Consultant at D.I Khan on 21-04-2016. The said process of treatment was continued since then till 30-06-2021 as per Medical Receipts of various Consultants. (Copies as annex "A")
3. That during this period too appellant used to attend the office but Incharge of the Police Station Dadiwala directed him to have rest.
4. That on 10-03-2021, appellant was allowed seven (07) days leave for the purpose. (Copy as annex "B")
5. That on 18-03-2021, Daily Dairy was recorded, wherein appellant was shown absent from duty after expiry of 07 days leave. (Copy as annex "C")
6. That on 22-03-2021, subsequent Daily Dairy was recorded, where Mr. Abdul Muneer Khan ASHO submitted Admit Slip from the hospital of Islamabad wherein since 11-03-2021 till 30-06-2021 regarding Mind Case to the department. (Copy as annex "D")
7. That on 16-04-2021, R. No. 01 served appellant with Charge Sheet / Statement of allegation wherein some frivolous allegations were leveled against him. (Copy as annex "E")
8. That the said Charge Sheet was replied on 09-05-2021 and denied the allegations regarding mental dis-ability with further elaboration that his treatment is still in progress. (Copy as annex "F")
9. That perhaps enquiry into the matter was initiated but appellant was never associated with the same and thereafter R. No. 01 served him with Final Show Cause Notice on 14-06-2021 which was replied on 18-06-2021 at the aforesaid manner. (Copies as annex "G" & "H")
10. That on 12-07-2021, R. No. 01 dismissed appellant from service on the score of willful absence from duty. (Copy as annex "I")
11. That on 15-07-2021, appellant submitted departmental appeal before R. No. 02 for reinstatement in service which was rejected

on 23-09-2021 by mentioning the aforesaid punishment of R. No. 01. The said order was never served upon him. Yet on 10-01-2022 he received the same at personal level from the said office. (Copies as annex "J" & "K")

12. That on 13-01-2022, appellant submitted Revision Petition before R. No. 03 which was rejected on 26-01-2022 and as is evident, this order was never endorsed to him. The same was received from the office of R. No. 01 on 24-06-2022 at personal level. (Copies as annex "L" & "M")

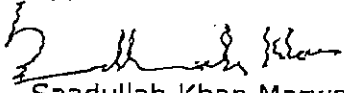
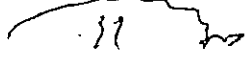
Hence this appeal, inter alia, on the following grounds:

GROUND S:

- a. That as is evident from Daily Dairy dated 22-03-2021, Madad Moharir of Police Station Dadiwala disclosed mental dis-ability of appellant to the respondents, so they were well in knowledge about the illness of appellant who was admitted in Mind Case Rehab Centre, Islamabad.
- b. That in the Charge Sheet, Statement of Allegation and Final Show Cause Notice, appellant was attributed beating of Line Officer, followed by referring him to Standing Medical Board but he was never informed about the appearance before the Board / Standing Invalidation Committee.
- c. That no enquiry, whatsoever, was conducted in the matter. Neither any statement of any witness(s) or any concerned was recorded in presence of appellant nor he was afforded opportunity of cross examination.
- d. That in the Charge Sheet and FSCN, no charge of absence from duty was attributed to appellant. He was not dismissed from service on the said charges but otherwise.
- e. That even absence from service, if any, was neither willful nor intentional but at the same time, he was ill admitted in Hospital at Islamabad, so the punishment was not in line with the charges.

- f. That no personal hearing was afforded to appellant, being mandatory.
- g. That all the proceedings were based on malafide regarding the subject matter.

It is, therefore, most humbly prayed that on acceptance of the appeal, order dated 12-07-2021, 23-09-2021 and 26-01-2022 of the respondents be set aside and appellant be reinstated in service with all consequential benefits, with such other relief as may be deemed proper and just in circumstances of the case.

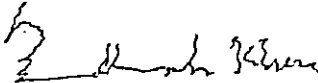
Appellant
Through 
Saadullah Khan Marwat

Arbab Saiful Kamal

Dated: 20-07-2022

Amjad Nawaz
Advocates

CERTIFICATE:

As per instructions of my client, no such like Service Appeal has earlier been filed by the appellant before this Hon'ble Tribunal.


Advocate

AFFIDAVIT

I, Muhammad Rasheed Khan S/O Gul Badshah, R/o Aba Khel, Lakki Marwat. Ex-Constable No. 521. Police Station, Dadiwala, Lakki Marwat (appellant), do hereby solemnly affirm and declare that contents of **Service Appeal** are true and correct to the best of my knowledge and belief.

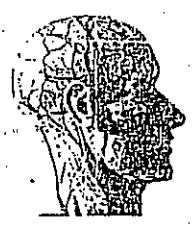

DEPONENT

A

5




کلینک مارکیٹ، بالقابل حق نواز پارک
سرکلر روڈ، ڈیرہ اسماعیل خان



دالظہر خورشید احمد

ایم بی بی ایس (پاک) ایم ڈی ایس (پاک)
سرکلیٹ اسٹریٹ فٹیاں چان۔ سیوڑی پونڈوش (گولیا)

710229 کلینک 

PMDC Reg No-715-N

ماہر نفسیات و دماغی امراض اور
سرور، مرگی، جنسیات، غایات

21 APR 2016
21 APR 2016

تاریخ

حوالہ نمبر

عبدالمجید شہزادہ - قمبر شہر (قائ) - سی مروت

نام

Clinical Record



NOT VALID FOR COURTS

still using
TAC

200 Pils
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Tab Azivir
1 + 1

Tafrenid 2
1 + 1

Am 2
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377 Tafsh'vi?
" "

3

جمعتہ المبارک علی ہسپتال بھکر

وہابی میں خود تبدیلی یا بند نہ کریں

16-5-16

Brig (R)

Dr. Abdul Ghaffar

Professor of Neurosurgery

Ex. Advisor Pak Armed Forces

Hearts International Hospital

Rawalpindi

بریڈیئر (ر)

ڈاکٹر عبدالغفار

پروفیسر آف نیوروسرجری

ایکس ایڈوائزر پاک آرمڈ فورسز

ہارٹس انٹرنیشنل ہسپتال راولپنڈی

Name m. Rashid Age _____

Date 16/5/16

Not Valid For Court

1st Backache

Pain right leg

Sciatica

Tab. Bexim

Rest only

196 main mobil
10/10

mri 4 spine

(main)

Cap. 3 of 987

Brig (R)
ABDUL GHAFFAR
Neuro Surgeon
Hearts International Hospital
Rawalpindi

For Appt: PA Farooq 0301-5374003



کلینک مارکیٹ، بالمقابل حق نواز پارک
سرگرمی ڈویژن، ڈیرہ اسماعیل خان



ڈاکٹر خورشید احمد

ایم بی بی ایس (پاک) ایم سی پی ایس (پاک)
سرنیکٹ امراض نفسیہ پاکستان - مسوری ہینڈل (کولمبیا)

کلینک: 710229



PMDC Reg No. 715-N

ماہر نفسیات و دماغی امراض
سر درد، ہرگی، ہنسیات، نشیات

20 NOV 2017 تاریخ

توالیہ

محمد رشید

نام

Clinical Record



NOT VALID FOR COURTS

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TAL ALB albino

Kump

Tal Rucup 30

Parv 20

Advised xantha
from right side
for one month
ref 20/11/2017

Dr. Muhammad

20 جماعت المبارک علی ہسپتال جگر پروژہ انوار ناظم

روانی میں خود تہذیبی بندوبست

KHALIFA GUL NAWAZ TEACHING HOSPITAL, BANNU

OUT PATIENT DEPARTMENT

R
Y
G

Name _____ Age _____ Sex _____

Address _____

Hospital Yearly No _____ Dated _____

Pt. Status.	R/-
Pt. Hist.	B
Clinical Examination	Plating 3/200
Provisional Diagnosis	To Nawa
Investigations Required	Subv...

