

09.05.2023

Appellant in person present. Mr. Asad Ali Khan, Assistant Advocate General for the respondents present.

Appellant says that his counsel has been appointed as Additional Advocate General and posted in this Tribunal, therefore, time may be granted to him to engage another counsel. Adjourned. To come up for arguments 25.07.2023 before D.B. Parcha Peshi given to the parties.

SCANNED
KPST
Peshawar



(Muhammad Akbar Khan)
Member (E)



(Salah-ud-Din)
Member (J)

Kamranullah

25th July, 2023 01. Junior to counsel for the appellants present. Mr. Muhammad Jan, District Attorney for the official respondents present.

02. Former requested for adjournment due to engagement of learned senior counsel for the appellant before the Hon'ble Peshawar High Court, Peshawar. Adjourned. To come up for arguments on 16.11.2023 before D.B. Parcha Peshi given to the parties.

SCANNED
KPST
Peshawar



(Fareeha Paul)
Member (E)



(Kalim Arshad Khan)
Chairman

Fazle Subhan, P.S

12.09.2022

Appellant present through counsel.

Asif Masood Ali Shah, Deputy District Attorney alongwith Javid Shah, Focal Person and Waqar Ahmad, PASI for respondents present.

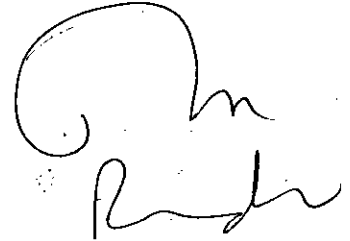
Written reply on behalf of respondents submitted which is placed on file. A copy of the same is handed over to the learned counsel of the appellant who made a request for adjournment. Adjourned. To come up for arguments on 24.11.2022 before D.B.

(Fareeha Paul)
Member (E)

(Rozina Rehman)
Member (J)

24/11/22

due to deletion of the
case to come on 31/1/23



31st Jan, 2023

Appellant in person present. Mr. Naseer-ud-Din Shah, Assistant Advocate General for the respondents present.

SCANNED
KPST
Peshawar

Appellant requested for adjournment on the ground that his counsel is busy before Hon'ble Peshawar High Court, Peshawar.

Adjourned. To come up for arguments on 09.05.2023 before D.B.

(Muhammad Akbar Khan)
Member (E)

(Kalim Arshad Khan)
Chairman

01.04.2022

Learned counsel for the appellant. Mr. Muhammad Riaz Khan Paindakheil Assistant Advocate General for the respondents present.

Learned counsel for the appellant contended that the had appellant filed service appeal on 29.06.2021. At that time, the departmental appeal was not decided and by now, by deciding the departmental appeal of the appellant on 14.09.2021, the appellate authority has converted the punishment of dismissal from service of appellant into removal from service. Therefore, the same needs to be challenged in the service appeal. The request of the appellant appears genuine, therefore, the application for submission of amended appeal is allowed. Appellant shall file amended appeal within a period of 15 days and to come up on 21.06.2022 for hearing before the D.B.



(Rozina Rehman)
Member (J)



(Salah-Ud-Din)
Member (J)

21.06.2022

Learned counsel for the appellant present. Mr. Muhammad Nasir, Senior Clerk alongwith Mr. Kabirullah Khattak, Additional Advocate General for the respondents present.

Learned counsel for the appellant submitted amended appeal, copy of which handed over to representative of the respondents. Adjourned. To come up for reply/comments as well as arguments before the D.B on 12.09.2022.



(Fareeha Paul)
Member (E)



(Salah-ud-Din)
Member (J)

1505/2015

1505/2015

1505/2015

28.12.2021

[Handwritten signature]




Due to Winter Vacations, the case is adjourned to 01.04.2022 for the same as before.

[Handwritten signature]
READER

FORM OF ORDER SHEET

Court of _____

Case No.- 7027 /2021

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	12/07/2021	<p>The appeal of Mr. Qaisar Hussain resubmitted today by Mr. Fazal Shah Mohmand Advocate may be entered in the Institution Register and put up to the Worthy Chairman for proper order please</p> <p style="text-align: right;"> REGISTRAR</p>
2-	27.08.2021	<p>This case is entrusted to S. Bench for preliminary hearing to be put up there on <u>27/08/2021</u></p> <p style="text-align: right;"> CHAIRMAN</p> <p>Mr. Fazal Shah Mohmand, Advocate, for the appellant present. Preliminary arguments heard.</p> <p>Points raised need consideration, therefore, the appeal is admitted to regular hearing subject to all legal and valid objections. The appellant is directed to deposit security and process fee within 10 days, whereafter notices be issued to the respondents for submission of written reply/comments in office within 10 days after receipt of notices, positively. If the written reply/comments are not submitted within the stipulated time, the office shall submit the file with a report of non-compliance. File to come up for arguments before the D.B on 28.12.2021.</p> <p style="text-align: right;"> (SALAH-UD-DIN) MEMBER (J)</p>


Appellant Deposited
Security & Process Fee

The appeal of Mr. Qaisar Hussain Ex-Constable District Kurram received today i.e. on 29.06.2021 is incomplete on the following score which is returned to the counsel for the appellant for completion and resubmission within 15 days.

- 1- Affidavit may be got attested by the Oath Commissioner.
- 2- Annexures of the appeal may be attested.
- 3- Appeal has not been flagged/marked with annexures marks.
- 4- Annexures of the appeal are illegible which may be replaced by legible/better one.
- 5- Five more copies/sets of the appeal along with annexures i.e. complete in all respect may also be submitted with the appeal.

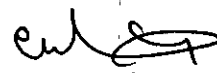
No. 133 /S.T,

Dt. 30/06 /2021


REGISTRAR
SERVICE TRIBUNAL
KHYBER PAKHTUNKHWA
PESHAWAR.

Mr. Fazal Shah Mohmand Adv. Pesh.

R/Sid, Resubmitted after necessary
completion.


12/7/21

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR

Amended Service Appeal No _____/2022

Qaisar Hussain.....Appellant

V E R S U S

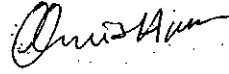
RPO and others.....Respondents

I N D E X

S. No	Description of Documents	Annexure	Pages
1.	Amended Service Appeal with Affidavit		1-3
2.	Copies of Medical Chits & application dated 11-08-2020	A & B	4-23
3.	Copy of Charge sheet & reply	C & D	24-26
4.	Copy of order dated 11-02-2020	E	27
5.	Copy of departmental appeal & Order dated 14-09-2021	F & G	28-32
6.	Vakalatnama		33

Dated:- 21-06-2022

Through



Appellant



Fazal Shah Mohmand

Advocate,

Supreme Court of Pakistan

OFFICE:- Cantonment Plaza Flat 3/B Khyber Bazar Peshawar Cell# 0301 8804841
Email:- fazalshahmohmand@gmail.com

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR

Amended Service Appeal No _____/2022

Qaisar Hussain Ex, Constable Salary No 50147442, District Police
Kurram**Appellant**

V E R S U S

1. Regional Police Officer Kohat Region Kohat.
2. District Police Officer Kurram.
3. Provincial Police Officer, Khyber Pakhtunkhwa, Peshawar.
.....**Respondents**

AMENDED SERVICE APPEAL U/S 4 OF THE KHYBER
PAKHTUNKHWA, SERVICE TRIBUNAL ACT 1974 AGAINST
THE APPELLATE ORDER DATED 14-09-2021 PASSED BY
RESPONDENT NO 1 WHEREBY, ON DEPARTMENTAL
APPEAL THE PUNISHMENT OF DISMISSAL AWARDED TO
THE APPELLANT VIDE ORDER DATED 11-02-2021 HAS
BEEN MODIFIED INTO REMOVAL FROM SERVICE.

PRAYER:-

On acceptance of this appeal the impugned Order dated 14-09-2021 of respondent No 1 may kindly be set aside and the appellant may kindly be ordered to be reinstated in service with all back benefits.