2

8

57

(Not Valid For Court)

28-3-18

SAYED PSYCHIATRIC CLINIC

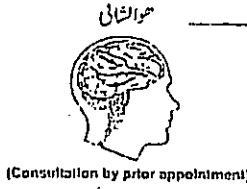
PROFESSOR

Dr. Sayed Mohammad Sultan

M.R.C. (Psych) England F.R.C. (Psycho)
Psychiatry & Family Therapist
Chairman Deptt. Of Psychiatry K.T.H.
DEAN (Faculty of Psychiatry)
College of Physicians & Surgeons Pakistan.

Ex President SAARC Psychiatric Federation
Ex President Elect Pakistan Psychiatric Society-

Khyber Teaching Hospital Peshawar. &
Govt. Mental Hospital Peshawar.



Dr. Muhammad Ali Sultan

M.B.D.S., M.C.P.S

Miss. Kulsoom Bangash

M.Sc, PMDCP
M. Phil (Psychology) Psychologist

Miss. Hafsa Shah Psychologist

M. Sc. (Psychology) Psychotherapist

28/3/2018 تاریخ

محمد رفیق

محمد رفیق

1) Pat Login song

5/1 x 1 + 1

2) Pat Zalam song

آیات 1 x 1
آیات 2 x 1

3) Pat Online song

آیات 1 x 1

4)

باسم



مشرف

روفسر ڈاکٹر سید محمد سلطان

سید سائیکیاٹرک کلینک غفارا آباد بالہ مقابل گل حاجی پلازہ تہہ کال یونیورسٹی روڈ پشاور

1st visit hrs

Age 28 yr

To 2 1/2
PO

Clin

Mass 10
Sclerotic

Bundus a head and

Epigastric discomfort

F-9/6

irritability

Hi with

paronychia

0 0 0

flaming spots

0 0 0

S. st. dec

↓
s
e

A

BP

160/80

Clin

Dist

121

Pulse

78 min

0 0 0
R_s

acid

0 0 0

Temp

98.6
normal

0 0 0
0 0 0

Di, Dyspepsia, P.H.C.

Job Pali

14-4-88

General M. Shuaib Memorial Psychiatric Clinic

NOT FOR COURT

CLINIC:

House No.327-A, Peshawar Road,
Lane No.4, Westridge I,
Rawalpindi.
Phone: 051-5464580
Mobile: 0300-8503671
Email: drsajjadh@hotmail.com

دکتر سجاد حسین

(مرکز)

DR. SAJJAD HUSSAIN

M.B.B.S., (Pb) R.M.P (P.M.D.C)

Psychiatrist

Ex-House Officer Psychiatry Deptt.

R.G.H. Rawalpindi.

Ex-Assistant to Gen. M. Shuaib

43571

Carbamazepine

Tablet Carbamazepine 500mg

1-1-11

Tablet Carbamazepine 250mg

2-2-12

Tablet Carbamazepine 500mg

1-1-11

Dr. Sajjad Hussain

1/11/11 start

Dr. Sajjad Hussain

1/11/11 start

Sajjad Hussain
14/4/18

21/4

Ad.

MRI Brain

اوقات کار

شام 3 تا 5 بجے

جمعرات و جمعہ چھٹی

327-A، پشاور روڈ، لین نمبر 4

ویسٹریج، راولپنڈی

تھریڈنگ

ڈاکٹر علی احسان مفتی

NOT VALID FOR COURT PROCEEDINGS

پروفیسر ڈاکٹر خالد مفتی

ایم، بی، بی، ایس، ایف، سی، پی ایس (پاک)
کنسلٹنٹ سائیکاٹرسٹ
میڈیکل ڈائریکٹر عبادت ہسپتال پشاور

ایف، آر، سی سائیک (بوسے)
چیف ایگزیکٹو: عبادت ہسپتال پشاور
انٹرنیشنل ہسپتال، پشاور نیو شپ آف امریکن سائیکاٹریک ایسوسی ایشن
ڈیپلوما (آئی او نیو شپ) (پنجاب)

RVIDC: 13097AN

RVIDC: 13097AN

Name: محمد زین الدین Age: 29 Sex: M Status: M B.P. _____ Date: 24/7/19

PT. ID _____ Temp _____ Address: گلی 10

AP

Relic
since 2016

uncertained behavior

Rx
Lithium
Valium
EPM 9/17
admit x
bd on
Roanar

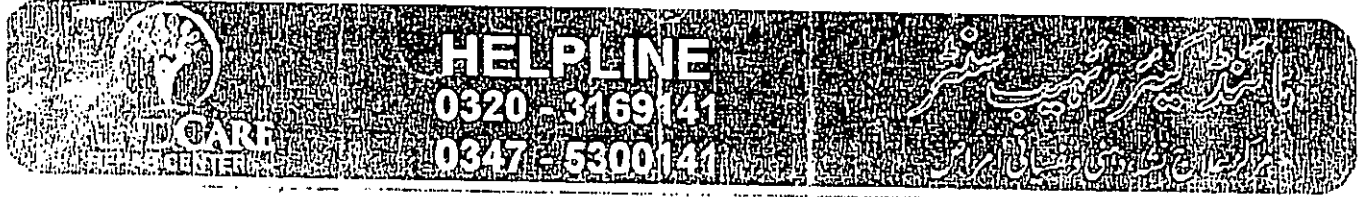
دوبارہ معائنہ ماہ کے بعد
نوٹ: ڈاکٹر کے مشورے کے بغیر دوائی بند نہ کریں

کلینکل سائیکا لو جسٹ
خاستہ نو برین ایم ایس سی (سائیکالوجی)
ڈپلومان کلینکل سائیکالوجی

ماہر امراض دماغی نفسیات، ڈیپریشن، اعصاب، ناشیات و جنیات، سر درد اور مرگی

عبادت ہسپتال EE-32 نثر آباد چوک، پشاور فون: 091-2561063

ای میل: ibalathospital@yahoo.com



Addict Mental Health Care & Psychological Treatment Centre

Initial Assessment Report

Patient's Name: M. Rasheed Khan

Age: 32 years

Date of Admission: 6-12-2021

Occupation: Policeman

Marital status: Married

Presenting Complaints:

- Depressive mood
- Low self-esteem
- Insomnia
- Poor insight
- Lack of concentration
- Catatonic behavior
- Disorganized speech
- Irrational speech
- Weeping spells
- Auditory hallucinations
- Poor hygiene

Initial diagnoses:

Patient is admitted here for the treatment of his mental illness. The initial diagnosis is Cannabis Induced Psychosis.



HELPLINE
0320 - 3169141
0347 - 5300141

ماہر کیمیا اور نفسیاتی امراض
مرکز علاج نفسیاتی امراض

Addict Mental Health Care & Psychological Treatment Centre

His brain functioning is impaired. His behavior is irrational and Psychotic. He has depressed mood and irrational speech. His vision is blurred and during sessions his speech is disorganized and has auditory hallucinations.

MEDICATIONS:

Following medicines are given to the patient;

TAB----- Epival 250mg (BD)
TAB----- Kenipro 5mg (BD)
TAB----- Dosik 5mg (BD)
TAB----- Quasel 100mg (BD)

Advice by Psychologist

Patient needs proper indoor treatment that includes timely medication and counseling to change his irrational behavior.

For recovery process he needs five-six months treatment course that will be divided into two parts.

- Medication
- Rehabilitation

Therapies and counseling sessions will be conducted with patient to make him relax and to make his mental state stable. For more improvement and to maintain his stability he needs follow up sessions according to assigned dates.

Signed and Prepared by:

Psychiatrist
Dr. Ashraf Sohan
MBBS, FCPS, FICS, FCPs PSYCH
Consultant Psychiatrist
Mind Care Rehab Center

Medical Officer

DR. AHMED MUNEER
MBBS, MCh, FICS
Assistant professor of psychiatry
Mind Care Rehab Center

Psychologist

KALSOOM KHAN
BS Hons in Clinical Psychology
Mind Care Rehab Center

Address Ghouri town phase 5/4b islamabad. Ph: 0347-5300141

www.mindcarerehab.com, info@mindcarerehab.com, ceo@mindcarerehab.com



S.No: 11221

TO WHOM IT MAY CONCERN

It has been stated that M. RASHEED KHAN S/O GULBADSHAH Khan,
CNIC NO: 110201-0486985-5 has been admitted in MIND CARE REHAB
CENTRE Ghouri town phase 5/4B Islamabad on the date 11.03.2021 to 30-6-
2021.

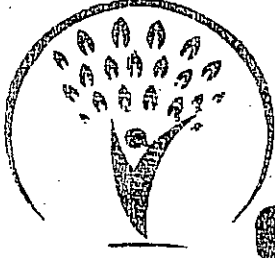
He has been diagnosed with Bipolar Disorder.

Psychiatrist
 Dr. Adnan Sohail
 MBBS, MChD, FRCPS, FRCR
 Consultant
 Mind Care Centre

Psychologist
 Mudaddas Faridi
 Clinical Psychologist
 MSc, PCCP

16

6-3-22



HELPLINE
0320-3169141
0347-5300141

مانڈ کیریئر ہسپتال سنٹر
مرکز علاج نشہ و ذہنی نفسیاتی امراض

Addict Mental Health Care & Psychological Treatment Centre

اشرف خان

6-1-2022

IHC
Psychology

Job = Dadi K Samaj

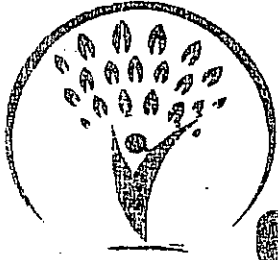
Job = Revival & Society

Job = Karampur 02-02

Job = Qadiriya 100 day

Handwritten notes and signatures at the bottom left.

Dr. Adnan Sohail
MBBS, M/PS PSYCH, FCPS PSYCH
Consultant Psychiatrist
Mind Care Rehab Centre



HELPLINE
0320-3169141
0347-5300141

ماہند کیمبرلہ ہسپتال سنٹر
مرکز علاج نشہ و ذہنی نفسیاتی امراض

Addict Mental Health Care & Psychological Treatment Centre

M. Rasheed

Tab =

Dosri/K 50

Pr - 2

Tab =

Idempal 50

Tab =

Pr - 2
Prival 250

Tab =

Pr - 2
Gessil 100 mg

Pr - 2

Dr. Adrian Sazali
MBBS, MCPS / PSYCH, FCPS PSYCH
Consultant Psychiatrist
Mind Care Rehab Centre

10-3-21

کھانہ دہلی

198

B

صوبہ دہلی حکومت

تعداد 18 روزانہ 10⁰³/₂₁

روانگی رخصت
چیمبر اللہ خان MHC حوضہ 10⁰³/₂₁ وقت 16:30 بجے اس وقت کنستبل رشید خان
مخبر احمدی منظرہ رشیدہ اعجازی بالاسات لوجیا رخصت اتنا قدرہ مسکن و دروہانہ

ہدایت خاصہ لوجیا

صاحب عالی

تخلیہ لاطاق رخصت

P. D. Wal

M. M. P. D. Wal

22-03-21

ہونٹوں کی کمی

تعمیراتی روزنامہ 18⁵³/₅₂

بقا کے ذریعے

پروٹیکشن کمیٹی کے اجلاس میں 18⁵³/₅₂ کے تحت 7.00 بجے سے ہونٹوں کی کمی اور
 تعمیراتی روزنامہ 18⁵³/₅₂ کے تحت (7) کے اجلاس میں آج تعمیراتی کمیٹی کے
 ذریعہ ہونٹوں کی کمی اور تعمیراتی روزنامہ 18⁵³/₅₂ کے تحت ہونٹوں کی کمی اور
 تعمیراتی روزنامہ 18⁵³/₅₂ کے تحت ہونٹوں کی کمی اور تعمیراتی روزنامہ 18⁵³/₅₂ کے تحت
 میں ارسال ہوئی

صاحب عالی
 نیشنل بینک انٹرنیشنل
 mm P.D. Wala
 22-3-53

D

مبلغ لکھو

نمبر 25 روزنامہ 22-3-21

مقامی اخبار

رپورٹ: جی آر شیخ ایم پی اے نے 22 مارچ 2021 کو صبح 17:45 بجے خیریت سے گھر پہنچے۔
 رپورٹ: جی آر شیخ ایم پی اے کو منظر پیش کیا گیا، جہاں انھوں نے کہا کہ وہ 21 مارچ کو صبح
 3:10 بجے کو کئی ڈراموں کے ساتھ گھر پہنچے اور ان کے ساتھ 31 روزنامے
 21 مارچ 2021 کو صبح 17:45 بجے خیریت سے گھر پہنچے اور ان کے ساتھ 31 روزنامے
 جی آر شیخ ایم پی اے نے کہا کہ ان کے ساتھ 31 روزنامے
 ساتھ ساتھ ان کے ساتھ 31 روزنامے
 ساتھ ساتھ ان کے ساتھ 31 روزنامے
 ساتھ ساتھ ان کے ساتھ 31 روزنامے