Respectfully Submitted:-

1. That the appellant had earlier filed the above the titled Service Appeal by which time, departmental appeal of the appellant was not decided, however during the pendency of titled appeal, departmental appeal of the appellant was decided and the punishment of dismissal was converted into removal from service by respondent No 1 vide order dated 14-09-2021, hence the appellant filed application before this honorable Tribunal for permission to file amended service appeal and this honorable tribunal was pleased to allow the appellant to file amended appeal on 01-04-2022 hence this amended service appeal.
2. That the appellant was enlisted as Constable in Police Department on 07-06-2012, remained posted to various Places including District Courts and since enlistment, the appellant performed his duties with honesty and full devotion and to the entire satisfaction of his high ups.
3. That in the month of July 2020, the appellant initially suffered from typhoid and continued his treatment and later on suffered

from Hepatitis too, and during this period he also requested respondent No 1 for medical leave vide application dated 11-08-2020 but with no response, the appellant thus continued his treatment and also performed duties whenever he could. **(Copies of Medical Chits & application dated 11-08-2020 are enclosed as annexure A & B).**

4. That charge sheet was issued to the appellant on the allegations of absence from duty which the appellant replied in detail refuting the allegations and explaining the true facts and circumstances. **(Copy of Charge sheet & reply is enclosed as Annexure C & D).**
5. That there after without considering the reply and record, the appellant was awarded the major penalty of dismissal from service vide Order dated 11-02-2020. **(Copy of order dated 11-02-2020 is enclosed as annexure E).**
6. That the appeal filed departmental appeal before respondent No 1 on 02-03-2021 which was decided vide order dated 14-09-2021 thereby the punishment of dismissal was modified into the punishment of removal from service. **(Copy of departmental appeal & Order dated 14-09-2021 is enclosed as annexure F & G).**
7. That the impugned Order dated 14-09-2021 is against the law, facts and principles of justice on grounds inter-alia as follows:-

GROUND:-

- A. That the impugned order is illegal and void ab-initio.
- B. That mandatory provisions of law and rules have been badly violated by the respondents and the appellant has not been treated according to law and rules in violation of Article 4 & 25 of the Constitution and law of the land.
- C. That the impugned Order is void being passed without adhering to the mandatory provisions of law.

That the appellant duly approached respondents with request for medical leave by filing application, which as per law the subject cannot be refused but even then with no avail.

- E. That no proper inquiry was conducted in the matter to have found out the true facts and circumstances. No one was examined neither in support of the allegations nor in presence of the appellant nor was he ever afforded opportunity of cross examination.

F. That no Show Cause Notice was issued to the appellant nor was he afforded opportunity of personal hearing.

G. That even otherwise the allegations were never substantiated, as in support of allegations no evidence during the so called inquiry was collected.

H. That the appellant has about 9 years of service with unblemished service record and is jobless since his illegal removal from service.

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

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

Any other relief not specifically asked for and deemed appropriate in the circumstance of the case may also be granted in favor of the appellant.

Dated:- 21-06-2022

Through


Appellant



Fazal Shah Mohmand
Advocate,
Supreme Court of Pakistan

LIST OF BOOKS

1. Constitution 1973.
2. books as per need

CERTIFICATE

Certified that per instruction of my client, no other Service Appeal on the subject and between the same parties has been filed previously concurrently before the honorable Tribunal.



ADVOCATE

AFFIDAVIT

I, Qais Ahmad Ssa Ex, Constable Salar No 50147442, District Police Kurran District, hereby solemnly affirm and declare on oath that the contents of the ~~above~~ under appeal are true and correct to the best of my knowledge and belief and nothing has been ~~concealed~~ concealed from this honorable Tribunal.


DEPONENT

Medical Ward LRH Peshawar

F.I.B.B.S
F.C.P.S (II)



ڈاکٹر ممتاز علی

ایم ڈی ایم سی
ایف سی پی ایس (II)
میڈیکل کالج پشاور

Name: Ali Age: 27 Sex: M Date: 10/09/2020

Clinical Record

P.R.

B.P. 130/80

Weakness

Tab Viktana 400mg/100mg

063 روزانہ ①

Cap Heptocam

063 روزانہ ①

Cap Nexum 40

061 روزانہ ①

CBC, HBs,
HCV, HIV,
LFT's

HCV (+ve)

SGPT 110

فائل نمبر: 279

Advised Repeat PCK

Mouth of per

bed rest
two month

پشاور
10/09/2020



Do not wait for court use please feel free to call within 18 hours for a repeat of any tests

Patient Name: Quiser AB
Age: 29 Yrs
Referred By: Dr. Munir Ali

Date: 11-Aug-20
Sex: Male
Lab No: 621

TEST REPORT

Hepatitis B Surface Antigen:

Result

Non - Reactive

HBsAg is a protein coat of the virus. It is the first marker to appear in the blood of a person infected with HBV. It is present in the blood of a person with acute and chronic HBV infection. It is not present in the blood of a person with resolved HBV infection.

Anti - Hepatitis C Antibody:

Result

Reactive

Anti-HCV is an antibody that is produced by the immune system in response to infection with HCV. It is present in the blood of a person with acute and chronic HCV infection. It is not present in the blood of a person with resolved HCV infection.

Hb / Ag / Ab:

Result

Non - Reactive

HBsAg, Anti-HBc, and Anti-HBe are markers of HBV infection. HBsAg is the first marker to appear in the blood of a person infected with HBV. Anti-HBc is present in the blood of a person with acute and chronic HBV infection. Anti-HBe is present in the blood of a person with resolved HBV infection.

Electronically verified report, no signature (s) required.

Mr. M. ...
DMLT KPK
Medical Faculty
(Govt: LRH Peshawar)

sham ...
Peshawar

Mr. Awal Mir
B.Sc N
M.Sc Hc
(Govt: KGI)

Mr. M. Ilyas
B.S Microbiology
M.Phil Microbiology

Mr. Saif (A)
M.Phil, Microbiology
B.S HON MLT
DMLT (KPK) Medical Faculty, Govt: HMC

Mr. Ikram (A)
DMLT KPK
Medical Faculty Peshawar
(Govt: KTH Peshawar)

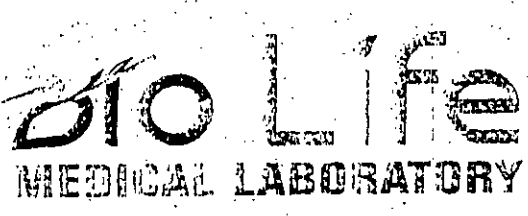
Quality

Services for all diagnostic tests

Our performance is quality control & standard of health care solutions

Near ... Medical Center, Dabgari Garden Peshawar.
(A): 0344-9176016 / 0313-9680017

-6-



پشاور
میڈیکل لیبارٹری

Not Valid for court use please feel free to call within 48 hours for a repeat of any tests

Patient Name: Kaiser Ali Date: 10-08-20
 Age: 29 Yrs Sex: Male
 Referred By: Dr. Munir Ali Lab No.: 320
 Test Required: HA Specimen: Blood

TEST	RESULT	N. RANGE
Complete Blood Count:		
Hemoglobin	12.5	(12.0 - 17.0)
WBC	11.4	(4.0 - 12.0)
Platelets	255	X 10 ⁹ /L (150 - 400)
RBC	2.74	X 10 ¹² /L (4.0 - 5.5)
HCT	29.6	(37 - 47)
MCV	70.2	(80 - 100)
MCH	29.1	(27 - 33)
MCHC	36.7	(32 - 36)
RDW	10.1	
MPV	7.3	
Neutrophils	50	(50 - 70)
Lymphocytes	30	(20 - 40)
Monocyte	09	(2 - 10)
Eosinophils	0	(0 - 5)
Basophils	0.5	(0.1 - 1.0)
Neutrophils	6.3	(10 ⁹ /L (4 - 10)
Lymphocytes	1.5	(10 ⁹ /L (1.5 - 4.0)
Monocyte	0.5	(10 ⁹ /L (0.2 - 0.8)
Eosinophils	0.0	(10 ⁹ /L (0.1 - 0.5)
Basophils	0.0	(10 ⁹ /L (0.02 - 0.1)

Electronically verified report, no signature(s) required.