مقامی اخبار

مقامی اخبار

M. P. D. Wala

22-03-21

Sir Forwarded

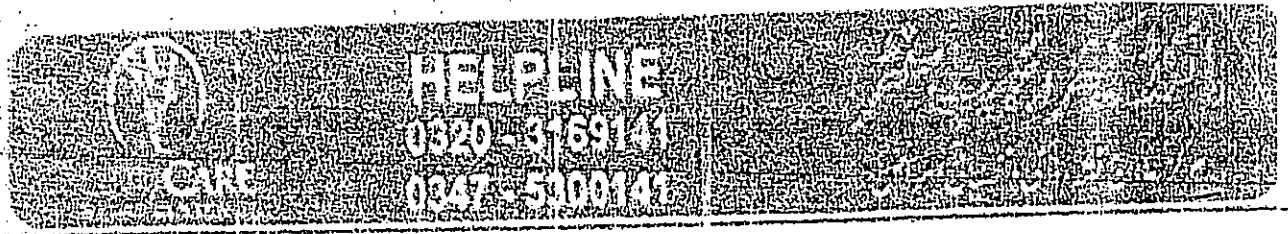
مقامی اخبار

M. P. D. Wala

0110

21

11-3-21 to 30-6-21



TO WHOM IT MAY CONCERN

MR. RASHID KHAN NOGILBADSHAH KIBI

CNIC NO: 110261-0486985-5 was admitted in MIND CARE REHAB

CENTRE Group town phase 5-B Islamabad on the date 11.03.2021 to 30-6-2021

He has been diagnosed with Bipolar Disorder.

Psychologist
 Address: Mind Care Rehab
 Group Town Phase 5-B
 Islamabad

Psychologist

Muhammad Hanif
 Mind Care Rehab
 Islamabad


16-4-21

CHARGE SHEET UNDER NWFP POLICE RULES 1975.

I, Imran Khan DSP, District Police Officer, Lakki Marwat as competent authority hereby charge you Constable Abdur Rashid No.521 currently posted at PS Dadiwala as follow:-

1. That earlier you bitten Lines Officer and your colleagues on 24.01.2020 & 26.01.2020. Upon this attitude you were recommended to Standing Medical Board for medical examination but you intentionally not appeared before the Standing Medical Board/ Standing Invalidating Committee.
2. That you were transferred/posted for multiple duties but you failed to perform your duty.
3. That you putting up false excuses to evade from lawful duty.
4. That during posting at PS Dadiwala you use abuse language with people and Police Personnel and also irritates unnecessarily applicants comes to PS Dadiwala vide DD No.30 dated 09.04.2021 PS Dadiwala.
5. That all speaks of gross misconduct on your part and liable to be punished under Police Rule-1975.
6. By reason of the above, you appear to be guilty of misconduct under section - 02 (iii) of the KP Police Rules, 1975 and has rendered yourself liable to all or any of the penalties as specified in section - 04 (i) and & b of the said rules.
7. You are therefore directed to submit your written defense within seven days (7) of the receipt of this Charge Sheet to the Enquiry Officer.
8. Your written defense 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.
9. Intimate whether you desired to be heard in persons.

No. 2181 / Dated Lakki Marwat the 16/4 / 2021.


District Police Officer
Lakki Marwat

OFFICE OF THE DISTRICT POLICE OFFICER, LAKKI MARWAT.No. 3585 /SRC.Date 14 /06/2021.**FINAL SHOW CAUSE NOTICE.**


WHEREAS, you Constable Abdur Rashid No.521 while posted at PS Dadiwala was found to indulge in the following allegations:-

1. That earlier you bitten Lines Officer and your colleagues on 24.01.2020 & 26.01.2020. Upon this attitude you were recommended to Standing Medical Board for medical examination but you intentionally not appeared before the Standing Medical Board/ Standing Invalidating Committee.
2. That you were transferred/posted for multiple duties but you failed to perform your duty.
3. That you putting up false excuses to evade from lawful duty.
4. That during posting at PS Dadiwala you use abuse language with people and Police Personnel and also irritates unnecessarily applicants comes to PS Dadiwala vide DD No.30 dated 09.04.2021 PS Dadiwala.
5. That this all speaks of gross misconduct on your part and liable to be punished under Police Rule-1975.

in this regard, charge sheet based upon summary of allegations were served upon you and DSP/Hqr: Lakki Marwat was appointed as Inquiry Officer. The Inquiry Officer after conducting proper departmental enquiry submitted his finding report wherein the allegations leveled against you were proved and also recommended you for Dismissal from service.

NOW THEREFORE, I, Imran Khan PSP, District Police Officer Lakki Marwat call upon you through this Final Show Cause Notice within seven (07) days of the receipt of this Final Show Notice that as to why you should not be awarded a major punishment including dismissal from Service as provided under Police Rules, 1975. Also state whether you want to be heard in person.

In case your reply is not received with in stipulated period without sufficient reasons, it shall be presumed that you have no defense to offer and the undersigned would be at liberty to pass on ex-parte action against you.


District Police Officer
Lakki Marwat

جناب عالی!

بحوالہ مشمولہ فائل شوکار نوٹس نمبر SRC/3585 مورخہ 14.06.2021 بجاریہ DPO صاحب کی مروت سائل ذیل گزارشات
بشکل جواب عرض کرنا چاہتا ہوں:-

یہ کہ میں نے قبل ازیں چارج شیٹ / سری آف ایکشن پر جو جواب دیا ہے وہ مفصل اور قابل ملاحظہ ہے جو نگہبانہ انکوآئری کے ساتھ
لف ہیں۔

یہ کہ میں کافی عرصہ سائل 2016ء سے ذہنی بیماری میں مبتلا ہوں اور 2016ء سے تاحال علاج معالجہ جاری ہے اور باقاعدگی کے
ساتھ منسلک نوٹوشیٹ میڈیکل کاغذات کے ورثی میں دالی استعمال کرتا ہوں۔

یہ کہ تمام تراکوآئری یکطرفہ طور پر عمل میں لائی گئی ہے۔

یہ کہ گواہان پر جرح کرنے کا موقع نہیں دیا گیا ہے جو میرا قانونی فائڈنگ حق بنتا تھا۔ علاوہ ازیں فائل شوکار نوٹس کے ساتھ انکوآئری
آفیسر صاحب کا رپورٹ کا سائل حقدار تھا جو یہ حق بھی نہ دیا گیا۔

یہ کہ پولیس رولز باب نمبر 16 فقرہ 24 کے رو سے میں جملہ گواہان کے تصدیق شدہ بیانات کے نقول دینے کا حقدار تھا۔ جو اس حق سے
محروم رکھا گیا ہے۔ جو انفارمیشن ایکٹ الزام علیہ کو نقول دینے کا حقدار ٹھہراتا ہے نقول کا نہ دینا قانونی تقاضوں کی بھی ہے۔

یہ کہ قانونی تقاضوں باب 8 فقرہ نمبر 18 الف ضیمرب کی رو سے سائل میڈیکل کاغذات کی رو سے لائٹ ڈیوٹی کا حقدار ہوں جو
تاحال محروم ہوں۔