Mr. M. Ihtesham Mr. Awal Mir Mr. M. Ilyas Mr. Saif (A) Mr. Ikram (A)
 DMLT KPK B.Sc Medical Technologists B.S Microbiology M.Phil, Microbiology DMLT KPK
 Medical Faculty Peshawar M.Sc Hematology M.Phil Microbiology B.S HON MLT Medical Faculty Peshawar
 (Govt: LRH Peshawar) (Govt: RGMC) (Govt: HMC) (Govt: KTH Peshawar)

Quality Lab Services for all diagnostic tests our performance is quality control & standard of health care solutions



Not valid for report use please feel free to call within 48 hours for repeat of any tests

Patient Name: Quiser Ali
Age: 29 Yrs
Referred By: Dr. Muhtaz Ali

Date: 10-Aug-20
Sex: Male
Lab No: 620

ALT/SGPT:	Result	110	U/I
Ref. Range: (Adults: 0.00 - 50.00)			
Alkaline Phosphates:	Result	265	U/I
Ref. Range: (Males: 25-100) (Children: 15 Yrs-99): (Females: 17-85)			
Bilirubin Total:	Result	0.75	mg/dl
Ref. Range: (Adults: 0.0 - 1.2) (New Born: 0.0 - 1.0)			

Microbiology: A comprehensive laboratory report is available for total bilirubin for non-HIV patients only.
Reference ranges by separate manual and for term babies. July 2008 update. Please refer to the manual for details.
Tel: 0333-7400000 or 0333-7400001. Philadelphia: WB Saunders Co. 740-03371

Electronically verified report. No signature (s) required.

Mr. M. Ihtesham
DMLT (KPK)
Medical Faculty Peshawar
(Govt: LIH Peshawar)

Mr. Awal Mir
B.Sc Medical Technologists
M.Sc Hematology
(Govt: KGMC)

Mr. M. Ilyas
B.S. Microbiology
M.Phil Microbiology

Mr. Saif (A)
M.Phil, Microbiology
B.S HON. MLT
DMLT (KPK) Medical Faculty, Govt: HMC

Mr. Ikram (A)
DMLT (KPK)
Medical Faculty Peshawar
(Govt: KTH Peshawar)

Quality Lab Services for all diagnostic tests our performance is quality control & standard of health care solutions

Near Khushal Medical Center, Dabgari Garden Peshawar.
Ikram (A): 0344-9176016 / 0313-9680017

Assistant Professor

Dr. Muhammad Daud

Consultant Gastroenterologist & Hepatologist

MBBS(KMC)

MCPS(Medicine)

MRCP(UK)

FCPS(Gastro)



PMDC: 14010-N

-8-

اسٹنٹ پروفیسر
ڈاکٹر محمد داؤد
کنسلٹنٹ گیسٹرو انٹرو ویسٹ اینڈ ہپاٹالوجسٹ
ایم بی بی ایس (کے ایم سی)
ایم سی بی ایس (میڈیسن)
ایم آری بی (انگلینڈ)
ایف سی بی ایس (ریسٹرو)

Name Qaiser Ali Age _____ Sex M Date 15-01-21

Clinical Record

Recent hx
of G.E.
Now improved
Bl. F. pain
Abd. dist
Epi. pain

Rx

1. Tab. ECOTIC

2. 1. گائے کے لیے - (3) دن

2. Tab. Lycion 400 mg

3. 1. گائے کے لیے - (5) دن

3. Tab. Lubraa

4. 1. گائے کے لیے - (15) دن

4. Ruliong Sachet 400 mg

5. 1. گائے کے لیے - (1) دن

5. Tab. Caplaan 400 mg

6. 1. گائے کے لیے - (5) دن

Adm Flap
After 2 weeks

Adm Complete bed
for two weeks

(02)



دال، گوہنچ، مرچ، مصالحے
آلو، سہاگ کا استعمال کم کریں

t Valid

purpose

ماہر امراض: معدہ، جگر، آنت، پیرقان، نیز انڈسکوپی کی سہولت موجود ہے

0311-0927873
0346-9072254

بر لیے کیلئے اس نمبر پر

کلینک: نمبر 5-A خوشحال میڈیکل سنٹر ڈگری گارڈن پشاور

ent To:

OUT DOOR PATIENT TICKET

District:

CRP No:

1212

Facility Name:

17/08/20

Name:

Douglas A.D.

Age:

Sex:

Father's/Husband's Name:

Monthly OPD Serial No:

Provisional Diagnosis:

Date:

Clinical Findings / Investigations / Treatment / Referred / Test Findings

R. Heart 50.0
in Baby
in Jaundice
in Sotley

Singh Bohra

EMO
P.D.
F.C.H.

-9-

Sent To: _____

OUT DOOR PATIENT TICKET

District: Kurram CRP No: B28

Facility Name: DHGH PCR

Name: [Signature] Age: _____ Sex: _____

Father's/Husband's Name: [Signature]

Monthly OPD Serial No: _____

Provisional Diagnosis: _____

-10-

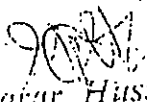
Date	Clinical Findings / Investigations / Treatment / Refers / Test Findings
<p>12/12/21</p> <p>Pain abdomen</p> <p>Loss of apetite</p> <p>Fever</p>	<p>Pass 40 line</p> <p>3g Noridol Ds 4u stat</p> <p>1g Flagyl 10ml 4u stat</p> <p>1g nife 10ml 4u stat</p> <p>1g spadic 4u stat</p>

DISTRICT HEADQUARTER HOSPITAL, TRIBAL DISTRICT
KURRAM PARACHINAR.

-11-

To whom it may concern

It is hereby Certified that Examined Qaisar Ali S/O Sahib Zaman
resident of village Zerua Tribal District Kurram. to day on 06-07-2020
under OPD No. 1699. He is suffering from Typhoid Fever Typhoid Positive.
He is advised complete bed rest with treatment for 10 ten days w.e f. 06-07-2020


Dr. Iqbal Hussain
Medical Officer,
District Headquarter Hospital,
Parachinar.
MEDICAL OFFICER
District Head Quarter Hospital,
Parachinar.
Dated 06/07/2020

Sent To:

OUT DOOR PATIENT TICKET

District _____

CRP No: 11557

Facility Name _____

Name: Uc 29 yr M

Father's/Husband's Name _____

30 JUL 2020

Address _____

Monthly OPD Serial No. PARACHINAR

Provisional Diagnosis: _____

Date

Clinical Findings / Investigations / Treatment / Referred / Test Findings

- 9/0 Fever
- Nausea
- Anorexia
- Fatigue
- Yellow discoloration of urine & sclera
- Breathing difficulty
- SOB

R. Revolu

Medicine Requisition Slip.

P.D.

Handwritten notes:

- Hb
- BCP
- SBP
- S/P
- CXR P/A
- view erect

-12-



0926-311312 فون
0301-8866050 موبائل

امامیہ کالونی پاراچنار - 13

Name: Daisar Ali Age: Sex: M Date: 5-7-20

Clinical Record

AD/11
Cough - mild
rel
T - 38
BP $\frac{110}{70}$

CRP - 26
Cough collection

R X ↓ Counts
100 BACTAMAZE 2gm $\frac{1}{2}$ B 2 (4TB)
100 ml x 7 days
100 NUBSAD $\frac{1}{2}$ TAB x 5 days
TAB MONIKA 10 mg
46 qd
14p ENVA
5/10 1 el
TAB ARCEVA 80/48 mg
3 1 el
Cap Sp...
5-7-20
follow up
2 days

Ren.