عالیجاوا! سائل کہ تیرہ دن سائل ملازمت کا شروع ہے۔ اس خیال ہذا ہے صرف اور صرف اس تنخواہ پر ہم اہل خانہ کا گزارہ کرتے رہا ہے۔ مجاز
اتھارٹی میرے غربت، بیماری اور اہل خانہ کے بحرویات کو مد نظر رکھ کر میرے جواب بہ سطح اسٹند عا پر غور شاہانہ فرما کر فائل شوکار نوٹس کے بلا مزید
کارروائی کے داخل دفتر کرنے اور مجھے معاف کرنے کا فائل حکم صادر فرمائیں۔ کہ اللہ پاک نے رونے زمین کے کسی بھی حصہ پر معافی / صلہ رحمت
پر پابندی عائد نہیں کی ہے بے تصور ہوں اور اپنے بے تصور کی لحاظ سے ہمہ قانونی حقوق محفوظ رکھتا ہوں۔

عنایت، ماتحت پروری ہوگی

مورخہ: 18.06.2021

الغاضب

محمد سعید عرفان

سائل کنستبل عبدالرشید نمبر 521 متعینہ تھانہ ڈڈوالہ

I

24

12-7-21

ORDER

E:\All Office\SR\Charge Sheet Order 2- File 2018\afers_ala\Bannu

My this order will dispose off the departmental enquiry initiated against Constable Abdul Rashid No.521 while posted at PS Dadiwala was found to indulge in the following allegations:-

1. That earlier he bitten Lines Officer and his colleagues on 24.01.2020 & 26.01.2020. Upon this attitude he was recommended to Standing Medical Board for medical examination but he intentionally not appeared before the Standing Medical Board/ Standing Invalidating Committee.
2. That he was transferred/posted for multiple duties but he failed to perform his duty.
3. That he putting up false excuses to evade from lawful duty.
4. That during posting at PS Dadiwala he use abuse language with people and Police Personnel and also irritates unnecessarily applicants comes to PS Dadiwala vide DD No.30 dated 09.04.2021 PS Dadiwala.
5. That this all speaks gross misconduct on his part and make him liable to be punished under Police Rules-1975.

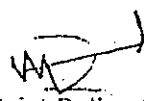
Proper charge sheet on based upon summary of allegations were served upon him and DSP/Hqrs: Lakki Marwat was appointed as Enquiry Officer. The enquiry officer after conducting proper departmental enquiry submitted finding report wherein the allegations leveled against him were proved without any doubt of shadow and also recommended for dismissal from service. He was served with final show cause notes to this effect. His reply to the final show cause notice was perused and also found unsatisfactory. He was provided full opportunity for person hearing in orderly room on dated 10.07.2021, where he offered no cogent reasons to prove his innocence.

Therefore, I Imran Khan PSP, District Police Officer, Lakki Marwat exercise of the power vested in me under Police Rules-1975, he is hereby dismissed from service for willful absence and faking illness with immediate effect. He is directed to deposit all the Govt: articles allotted to him to the concerned branches.

OB No. 420 1

Dated: 12/07/2021.

No. 4476-78 / Dated Lakki Marwat the 12-7/2021.


District Police Officer,
Lakki Marwat

Copy of above is submitted for favour of information to:-

1. The Regional Police Officer, Bannu Region, Bannu
2. EC, PO, Reader for necessary action.

درخواست بنام آر پی او (RPO) صاحب بنوں ریجن بنوں

ایڈیل برائے بحالی بر ملازمت از تاریخ باخاگی سے بحوالہ پولیس رول نمبر 14-1975، باب 16 فقرہ 29، بسط ایڈیل

بحوالہ مشمول حکم جناب DPO صاحب کی مروت جسکی رو سے مجھے ملازمت سے برخاست کیا گیا ہے۔ سائل بسط ایڈیل ذیل گزارشات عرض کرنا چاہتا ہوں؛
یہ کہ تمام ہڑاکو اتزنی یکطرفہ عمل میں لائی گئی ہے۔

یہ کہ گواہان پر جرح کا موقع نہ دیا گیا ہے جو کہ میرا قانونی حق بنتا ہے۔

یہ کہ پولیس رول باب 16 فقرہ 24 کی رو سے سائل جمع گواہان کے بیانات تصدیق شدہ کا حقدار تھا جو اس حق سے محروم رکھا گیا ہے۔

یہ کہ مشمولہ نوٹیفکیشن میڈیکل کاغذات کو نظر انداز کیا گیا ہے اور رول باب 8 فقرہ 18 الف 8 میں جابہ تعلقین کرتا ہے۔ کہ آفسر صاحب متعلقہ میڈیکل کاغذات کو
خصوصی نوچ دے گا اور نظر انداز کرنے کی صورت میں یہ انصاف کے تقاضوں کے منافی ہوگا۔

یہ کہ سائل 13 سال ملازمت کا شروع ہو ہے جو کہ لمبی ملازمت کے زمرے میں آتا ہے۔ سائل کا کنبہ مجھ سمیت اہلیہ (اہل و عیال) 15 افراد پر مشتمل ہے اور
صرف اتنی تنخواہ کے زریعے خرچ پورا کر رہے تھے۔ برخاست ہونے پر سائل کی تنخواہ بند ہے اور اچیرن زندگی گزارنے کا سلسلہ مجھ سمیت میرے کنبے کا شروع ہے۔
یہ کہ بیماری اور صحت اللہ تعالیٰ کے قبضہ قدرت میں ہے۔ اللہ تعالیٰ کی طرف سے مجھے جو بیماری دی گئی ہے اس بیماری کی وجہ سے شدید کرب میں مبتلا ہوں اور نوکری
سے برخاست ہونے پر میری بیماری اور پریشانیوں میں مزید اضافہ ہوا ہے۔

الی!

میرے بیماری اسے تصدیق کو مد نظر رکھتے ہوئے DPO کے حکم کو کا اہم قرار دے کر تاریخ باخاگی سے ملازمت پر بحال کر کے میری ایڈیل کو منظور کیا جائے کیونکہ اس
بیماری اور ملازمت سے برخاستگی کی وجہ سے میں جس اذیت / تکلیف / پریشانی میں مبتلا ہوں اس کا علم صرف میں اللہ پاک کو اور سائل کو ہے۔ بعض دفعہ سائل پر
ایسا وقت بھی آتا ہے کہ دماغ بالکل کام کرنا چھوڑ دیتا ہے

لہذا آپ صاحبان میرے بیماری / غربت / تنگدستی کو مد نظر رکھتے ہوئے اپنی عقل سلیم کی رو سے میرے ایڈیل پر ہمدردانہ و شہانہ فرما کر معاف کرنے کا ایک موقع
عمایت فرمائیں کیونکہ اللہ تعالیٰ نے روئے زمین کے کسی بھی حصے پر مہمانی / صلہ رحمی پر پابندی عائد نہیں کی ہے۔ جبکہ حق پیشی محفوظ رکھتا ہوں۔

عمایت و ماتحت پروری ہوگی

محمد رشید خان
العبادین

سائل برخاست شدہ کنٹریبل محمد رشید خان 521 ولدہ سابقہ ASI (مہر خرم) گل بادشاہ

نڈا اسماعیل خیل سکندو ڈاکخانہ باخاگی تحصیل بسط ایڈیل کی مروت

قومی شناختی کارڈ نمبر: 5-86985-0486985-11201

موبائل نمبر: 0342-7536974

POLICE DEPARTMENT

BANNU REGION

ORDER

My this order will dispose off departmental appeal, preferred by Ex-Constable Abdul Rashid No.521 of District Police Lakki Marwat, wherein, he has prayed for setting aside the order of major punishment of "dismissal from service", imposed upon him by DPO Lakki Marwat, vide OB No.420 dated 12.07.2021 for committing the following misconduct:-

- That earlier the appellant beaten Lines Officer and his colleagues on 24.01.2020 and 26.01.2020. Upon this attitude he was recommended to Standing Medical Board for medical examination but he intentionally not appeared before the Standing Medical Board/Standing Invalidating Committee.
- That he was transferred/posted for multiple duties but he failed to perform his duties.
- That he putting up false excuses to evade from lawful duty.
- That during posting at PS Dadiwala, he use abusive language with people and police personnel and also irritates unnecessarily applicants comes to PS Dadiwala vide DD No.30 dated 09.04.2021 PS Dadiwala.

Service record, inquiry file of the appellant and comments received from DPO Lakki Marwat were perused. The appellant was also heard in person in orderly room held on 15.09.2021. The appellant is not fit to be retained in an organization like police which is fairly demanding and requires mental physical diligence and obedience to lawful command. Given the health condition, if the appellant suffering from mental ailment he could be a threat to himself and would pose serious danger to his fellow officers. No interference is required and the impugned order of the DPO Lakki Marwat is maintained.

Therefore, I, Sajid Ali Khan, Regional Police Officer, Bannu Region Bannu, in exercise of the powers vested in me under Khyber Pakhtunkhwa Police Rules, 1975 (with amendments 2014) hereby file his appeal and endorse the punishment awarded to him by DPO Lakki Marwat.

ORDER ANNOUNCED

(SAJID ALI KHAN) PSP
Regional Police Officer,
Bannu Region, Bannu

No. 4389 /EC, dated Bannu the 23/09/2021

Copy to District Police Officer, Lakki Marwat for information and n/action w/r to his office letter No.4932/EC dated 02.08.2021 along with complete service record for record in office which may be acknowledged please.

(SAJID ALI KHAN) PSP
Regional Police Officer,
Bannu Region, Bannu

رحم درخواست

بخدمت جناب پرائیویٹ پولیس آفیسر (IGP) صاحب خیبر پختونخواہ CPO پشاور

عنوان: رحم درخواست برائے بحالی بر ملازمت از تاریخ بر خاستگی سے

جناب عالی! سائل سبط خرم درخواست و مشورہ کا نڈاٹ میڈیکل وغیرہ کی روشنی میں ذیل گزارشات عرض کرنا چاہتا ہے۔ جو احکام RPO صاحب بنوں جین میں کی اپیل کو فائل کر کے لف حکم DPO صاحب کی مروت جس کی رو سے مجھے برخاست کیا تھا بدستور بحال رکھا۔ ہر دو احکام لف ہیں۔

1: یہ کہ مجھے تمام تر قانونی حقوق سے محروم رکھا اور مفروضوں پر مبنی یکطرفہ کارروائی جس میں گواہان پر جرح کرنے کا حق نہ دیا گیا جو میرا قانونی حق بنتا تھا اور تمام تر یکطرفہ انگریزی سے منبے تصور کو ہوائی اور مفروضوں پر مبنی الزامات کے تحت تصور دار گردانہ گیا اور مجھ پر مہفت میں خواہ مخواہ خوب کچڑا چلا گیا۔

2: پولیس رول باب 8 فقرہ 18 الف ضمیمہ یہ تلقین کرتا ہے کہ مجاز اتھارٹی متعلقہ میڈیکل کاغذات کو خصوصی توجہ دینا۔ اور میڈیکل کاغذات کے منظور کرنے کی ہر ممکن کوشش کرے گا۔ اور نقصان کے تقاضے بھی یہ تلقین کرتا ہے کہ ہر جاندار کے روزمرہ معمولات کا خاص خیال رکھا جائے گا۔ لیکن ناقابل فہم امر یہ ہے کہ مجھے کیوں اس سطح پر رعایت دینے سے محروم رکھا گیا۔

3: یہ کہ اگر انسانی بنیادی حقوق کے آئینے میں دیکھا جائے کہ میرے لیے ملازمت 13 سال و میرے غربت و عیال داری کو کیوں نظر انداز کیا گیا۔ اگر انسانی بنیادی حقوق کے نامے مجاز اتھارٹی ملازمت پر بحال کرتے تو مجھ سمیت میرے اہل و عیال و پانچ افراد پر مشتمل کنبہ و میرے ضیعت العمر والدہ ہم سب پر مجاز اتھارٹی کا احسان عظیم ہوتا اور ہم تمام کو ان مشکلات و پریشانیوں سے نجات ملتی۔

4: یہ کہ پولیس رول باب 16 فقرہ 24 کی رو سے گواہان کے تصدیق شدہ نفلوں کا میں حقدار تھا۔ لیکن اس حق سے سراسر محروم رکھنے کے ساتھ ساتھ انکو انگریزی انفر کے ٹائیکنگ کارپورٹ بھی نہ دیا گیا جو میرا بنیادی حق بنتا ہے۔ جب کہ انفارمیشن ایکٹ کہ ایک بین الاقوامی قانون ہے کہ ہر ماسوائے ایسی انفارمیشن جو ملک کے نقصان میں ہو کہ علاوہ ہر قسم کا انفارمیشن متعلقہ شخص کو دیا جائے گا۔ روئے زمین کا کوئی قانون ہوائی الزامات اور مفروضوں پر مبنی بے بنیاد الزامات کے تحت کسی بے تصور کو تصور دار ٹھہرانے کی اجازت نہ دیتا ہے۔

5: تاریخ بر خاستگی سے میں سیکرٹری ام سخت اجرین زندگی گزار رہے ہیں پائی پائی کا محتاج ہو چکا ہوں روز بروز قرضوں کا بوجھ مجھ پر بڑھتا جا رہا ہے اور میری سابقہ بیماری جو لف میڈیکل کاغذات کے ذریعہ ٹیسٹ سے عیار ہے مزید بڑھ رہی ہے۔ بعض اوقات دماغ پر زیادہ بوجھ آئے کی صورت میں غشی کے دورے آنے کے ساتھ ساتھ پاگلوں جیسے لحات سے گزرنا پڑتا ہے۔ اور اسی سبب سے پریشانی میں اور اضافہ ہوتا جا رہا ہے جو دماغ پر بوجھ آنے کی وجہ بنتا جا رہا ہے۔

6: پولیس رول کی رو سے چھوٹی و بڑی سزا میں قرار ہوئی ہیں صرف ایک بر خاستگی کی سزا نہیں ہے۔ نہ تو میں نے میڈیکل بورڈ سے انکار کیا ہے اور نہ ہی لائن انفر سے نازیبا سطح پر پیش آیا ہوں۔ بلکہ ہمیشہ انفران صاحبان کی تدرروائی کی ہے۔ اور تمام تر 13 سال ملازمت ڈسپلن کے اصولوں کے تحت کی ہے۔ اور دائرہ قانون و اچھا اخلاق کی سطح پر ڈیوٹی سرانجام دی ہے۔ جب کہ تھانہ ڈیوٹی میں ڈسپلن کے اصولوں کے تحت مثالی ڈیوٹی سرانجام دی ہے۔ اور انفران صاحبان کے جائز احکام کی ہر ممکن سطح پر تعمیل کی ہے۔