DEPARTMENT OF PATHOLOGY-14-



CITY HOSPITAL PARACHINAR

Ph 0926-311312 * 0301-8866050

Name: Qaiser Ali Age Sex Male

Test Adv By: Dr. Sajjad Sb Date 05-07-20

HAEMATOTOLOGY

CHEMICAL

TEST	RESULT	REF. RANGE	TEST	RESULT	REF. RANGE
WBC	9,700	4.0-----11.0 x10/L	Glucose Fasting		70-----110 mg/dl
RBC	4.74	4.5-----5.5 x10/L	Glucose Random	100	70-----170 mg/dl
Haemoglobin	13.4	13.0-----17.0 g/dl	Glycated HbA1c		4.2-----7.5 %
Platelet Count	231	150-----400 x10/L	Bilirubin (Total)		0.2-----1.2 mg/dl
ESR		0-10 mm in 1 hrs	Bilirubin (Direct)		Up to 0.25 mg/dl
DIFFERENTIAL			Bilirubin (Indirect)		Up to 0.7 mg/dl
Neutrophils	83	40-----75 %	ALT (SGPT)	33	Up to 42 U/L
Lymphocytes	10	20-----45 %	Alkaline Phosphatase		65-----306 U/L
Monocytes	04	02-----10 %	Albumin		35-----45 g/L
Eosinophils	03	01-----06 %	Urea		Up to 50 mg/dl
Basophils	00	<01 %	Creatinine	0.7	0.2-----1.2 mg/dl
Malaria Parasites	mp dot seen		Uric Acid		2.5-----6.5 mg/dl
Blood Group			Calcium		9.0-----11.0 mg/dl
Rh Factor			Total Protein		60-----80 g/l
Bleeding Time		02-----07 minutes	LDH		Up to 285 U/l
Clotting Time		05-----11 minutes	S. Amylase		Up to 100 U/l
Prothrombin Time			Total Cholesterol		Desirable <200 mg/dl
PTTK			Triglycerides		Up to 200 mg/dl
INR			HDL Cholesterol		>35 mg/dl
Widal			LDL Cholesterol		130 mg/dl

VIROLOGY/SEROLOGY

Rheumatoid Factor		HbsAg
S.H-Pyloriantibodies		Anti HCV
Typhidot	IgG	IgM
Toxoplasma	IgG	IgM
Brucella	Ants	Mts
ASOT Titre	" "	<200 IU/ml
C.Reactive Protein (CRP)	>96	< 6mg/l
		Anti HIV
		VDRL
		ICT-TB
		TROP-T

Remarks:- CPO "Positive"

D.M. Lab
Technician



Associate Professor Dr. Saif Ahmad Afridi

M.B.B.S. M.C.P.S. F.C.P.S. (Medicine)

MEDICAL SPECIALIST & CONSULTANT

Institutional and Hospital Medical Complex, Dera Ismail Khan

-15-

Name: محمد علی
Age: 28y
Date: 10-7-20
Add: _____

1120 11 11-11-20

To Dexa 0.5
WS _____ 3+3

Face
Chills
G.B.H.
FRANK pain

To Porsin 500
WS _____ +1

Osicle 1500

To Zomax 2.5
WS _____ +1

SPT=96

Advised bed rest for
Three weeks

SARS fake

Dr. Saif Ahmad Afridi
M.B.B.S. M.C.P.S. F.C.P.S. (Medicine)
Associate Professor Medical "A" Wing
Hayatabad Medical Complex

Not valid for legal use

PH: 091-9551488 / 091-955126

پروفیسر ڈاکٹر سعید امین آفریدی

پاکستان دارالاحیاء اسپتال پشاور
امراض: شوگر، بلڈ پریشر، قلب، ٹی بی، ذیابیطس، نکار، یرقان، معدہ، جوز، خونی جملہ امراض



ACCIDENT & EMERGENCY DEPARTMENT
 MEDICAL TEACHING INSTITUTION PESHAWAR, KP
 Hayatabad Medical Complex

- 16 -

Patient: EME00319132

QAISAR ALI

28 Year Male

Father/Husband

Date: 13-JUL-20 18:58:35

Invoice #: KUTET1830526

Receipt #: KUT200833639

Presenting Complaints

Fluor
Abdominal
to BA
Plaint

Past medication history

Ref to med
EP

Investigation

USG
USG
med

Diagnosis

Admission
for
bed rest
three
weeks

Tabs Dex
3-3

Tabs Acome
200mg

Domestic file
USG

Remarks

Signature of prescriber



Not Valid for court use please feel free to call within 48 hours for a repeat of any tests

Patient Name:	Qaisar Ali	Date:	10-Jul-20
Age:	? Yrs	Sex:	Male
Referred By:	Dr Saif Ameen	Lab No:	189

TEST REPORT

Hepatitis B Surface Antigen:

Result: Non - reactive

Interpretation

1. Anti-HBc reactivity indicates a less infectious state and a partial resolution of infection.

2. The detection of Anti-HBc must be correlated with patient symptoms and other Hepatitis B viral serological marker for diagnostic purpose and to differentiate acute HBV infection from chronic HBV infection.

Anti - Hepatitis C Antibodies:

Result: Non - reactive

Interpretation

REACTIVE Result: A positive Anti-HCV antibodies test requires confirmation by immunoblot test or by PCR.

Negative Result: A negative test does not exclude the possibility of exposure or infection with Anti-HCV antibodies. The testing for HCV by PCR is not indicated in cases with negative Anti-HCV sero-status.

Gray Zone: Result. Please repeat the test with a fresh blood sample for confirmation or preferably it should be repeated after 08 weeks.

Indeterminate Result: Please repeat the test with a fresh blood sample after 08 weeks or confirm by PCR.

Electronically verified report, no signature (s) required.

Mr. M. Ihtesham
DMLT KPK
Medical Faculty Peshawar
(Govt: LRH Peshawar)

Mr. Awal Mir
B.Sc Medical Technologists
M.Sc Hematology
(Govt: KGMC)

Mr. M. Ilyas
B.S Microbiology
M.Phil Microbiology

Mr. Saif (A)
M.Phil, Microbiology
B.S HON MLT
DMLT (KPK) Medical Faculty, Govt: HMC

Mr. Ikram (A)
DMLT KPK
Medical Faculty Peshawar
(Govt: KTH Peshawar)

Quality Lab services for all diagnostic tests our performance is quality control & standard of health care solutions

Near Khushal Medical Center, Dabgari Garden Peshawar.
Ikram (A): 0344-9176016 / 0313-9680017

Bio Life
MEDICAL LABORATORY



بائیو لائف
-18- میڈیکل لیبارٹری

Not Valid for court use please feel free to call within 48 hours for a repeat of any tests

Patient Name:	Qaisar Ali	Date:	10-Jul-20
Age:	? Yrs	Sex:	Male
Referred By:	Dr Said Ameen	Lab No:	189

Malarial Parasite:

Result

No MP seen

Electronically verified report, no signature (s) required.

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Bio Life
MEDICAL LABORATORY



بائیو لائف
۱۹۰ میڈیکل لینبارٹری

Not Valid for court use please feel free to call within 48 hours for a repeat of any tests

Patient Name:	Qaisar Ali	Date:	10-Jul-20
Age:	? Yrs	Sex:	Male
Referred By:	Dr Said Ameen	Lab No:	189

ALP/SGPT:	Result	96 ↑	U/l
Ref. Range (Adults: 10.00 - 30.00)			
Alkaline Phosphates:	Result	264	U/l
Ref. Range (M:80-306 F:64-306) (Children: 15 Yrs:6-14 Children: 17 Yrs:183)			
Bilirubin Total:	Result	0.72	mg/dl
Ref. Range (Adult: 0.2 - 1.0) (New Born: 0.00 - 19.00)			

Note: Micromethod on heparinized capillary blood is available for total bilirubin for neonatal jaundice. Reference ranges for neonatal jaundice are for term babies only. Premature babies have wider/higher reference ranges. Ref: Tietz N. Fundamentals of clinical chemistry, Philadelphia: WB Saunders Co, 740 (1987).

Electronically verified report, no signature (s) required.

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DISCLAIMER THIS FORM CAN ONLY BE USED FOR PATIENT REPORTS

Name	Qaisar Ali	Date	10-Jul-20
Refer By	Dr. Said Amin Sb		

ABDOMINAL AND PELVIC ULTRASOUND

Liver

Liver is of normal size with normal echogenicity and smooth parenchymal echo pattern. No mass lesion seen. No intra hepatic biliary dilatation. CBD and portal vein are of Normal caliber.

Gallbladder

GB is normal in size having normal wall thickness. No mass or calculus seen.

Spleen

Spleen is of normal size with normal parenchymal echo texture. No focal lesion seen.

Pancreas

Pancreatic head and body are of normal size with normal parenchymal echo texture. Tail not visualized.

Kidneys

Right kidney shows mild fullness of pelvicalyceal system.

Left kidney shows few small calculi largest measuring about 4mm in upper pole.

Both kidneys are of normal size with normal echogenicity & normal cortical thickness with well-differentiated cortico-medullary junction.