عالی جاہ! میرے بے قصور، بیماری، غربت و کنبہ کی تکالیف و پریشانیوں کو مد نظر رکھتے ہوئے تاریخ بر خاستگی سے ملازمت پر بحال کیا جائے۔ سزائیں ترمیم کرنے کے آنجناب والا مجاز ہے اس پر اپنے منتقل مسلم کی رو سے انسانی بنیادی حقوق کی سطح پر ہمدردانہ غور فرما کر معاف فرمائیں۔ کہ اللہ پاک نے روئے زمین کے کسی بھی حصے پر معافی اصلہ رحمی پر پابندی عائد نہیں کی ہے۔ جب کہ حق پیشی اور اپنی بے قصوری کے لحاظ سے جملہ قانونی حقوق محفوظ رکھتا ہوں۔ سربراہ صوبائی پولیس آفیسر سے رحم کی تمنا کا امیدوار ہوں۔

عنایت ماتحت پروری ہوگی۔

مورخہ

الحاضر

سائل برخاست شدہ کنڈیشنیل محمد رشید خان نمبر 521 ولد سابقہ ASI مرحوم گل بادشاہ سکند اسامیل خیل ڈاکٹرانہ ابا خیل تحصیل و ضلع کی مروت

موبائل نمبر 0311-9420438



M

30

26-1-22

OFFICE OF THE
INSPECTOR GENERAL OF POLICE
KHYBER PAKHTUNKHWA
Central Police Office, Peshawar.

No. S/ 91 /22, dated Peshawar the 26, 01 /2022.

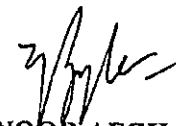
To : The Regional Police Officer,
Bannu.

Subject:- REVISION PETITION.

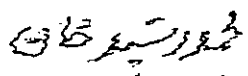
Memo:

The Competent Authority has examined and filed the revision petition submitted by Ex-FC Muhamimad Rasheed No. 521 of Lakki Marwat district Police against the punishment of dismissal from service awarded by District Police Officer, Lakki Marwat vide OB No. 420, dated 12.07.2021, being time barred.

The applicant may please be informed accordingly.

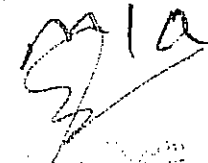

(NOOR AFGHAN)
Registrar,
For Inspector General of Police,
Khyber Pakhtunkhwa, Peshawar.

Received from office


24-6-22

No-1151
dt-7-2-2022

DPO LAKKI

For 

7/2/22

یعدالت چھاپ سروس ٹریڈ مارک رجسٹرڈ پیس اور

میتوان ایمل

محمد شید خان نام

دعویٰ ایمل

پا سروس ایمل

مقررہ سند و جواز بالائیں ایسی فرسبے واسطے پیروی و جواب دہی وکل کاروائی مستطافہ آن مقام ایسا اور
کیسے استعدا اٹکس حضانہ سروس سے ایڈوکیٹ ہائی کورٹ کو وکیل مقرر کر کے اٹکس کیا جاتا ہے کہ صاحب
مذکورہ کو مقدمہ کی کل کاروائی کا کمال اختیار ہوگا نیز وکیل صاحب کو کہنے والی نار و تقرر تالین و فیصلہ ریاض
یعنے جواب دہی اور قبول دعویٰ اور لہذا سروس ڈگری کہنے اجراء اور دوسری جیکہ در پیہ اور مرضی دعویٰ اور در خواست
پر قسم کی تقدیر اور اس پر مقررہ کرنے کا اختیار ہوگا نیز لہذا سروس مذکورہ پیروی یا ڈگری کی طرف یا ایمل کو ایمل
اور سروس پیروی دار کرنے ایمل ٹکس و نظر تالی و پیروی کرنے کا اختیار ہوگا اور لہذا سروس مذکورہ سروس
کے کل یا پیروی کاروائی کے واسطے اور وکیل یا مختار قانونی کو اپنے ہمراہ یا اپنی بجائے تقدیر کا اختیار ہوگا
اور جہاں مقررہ شدہ کو بھی وہی جملہ مذکورہ بالا اختیارات حاصل ہوں گے اور اس کا مناسبتہ پر واضح مستطافہ
قبول ہوگا و دوران مقدمہ میں جو خرچہ و تر جانہ الزوا و مقدمہ کے سبب سے ہوگا اس کے مستحق وکیل صاحب
تقدیر ہوں گے نیز بقایا دفر سے سبکی وصولی کرنے کا بھی اختیار ہوگا اگر کوئی نام نہ پیشی مستطافہ
پر ہو یا عدسے باہر ہو اور وکیل صاحب یا بند نہ ہوں گے کہ پیروی مذکورہ کریں
لہذا وکالت نامہ رکھ دیا کہ سند ہے۔

الرقوم 20-7-22

التعد التعد التعد

ارباب ایمل
ایڈوکیٹ

محمد شید خان
سیدہ الشہیدان مرقت
ایڈوکیٹ

محمد شید خان
M. Rashed

محمد شید خان
ایڈوکیٹ

Before the KP Service Tribunal, Peshawar.

S.A. No

/22.

Muhammad Rasheed Khan vs DPO & others.

Subject: Application for Condonation
of delay.

R/s

- 1) That the subject appeal is pending before this honorable court and is fixed for preliminary hearing.
- 2) That though the impugned orders were received by the appellant late and thereafter filed the appeal but for the ends of Justice the appellant request this honorable Tribunal to Condon the delay and decide the appeal on merits.
- 3) That the malafide of the respondents is apparent from the fact that the authority itself stated in the impugned order that appellant was referred to Medical Board but such order was never served upon the appellant.

4) That on one side the appellant was under treatment at Islamabad and on the other hand the department started proceedings against the appellant.

It is therefore most humbly prayed that delay in filing the appeal may be condoned in the interest of Justice and appeal be decided on merit.

محمد رفیق
Applicant

Through

11

Arbab Saif ul Kamal
Advocate

Dated 8-11-22.

AFFIDAVIT

I, Muhammad Rasheed Khan (Applicant) do hereby solemnly affirm and declare on oath that the contents of the application are true and correct to the best of my knowledge.

ATTESTED



Defendant

11/201-04869855

SCANNED
KPST
Peshawar

Khyber Pakhtunkhwa
Service Tribunal

Slary No.

5006

Date

27/9/23

**BEFORE THE HONRABLE SERVICE TRIBUNAL KHYBER
PAKHTUNKHWA PESHAWAR**

Service Apeal No. 1137/2022

Muhammad Rashid Khan Ex-Constable No. 521, District Police Lakki Marwat.

Appellant.

VERSUS

1. District Police Officer, Lakki Marwat.
2. Regional Police Officer, Bannu, Region Bannu.
3. Provincial Police Officer, KP, Peshawar

INDEX

S.No	Description of Documents	Annexure	Page No.
1.	Para-wise Comments		1-3
2.	Absentee Daily Diary	A	4

Dated:

DEPONENT

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

Service Appeal No. 1137/2022

Muhammad Rashid Khan Ex-Constable No. 521, District Police Lakki

Marwat.....Appellant.

VERSUS

1. District Police Officer, Lakki Marwat.
2. Regional Police Officer, Bannu, Region Bannu.
3. Provincial Police Officer, KP, Peshawar.

.....Respondents.

Para-wise comments by respondents:-

Respectfully Sheweth,

PRELIMINARY OBJECTIONS

1. That the appellant has no cause of action and locus standi.
2. That the appeal of appellant is not maintainable under the law and rules.
3. That the appeal is bad due to non-joinder and mis-joinder of necessary and proper parties.
4. That the appellant has approached the Honorable Tribunal with unclean hands.
5. That the appeal is badly time barred.

REPLY ON FACTS

1. Pertains to record.
2. Pertains to record, hence needs no comments.
3. In-correct: In-fact the incharge Police Station suggested appellant to submit leave application before R.No.01 for approval and then proceed on leave for proper treatment.
4. Correct: to the extent that appellant was granted (07) days C/Leave with the directions to report back after availing the same. However the appellant after availing the leave did not report his arrival back to duty and absented himself from duty from 18.03.2021 without any justification or permission of the authority.



5. As stated earlier in para No.04, the appellant after availing C/Leave did not report his arrival back to duty station and thus the appellant was marked absent from duty vide DD.No.31 dated 18.03.2021.(copy of DD report already annexed by appellant as "C").
6. As replied in above para.
7. In-correct: the appellant was issued proper charge sheet and statement of allegation and inquiry officer was nominated. Further the appellant was transferred to various duty stations, but the appellant failed to perform his duty as per law & rules.
8. Also pertains to record, hence need no comments.
9. In-correct: Full fledge enquiry into the allegations levelled in the charge sheet was conducted by the Enquiry Officer. He submitted findings report, according to which the allegations levelled in the charge sheet against the appellant stood proved and he was recommended for removal from service. Accordingly final show cause notice of major punishment was issued and properly served upon him on 14.06.2021. After observing all legal codal formalities, the appellant was dismissed from service vide OB No.420 dated 12-07-202, as the R.No.1 was left with no other option except the one taken.
10. Correct to the extent that after observing all legal/Codal formalities the appellant was dismissed from service.
11. Correct to the extent that appellant preferred appeal for re-instatement in service before R.No.2, which was rejected.
12. Pertains to record.

REPLY ON GROUNDS:


- A. In-correct: The appellant was granted 07 leave for the purpose of medical treatment, but he failed to report back to duty station, with no information of his whereabouts, thus the appellant was marked absent from duty, hence this para has got no footings.
- B. In-correct: According to the reports vide DD No.23 dated 24-01-2020, DD No. 05 dated 26-01-2020 with subsequent DD No.30 dated 09-04-2021, the attitude, mindset, outlook, and unexpected acts of the appellant shows his irresponsibility, disinterest in duty in a disciplined force as evident from the D.D reports. The appellant used abusive language and beaten Line Officer on 24-01-2020. Therefore the appellant was recommended to Standing Medical Board for medical examination with the directions to appear before the Board on the date fixed for the purpose. However the appellant intentionally did not appear before the same and failed to comply with the directions. Upon the several mis-conduct reports registered against the appellant, R.No.1 initiated proper departmental enquiry and charge sheet was issued, and served upon him, but the appellant failed to justify the allegations levelled against him.


Accordingly Final Show cause notice of major punishment was issued, and E.O recommended the appellant's removal from service. Hence R. No.1 imposed upon him the major penalty i.e. dismissal from service.

- c. In-correct: full fledged enquiry proceedings was initiated against the appellant, and after observing all legal / codal formalities the appellant was dismissed from service.
- d. In-correct: proper enquiry was conducted and all the statements of relevant staff was recorded, full opportunity of self defense was given to the appellant but he failed to justify the allegations leveled against him.
- e. In-correct: The appellant proved himself characterless, habitual absentee, malingerer, and aggressive. Such attitude amounts to gross mis-conduct on his part being member of a disciplined force, hence his retention in police force might have caused threat to his colleagues and civilians. Therefore the department has no other option except to dismiss him from service.
- f. In-correct: full opportunity of self defense was afforded to the appellant, but he failed to justify the allegations levelled against the appellant.
- g. The orders of the respondents were passed in accordance with law / rules and facts.

Prayer:

It is humbly requested that the petition may be cancelled, please.


**Regional Police Officer,
Bannu Region, Bannu.**
(Respondent No. 2)


**Inspector General of Police,
KPK, Peshawar.**
(Respondent No.3)



**District Police Officer,
Lakki Marwat.**
(Respondent No.1)

تعمیراتی روزنامہ 18²¹

کھانہ ڈالکوالہ

پرنسپل کے دفتر سے ملنے والی دستاویزوں کی کاپیاں
 521 کی رفرنس نمبر 15²¹ کے تحت (7) ایچ ڈی اے کے تحت
 مندرجہ گیسٹل باطلان کا نام پر گیسٹل آگیا ہے جس کے خلاف ایچ ڈی اے
 روزنامہ 18²¹ کی رقم 18²¹ کے تحت گیسٹل کے خلاف کارروائی کے لیے درخواست
 میں ارسال ہوئی ہے

صاحب عالی
 سیکرٹری ایچ ڈی اے
 D-11
 mm. P. D. Wale
 22.3.21

may be annexed
 with comment


Before the Services Tribunal (KPK)
In Service Appeal 1137/2022

Mahmud Rashid et Consorts

vs Appellants

Disst. Public - officer KPK and other
Respondents

Affidavit

All the contents of the enclosed
para wise comments are correct to
the best of my knowledge and belief,
nothing misstated or concealed
whatsoever.

27/4/2023

03498911557

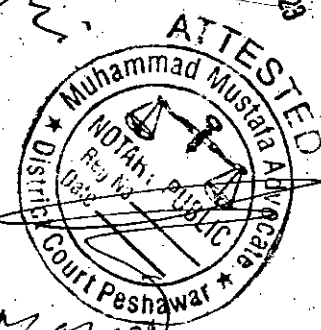
Deponent
BUNHAN UDDIN

Bunhan Uddin

S.1. Lash Lash Marwat

Relu,

11201-3610381-7



BEFORE THE SERVICE TRIBUNAL KHYBER PAKHTUNKHWA PESHAWAR

Appeal No.1137 /2022

Muhammad Rashid.

(Appellant)

VERSUS

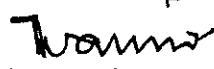
- 1) Provincial Police Officer KPK Peshawar.
- 2) Regional Police Officer Bannu Region, Bannu.
- 3) District Police Officer Lakki Marwat.

(Respondents)

AUTHORITY LETTER

Mr. **Burhan Ud Din SI/Legal**, Lakki Marwat is hereby authorized to appear before the Honourable Service Tribunal Peshawar on 27.04.2023 on behalf of the undersigned in the above cited titled case.

He is also authorized to submit and sign all documents pertaining to the present subject Writ Petition.


District Police Officer,
Lakki Marwat.