Urinary bladder

Is partially filled and shows normal wall thickness. No mass or calculus seen.

Prostate

Is of normal size and shows normal morphology. No mass lesion seen.

IMPRESSION:

- Right renal mild fullness of pelvicalyceal system.
- Left renal few calculi without obstructive changes.

Dear doctor,

If ultrasound report does not coincide with clinical findings, you can always ask for a free second opinion



Not Valid for court use please feel free to call within 48 hours for a repeat of any tests

Patient Name:	Qaisar Ali	Date:	10-Jul-20
Age:	? Yrs	Sex:	Male
Referred By:	Dr Said Ameen	Lab No:	189

RESULT

C.R.P. (C.Reactive Protein) Positive

Comments:-

C-Reactive Protein In Patients' Sera Has Been Found In Association With Acute Infections, Necrotic And A Variety Of Inflammatory Disorders. There Is A Strong Correlation Between Serum Levels Of CRP And The Onset Of The Inflammatory Process. Monitoring Of The CRP Levels In Patients' Sera Indicates The Effectiveness And The Assessment Of The Patient Recovery.

However, A Diagnosis Should Not Be Made On The Results Of A Single Test But On A Correlation Of Clinical Details And Other Laboratory Findings.

Electronically verified report, no signature (s) required.

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For all diagnostic tests our performance is quality control & standard of health care solutions

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Ikram (A) 0313-9680017 / 0313-9680017

ڈاکٹر خباب عالی قدر APD
SND
صوبہ پنجاب حکومت ہارڈ کوارٹر اسلام آباد

درخواست برآمد عطا کئی ایک ماہ گئی ایک مکمل لیسر
سیاہی تیسری ولد صاحب فرمان کورم لیسر تھا نہ رو کورم جیسا فدوی
پرفان مامریں ہے۔ ڈاکٹروں نے ایک سینئر مکمل سید Rest کا ایڈویس
دیا ہے۔

خباب عالی -
مزا ہے کہ فدوی ایجاب کے زیر سایہ کثرت کثرت فدوی
ایام سے رہا ہے لیکن فدوی کو کہ عرصہ سے پرفان کی بیماری تک چکی ہے۔
فدوی کسٹور سے ملے جہاں کہ رہا ہے۔ جیکے ڈاکٹر نے ایک سینئر مکمل سید لیسر کی
حدیث کی ہے۔ جب کی وجہ سے فدوی ہر ایک ماہ کیے نہیں آتا۔

ارزا اتنا ہے۔ کہ پرفان فدا ک فدوی کو ایک ماہ گئی از روخ 10/8
2020 سے 10/7/2020 تک مکمل لیسر دینے کا حکم صادر فرما کر مشور فرمادی۔

یعنی نورانی ہوگی
27323 -
11/8/2020

کسٹور تیسری ولد صاحب مزا قوم پٹنہ نوراں کو سفلی فون نمبر 03077140755
نذیر احمد پوریش حضور پوریش ولد صاحب فرمان
[Signature]

OFFICE OF THE
DISTRICT POLICE OFFICER
KURRAM, KHYBER PAKHTUNKHWA

Tel/Fax:0926-311354*Email:policekurram@gmail.com

No. 3726-29 Dated Parachinar. 26-10-2020

"
-23-

OFFICE ORDER

Constable Qaisar Hussain son of Sahil Zaman R/O Zeran Yousaf Khel
(Personal No.50147442) is hereby suspended for his absence and his pay
stopped.


District Police Officer
Kurram

No & date even:

Copy to the:

1. DSP/SHO Upper Kurram
2. Pay Officer
3. SRC Kurram
4. OASI Kurram


District Police Officer
Kurram

OASI Branch
Kurram Police

3-09-2020



OFFICE OF THE
DISTRICT POLICE OFFICER
KURRAM, KHYBER PAKHTUNKHWA

Tel/Fax: 0926-311354 Email: policekurram@gmail.com

No. 174 /FA Dated Parachinar. 19-01-2021

'C' 113
-24-

CHARGE SHEET

Mr. Tahir Iqbal District Police Officer as competent authority under Khyber Pakhtunkhwa Police Rule 1975 (amended 2014), am the opinion that you Constable Qaisar Hussain salary No. 50147442 had rendered yourself liable to be proceeded against as you have committed the following act within the meaning of the Police Rules 1975 amended 2014.

That you are willingly absent from the legitimate duty since long which is a gross misconduct on your part.

By reason of the above, you appear to be guilty of misconduct under the Police Rule 1975 (amended 2014) and have rendered your-self liable to all or any of the penalties specified in the Police Rules.

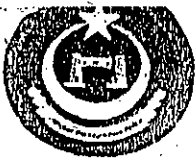
You are, therefore, required to submit your written statement within (03) days of the receipt of this charge sheet to the inquiry officer.

Your written defense if any should reached the inquiry officer within the specified period, failing which it shall be presumed that you have no defense to put in and ex-parte action shall be taken against you.

A statement of allegation is enclosed.

District Police Officer
Kurram

آج سے 20-1-2021 سے غائب رہا
جارج سٹریٹ پولیس سٹیشن
20-1-2021 سے غائب رہا
Constable Qaisar Hussain



OFFICE OF THE
DISTRICT POLICE OFFICER

KURRAM, KHYBER PAKHTUNKHWA

Tel/Fax: 0926-311354*Email: policekurram@gmail.com

No. 175...../PA Dated Parachinar. 19-01-2021

-25-

DISCIPLINARY ACTION.

Mr. Tahir Iqbal District Police Officer as competent authority, am the opinion that you Constable Qaisar Hussain salary No. 50147442, have rendered yourself liable to be proceeded against departmentally under Khyber Pakhtunkhwa Police Rule 1975 (amended 2014) as you have committed the following act:

STATEMENT OF ALLEGATIONS

That you are willingly absent from the legitimate duty since long which is a gross misconduct on your part.

For the purpose of conduct inquiry with reference to the above allegations DSP Investigation is appointed as Inquiry officer. The inquiry officer shall in accordance with the provision of the Police Rule 1975 (amended 2014), provide reasonable opportunity of hearing to the above official within (07) days of the receipt of this order, recommendations as to punishment or other appropriate action against the official.

The official shall join the proceeding on the date, time and place fixed by the inquiry officer.


District Police Officer
Kurram

Copy to the:

1. Inquiry Officer for initiating proceedings against the official under the provision of Police Rule 1975.
2. The official with the direction to appear before the Inquiry Officer on the date, time and place fixed by him for the purpose of inquiry proceedings.


District Police Officer
Kurram

جناب! خواہی تو کسی محتاج مہتر سے سوال ہے

۱) یہ کہ میں سائل ایک دم سے دار لوجی ایسی ایسا ہے۔ جو کہ قبل اذین باقاعدگی سے ایسی ڈیوٹی کر رہا تھا۔

۲) یہ کہ میں دوران بلوغہ تقریباً ۱۳/۲۰۰۷ قبل سائل کو مہتر شادی کی بیماری لاحق ہوئی جس کی باعث سائل نے دو مرتبہ اس کی درخواست باہت چینی دائر کی اور تین دفعہ DPO آفیسر کو لکھا کہ جسے میڈیکل گروؤں نے پروفیسری عطا فرمائی جائے۔ تاہم میرا درخواست پیر ذمہ دار کا مشافہ کاروائی میں کر رہا تھا۔ (درخواست کی تعلق ذمہ دار کے عمل توقیرت ہے)

۳) یہ کہ میں دوران بیماری کی حالت میں بھی سائل نے مختلف ڈیوٹیاں سرانجام دی۔ جس کا ثبوت بوقت پیشی پیشی کیا جا سکتا۔

۴) یہ کہ اس اثناء میں سائل انتہائی غربت حالت میں تھا اور سستہ سے آٹھ گھنٹہ کی پورے پورے دن تھا۔ اب بھی سائل نے سستہ میڈیکل ٹیسٹ کئے ہیں۔ (توقیرت اف ہے)

۵) یہ کہ سائل کے گھر میں دیگر کوئی مرد یا لکھنے والا نہ ہے۔ اور سائل آفسر حضور سے استدعا کرتا ہے کہ انسانی پھردی کے بنیاد پر سائل کو اس کو تالی پیر معاف فرما کر ایک موقع دیا جائے اور سائل نے وہ وعدہ کرتا ہے کہ وہ آئندہ مکمل ایمانداری سے ایسی ڈیوٹی سرانجام دے گا۔

۶) یہ کہ سائل ایک غریب شخص ہے اور سائل کی غیر حاضری سہواً چینی اور عذر نہ تھی۔

لہذا استدعا ہے کہ مذکورہ جوائن نوٹس سائل کی Suspension شروع فرما کر سائل کو بحال فرمائے۔ سائل تاخیر دعا کو رہے گا۔

9-9126871-91303
مہتر علی احمد
20-1-021
موضوع نمبر ۲۰۵ خاصہ



"E"

-27-

OFFICE OF THE
DISTRICT POLICE OFFICER
KURRAM, KHYBER PAKHTUNKHWA

Tel/Fax: 0926-311354*Email:policekurram@gmail.com

No. 646 /PA Dated Parachinar. 11.02.2021

ORDER

This order is passed on the Charge Sheet against Constable Qaisar Hussain, Salary No. 50147442 under the Khyber Pakhtunkhwa, Police Rules, 1975 (Amendment 2014).

Brief facts are that while posted at Upper Kurram had absented himself from official duty reported by OHC **since long** without any permission or leave from the competent authority, which shows misconduct and lack of interest in the discharging police duties.

He was served with charge sheeted he never bothered to reply charge sheet.

In view of the above I, Tahir Iqbal District Police Officer Kurram in exercise of the powers conferred upon me, hereby award him a major punishment of "Dismissal from Service" with immediate effect and his absence period is treated as leave without pay.

OB No. 139

Date 11-02 /2021

District Police Officer
Kurram

No and Date is even:

Copy of the above is forwarded to the Reader/SRS/OHC for necessary action.

District Police Officer
Kurram

Upper Kurram -28- "9"

1988
2/3/21

BEFORE THE DEPUTY INSPECTOR GENERAL OF POLICE KOHAT REGION
KOHAT

FILE

SUBJECT: APPEAL AGAINST THE IMPUGNED ORDER OF DPO KURRAM VIDE DATED 11 02 2021, OB NO: 139 NO 646 IN WHICH WITHOUT ENQUIRING THE ALLEGATIONS DIRECTLY IMPOSED THE MAJOR PUNISHMENT OF DISMISSAL FROM SERVICE AND HIS ABSENCE PERIOD IS TREATED AS LEAVE WITHOUT PAY.

Respectfully Sheweth,s

With great veneration the instant appeal is preferred by the appellant on the following grounds

Facts:

Briefly facts as per impugned order are that the appellant while serving in department posted at Upper Kurram had absented himself from official duty reported by OHC since long without any permission or leave from the competent authority, which shows misconduct and lack of interest in the discharging police duty. (Copy of Impugned order annexed)

FE
2/3/21

That due to the above allegation the appellant was served with the charge sheet only and the appellant had properly submit the reply to the charge sheet which were not consider nor entertain and the same were returned to appellant without any lawful justification (Copy of charge sheet along with reply is annexed)

That due to above allegation the appellant was dismissed from service vide impugned order mentioned above.

That the appellant was not absented himself deliberately but the circumstances were beyond the control of the appellant which would be explain at time of personal hearing.

That as per the report of the OHC which is totally in contradiction with the version of the appellant on the basis that no such statement against the appellant is available on the record which proves that the appellant deliberately absented himself from his lawful duty.

That all the proceedings were conducted against the appellant exparty and no opportunity of personal hearing and defense has been provided to the appellant which is against to the service rules as well as against to the Police rules.

That the appellant is young energetic efficient person and having un blemished service record which could be verify from the service record of the appellant.

That no proper departmental enquiry was conducted against the appellant nor any publication regarding the same has ever been intimated to the appellant in any local news paper.

That no single evidence is available on record which connect the appellant with the allegation nor proved through any reliable probing.

That all the proceedings were conducted against the appellant in the absence of the appellant nor heard in person to explain the position.

That the appellant is very dedicated keen and apprehensive towards his assign duty but this fact has not been appreciated and the appellant was blessed with impugned order

That the appellant feeling aggrieved from the impugned order and submit the representation on the following grounds:-

Grounds:-

1. That the allegations never practice by the appellant and there is nothing on record which connect the appellant with the allegation as the appellant were suffering form Hepatitis since 10-07-2020 and were under treatment and the concern doctor advise for bed rest and during suspension the appellant had tender polio duty on different time and occasion which shows that the appellant during sever illness performed his assign duty (Copy of medical reports are annexed)
2. That it is the settle principle of justice that no one should be condem un heard but in the case of appellant no enquiry has been conducted to enquire the allegation as well as without issuing the Show Cause Notice which is mandatory but never served nor issued which speaks the biasness.
3. That again an unjust has been done with the appellant by not giving ample opportunity of cross examination as well as not heard in person nor properly enquired the allegation. Just on the basis of planted OHC report relying held guilt the appellant without following the prescribed rules relating to enquiry proceedings as per Police Rules 1975 (amended 2014).
4. That v awarding the im order none from the general public was exami support o. eveled against the appellant.
5. The ar ut sal declaration human rights 1948 prohibits the arbitral discretion.
6. That the Df K m has ac th ically and arbitrary, which is apparent from the impugned order
7. ut t ou to order is based on sound reasons and same is not sustainable in the c of la The sa based on wrong assumption of facts.
8. hat th n gn or come of surmi s a conjecture.

-30-

In the view of above circumstances it is humbly prayed that the impugned order of DPO Upper Kurram may please be set aside for the end of justice and the appellant may please be graciously be re-instated in service with all back benefits as per prevailing rules.

Date 2/3/2021

(Appellant)

Ex-Constable (Qaiser Hussain No-50147442)

0307-7140755

rec 2921 / EC
date 3/3/21

DPO Kurram

For Comments & also
Provide his service documents,
Enquiry file

3/3/21

Phone No: 9260112.
Fax No: 9260114.

-31-

From: - The Regional Police Officer,
Kohat Region, Kohat.

To: - The District Police Officers, Kurram.

No. 82/EC /A/C, Dated Kohat the 3 /15 /2021.

Subject: - PENDING APPEALS.

MEMO:

I am directed to refer to the subject quoted above and to state that the following appeals were sent to your office vide this office Endst: Nos. as mentioned below for comments, but the same are still awaited after a lapse of considerable time:-

S.No.	Name of the appellant	This office Endst: No. with date
1.	Ex-FC Qaiser Hussain	2921/EC, dated 03.03.2021
2.	Ex-FC Abdul Wali Khan	4026/EC, dated 25.03.2021
3.	Ex-FC Fahim Jan	5018/EC, dated 14.04.2021
4.	Ex-FC Syed Dildar Hussain	5759/EC, dated 04.05.2021
5.	Ex-FC Gul Nawaz	5760/EC, dated 04.05.2021

I am further directed to request to expedite the same please.


Regional Police Officer,
Kohat Region.

POLICE DEPTT:

KOHAT REGION

ORDER.

This order will dispose of a departmental appeal moved by Ex-Constable Qaiser Ali of district Kurram, against the punishment order, passed by DPO Kurram vide OB No. 139, dated 11.02.2021 whereby he was awarded major punishment of dismissal from service on the allegations of willful and long absence from lawful duties without any leave or prior permission from his seniors.


Comments as well as relevant record were requisitioned from DPO Kurram and perused. The appellant was also heard in person in O.R held in this office on 09.09.2021. During hearing the appellant did not advance any plausible explanation in his defense to prove his innocence.

Above in view, the undersigned reached to the conclusion that the allegations leveled against the appellant are proved. The appellant willfully did not join the enquiry proceedings which speaks that he was no more interested in resuming his official job. However, keeping in view his future career and being a youngster, the punishment of dismissal from service is hereby modified into major punishment of removal from service so that he may enable for future employment.

Order Announced
09.09.2021

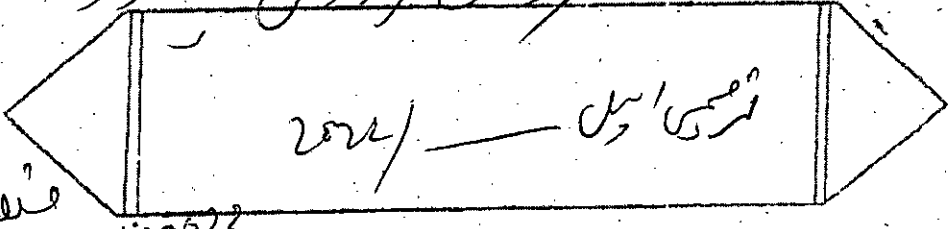

(MOHAMMAD ZAFAR ALI) PSP
Region Police Officer,
Kohat Region.

No. 19926 Kohat the 14/9 /2021.
Copy to Police Officer, Kurram for information and
w/r to office No. 550, dated 28.07.2021. His Service Book
is returned with, please.


MOHAMMAD ZAFAR ALI) PSP
Region Police Officer,
Kohat Region.

17

بعدالت سندروس ٹرڈسٹونٹ اور



ٹرسٹی

2022 پنجاب

بنام RPO وغیرہ

ٹرسٹی

موردہ

مقدمہ

دعویٰ

جزم

باعث تحریر آنکے

مقدمہ مندرجہ عنوان بالا میں اپنی طرف سے واسطے پیروی و جواب دہی دہل کاروائی متعلقہ
 آن مقام کے اتر کر کیا جاتا ہے۔ کہ صاحب موصوف کو مقدمہ کی کل کاروائی کا کامل اختیار ہوگا۔ نیز
 وکیل صاحب کو راضی نامہ کرنے و تقریرات و فیصلہ بر حلف دینے جواب دہی اور اقبال دعویٰ اور
 بصورت ڈگری کرنے اجراء اور وصولی چیک درو پیہ عرضی دعویٰ اور درخواست ہر قسم کی تصدیق
 زرائیں پر دستخط کرانے کا اختیار ہوگا۔ نیز صورت عدم پیروی یا ڈگری کی طرفہ یا اپیل کی برآمدگی اور منسوخی
 نیز دائر کرنے اپیل نگرانی و نظر ثانی و پیروی کرنے کا اختیار ہوگا۔ از بصورت ضرورت مقدمہ مذکور
 کے کل یا جزوی کاروائی کے واسطے اور وکیل یا مختار قانونی کو اپنے ہمراہ یا اپنے بجائے تقرر کا اختیار
 ہوگا۔ اور صاحب مقرر شدہ کو بھی وہی جملہ مذکورہ اختیارات حاصل ہوں گے اور اس کا ساختہ
 پروا خستہ منظور قبول ہوگا۔ دوران مقدمہ میں جو خرچہ ہر جات التوا ہے مقدمہ کے سبب سے ہوگا۔
 کوئی تاریخ پیشی مقام دورہ پر ہو یا حد سے باہر ہو تو وکیل صاحب پابند ہوں گے کہ پیروی
 نہ کوڑ کریں۔ لہذا نکالت نامہ لکھ دیا کہ سند ہے۔


راغبہ ظفر
الاولیٰ


Dr. Hasnain

ٹرسٹی

Accepted

الرقوم 24 جون 2022

بمقام  واہ کے لئے منظور ہے۔

Attested & Accepted 

BEFORE THE SERVICE TRIBUNAL KPK PESHAWAR

Service Appeal No 7027 /2021

Qaisar Hussain.....Appellant

V E R S U S

DPO & others.....Respondents


I N D E X

S.No	Description of Documents	Annexure	Pages
1.	Service appeal with affidavit		1-3
2.	Copies of Medical Chits & Application dated 11-08-2020	A & B	4-22
3.	Copy of Order dated 26-10-2020	C	23
4.	Copy of Charge Sheet & Rely	D & E	24-26
5.	Copy of Order dated 11-02-2021	F	27
6.	Copy of departmental appeal with letter dated 03-06-2021	G	28-31
7.	Vakalat Nama		32

Dated:-28-06-2021

Through


Appellant


FAZAL SHAH MOHMAND
ADVOCATE,
SUPREME COURT OF PAKISTAN.

OFFICE:- Cantonment Plaza Flat 3/B Khyber Bazar Peshawar Cell# 0301 8804841
Email:- fazalshahmohmand@gmail.com

-1-

BEFORE THE SERVICE TRIBUNAL KPK PESHAWAR

Service Appeal No _____/2021

Qaisar Hussain, Ex Constable No 50147442, District Police Kurram.

.....Appellant

V E R S U S

Khyber Pakhtunkhwa
Service Tribunal

Diary No. 6685

Dated 29/6/2021

1. District Police Officer, Kurram.
2. Regional Police Officer, Kohat Region KOhat.
3. Provincial Police Officer, Khyber Pakhtunkhwa, Peshawar.

.....Respondents

**APPEAL U/S 4 OF THE KPK SERVICE TRIBUNAL ACT
1974 AGAINST THE ORDER DATED 11-02-2021 OF
RESPONDENT NO 1 WHEREBY THE APPELLANT HAS
BEEN DISMISSED FROM SERVICE AND AGAINST WHICH
DEPARTMENTAL APPEAL OF THE APPELLANT HAS NOT
BEEN RESPONDED SO FAR DESPITE THE LAPSE OF
MORE THAN THE STATUTORY PERIOD OF NINETY DAYS**

PRAYER:-

On acceptance of this appeal the impugned Order dated 11-02-2021 of respondent No 1 may kindly be set aside and the appellant may kindly be ordered to be reinstated in service with all back benefits.

Respectfully Submitted:-

1. That the appellant was enlisted as Constable in Police department on 07-06-2012, remained posted at various places including District Courts and since enlistment performed his duties with honesty and full devotion and to the entire satisfaction of his high ups.
2. That in the month of July 2020, the appellant initially suffered from Typhoid and continued his treatment and later on suffered from Hepatitis too, and during this period he also requested respondent No 1 for medical leave vide application dated 11-08-2020 but with no response. The appellant continued his treatment and also performed duties whenever he could. (Copies of Medical chits & Application dated 11-08-2020 is enclosed as Annexure A & B).

Filed to-day
Registrar
29/6/2021

4. That Charge Sheet was issued to the appellant on the allegations of absence from duty which the appellant replied in detail refuting the allegations and explaining the true facts and circumstances. **(Copy of Charge Sheet & reply is enclosed as Annexure D & E).**
5. That there after without considering the reply and record the appellant was awarded the major penalty of Dismissal from service vide Order dated 11-02-2021. **(Copy of Order dated 11-02-2021 is enclosed as Annexure F).**
6. That the appellant filed departmental appeal before respondent No 2 on 02-03-2021 which is still pending and has not been responded so far despite the lapse of more than the statutory period of ninety days. **(Copy of Departmental appeal with letter dated 03-06-2021 is enclosed as Annexure G).**
7. That the impugned Order dated 11-02-2021 is against the law, facts and principles of justice on grounds inter alia as follows:-

GROUND S:-

- A. That the impugned Order 11-02-2021 is illegal, unlawful and void ab-initio.
- B. That mandatory provisions of law and rules have been badly violated by the respondents and the appellant has not been treated according to law and rules.
- C. That the impugned Order is void being passed without adhering to the mandatory provisions of law.
- D. That the appellant duly approached respondents with request of medical leave by filing application, which as per law cannot be refused but even then with no avail.
- E. That no proper inquiry was conducted in the matter to have found out the true facts and circumstances. No one was examined neither in support of the allegations nor in presence of the appellant nor was he ever afforded opportunity of cross examination.
- F. That no Show Cause notice was issued to the appellant nor was he afforded opportunity of personal hearing.

- H. That even otherwise the allegations were never substantiated, as no evidence during the so called inquiry was collected.
- I. That the appellant has about 9 years of service with unblemished service record and is jobless since his illegal dismissal from service.
- J. That the appellant seeks the permission of this honorable tribunal for further/additional grounds at the time of arguments.

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

Any other relief deemed appropriate and not specifically asked for, may also be granted in favor of the appellant.

Dated:-28-06-2021

Through

[Signature]
Appellant

[Signature]
FAZAL SHAH MOHMAND
ADVOCATE,
SUPREME COURT OF PAKISTAN.

CERTIFICATE

Certified that as per instructions of my client, no Writ petition on the same subject and between the same parties has been filed previously or concurrently before this honorable Court.

[Signature]
ADVOCATE

AFFIDAVIT

I, Qaisar Hussain, Ex Constable No 50147442, District Police Kurram, do hereby solemnly affirm and declare on oath that the contents of this **Application** are true and correct to the best of my knowledge and belief and nothing has been concealed from this honorable

Mumtaz Ali

M.B.B.S
F.C.P.S (II)

Medical Ward LRH Peshawar.



ڈاکٹر ممتاز علی

ایم بی بی ایس
ایف سی پی ایس (II)
میڈیکل وارڈ اول آر ایچ پی شاور

"A"

Name Shahid Age 47 Sex M Date 10/5/2020

Clinical Record

Px

B.P. 130/80

Weakness

Tab Viktana
400mg / 100mg
3 روزانہ ①

Cap Heptocam
3 روزانہ ①

Cap Nexum 40
3 روزانہ ①

CBC, HBs, HCV, HIV, LFT's

HCV (+ve)
SGPT 110

Advised 1st Month bed Rest
Repeat PCK after 1st month

طابقہ: 279 پی پی پی

DR. MUHAMMAD ALI
M.B.B.S
F.C.P.S (II)
10/5/2020

کلینک خوشحال میڈیکل سٹریٹ پبلیسیٹی گارڈن پشاور



For Vaid for court use please feel free to call within 48 hours for a repeat of any tests

Patient Name: Qaiser Ali
Age: 29 Yrs
Referred By: Dr. Mumtaz Ali

Date: 10-Aug-20
Sex: Male
Lab No: 620

TEST REPORT

Hepatitis B Surface Antigen:

Result

Non - Reactive

Interpretation
1. Anti-HBs positivity indicates a late infectious state and a partial resolution of infection
2. The detection of Anti-HBs must be correlated with patient symptoms and other laboratory findings to determine HBV infection from chronic HBV infection

Establishes B viral serological status for diagnostic purposes

Anti-Hepatitis C Antibodies:

Result

Reactive

Interpretation
1. A POSITIVE Result is positive for HCV antibodies test by direct confirmation by electroblot test or by PCR
2. A NEGATIVE Result is negative for HCV antibodies test by direct confirmation by electroblot test or by PCR
3. The detection of Anti-HCV must be correlated with patient symptoms and other laboratory findings to determine HCV infection from chronic HCV infection
4. The testing for HCV by PCR is not indicated in cases with negative Anti-HCV antibody result
5. Grey Zone: Please consult the test with a fresh blood sample for confirmation. If the result is positive, the test should be repeated. If the result is negative, the test should be repeated. If the result is positive, the test should be repeated. If the result is negative, the test should be repeated.

Establishes HCV antibody status for diagnostic purposes

HIV Ag/Ab:

Result

Non - Reactive

Interpretation
1. A POSITIVE Result is positive for HIV antibodies test by direct confirmation by electroblot test or by PCR
2. A NEGATIVE Result is negative for HIV antibodies test by direct confirmation by electroblot test or by PCR
3. The detection of Anti-HIV must be correlated with patient symptoms and other laboratory findings to determine HIV infection from chronic HIV infection
4. The testing for HIV by PCR is not indicated in cases with negative Anti-HIV antibody result
5. Grey Zone: Please consult the test with a fresh blood sample for confirmation. If the result is positive, the test should be repeated. If the result is negative, the test should be repeated.

Establishes HIV antibody status for diagnostic purposes

Electronically verified report, no signature (s) required.

Mr. M. Ihtesham
DMLT KPK
Medical Faculty Peshawar
(Govt: LRH Peshawar)

Mr. Awal Mir
B.Sc Medical Technologists
M.Sc Hematology
(Govt: KGMC)

Mr. M. Ilyas
B.S Microbiology
M.Phil Microbiology

Mr. Saif (A)
M.Phil, Microbiology
B.S HON MLT
DMLT (KPK) Medical Faculty, Govt: HMC

Mr. Ikram (A)
DMLT KPK
Medical Faculty Peshawar
(Govt: KTH Peshawar)

Quality Lab Services for all diagnostic tests our performance is quality control & standard of health care solutions

Near Khushal Medical Center, Dabgari Garden Peshawar.
Ikram (A): 0344-9176016 / 0313-9680017



بائیو لائف

میڈیکل لیبارٹری

Not Valid for court use please feel free to call within 48 hours for a repeat of any tests

Patient Name: Quaiser Ali
 Age: 29 Yrs
 Referred By: Dr. Munir Ali
 Test Required: ESR

Date: 02 Aug 20
 Sex: Male
 Lab No: 626
 Specimen: Blood

TEST	RESULT	N. RANGE
Complete Blood Counts:		
Haemoglobin	12.2 g/dl (12.5 - 17.5)	Neutrophils 50 % (40 - 75)
WBC	8.4 X 10 ⁹ /L (4.0 - 11.0)	Lymphocyte 31 % (20 - 40)
Platelets	265 X 10 ⁹ /L (150 - 450)	Monocyte 09 % (0 - 10)
RBC	3.74 X 10 ¹² /L (4.8 - 6.5)	Eosinophil 0 % (0 - 5)
HCT	29.6 dl (39-52)	Basophil 0.5 % (0.1 - 1.0)
MCV	79.2 fl (87 - 100)	Atypical 0.5 % (0-10) (0-2.0)
MCH	29.1 pg (27 - 37)	Lymphocyte 3.5 % (10-20) (1.5 - 4.0)
RDW	10.7 % (11 - 15)	Monocyte 0.5 % (10-20) (0.5 - 1.0)
PLV	10.7 fl (11 - 15)	Lymphocyte 0.1 % (10-20) (0.1 - 1.0)
		Basophil 0.0 % (10-20) (0.02 - 0.1)

Electronically verified report, no signature (s) required.

Mr. M. Ihtesham
 DMLT KPK
 Medical Faculty Peshawar
 (Govt: LRH Peshawar)

Mr. Awal Mir
 B.Sc Medical Technologists
 M.Sc Hematology
 (Govt: KGMC)

Mr. M. Ilyas
 B.S Microbiology
 M.Phil Microbiology

Mr. Saif (A)
 M.Phil, Microbiology
 B.S HON MLT
 DMLT (KPK) Medical Faculty, Govt: HMC

Mr. Ikram (A)
 DMLT KPK
 Medical Faculty Peshawar
 (Govt: KTH Peshawar)



Not valid for court use please feel free to call within 48 hours for repeat of any tests

Patient Name: Qaiser Ali
Age: 29 Yrs
Referred By: Dr. Manzoor Ali

Date: 16-Aug-20
Sex: Male
Lab No: 629

ALT/SGPT:	Result	110	U/I
Ref. Range (Adults: 10.00 - 50.00)			
Alkaline Phosphates:	Result	265	U/I
Ref. Range (Males: 205-304-400) (Children: 15 Yrs-40) (Infants: 1-7 Yrs: 80)			
Bilirubin Total:	Result	0.71	mg/dl
Ref. Range (Adult: 0.2 - 1.2) (New Born: 0.5 - 10.00)			

Information on procedures & pricing is available for total billing for hospital use only.
Reference ranges for neonatal patients are for term babies only. Premature babies have wider upper reference ranges.
Tel: 011-216-1111 (Government of Punjab), Philadelphia: All Sources Co. 740 (11337)

Electronically verified report, no signature (s) required.

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DMLT KPK
Medical Faculty Peshawar
(Govt: LRH Peshawar)

Mr. Awal Mir
B.Sc Medical Technologists
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Quality Lab Services for all diagnostic tests our performance is quality control & standard of health care solutions

Near Khushal Medical Center, Dabgari Garden Peshawar.
Ikram (A): 0344-9176016 / 0313-9680017

Assistant Professor

Dr. Muhammad Daud

Consultant Gastroenterologist & Hepatologist

MBBS(KMC)

MCPS(Medicine)

MRCP(UK)

FCPS(Gastro)



PMDC: 14010-N

-8-

اسٹنٹ پروفیسر
ڈاکٹر محمد داؤد
کنسلٹنٹ گیسٹرو انٹرا ویسٹ ایجنڈ ہپاٹالوجسٹ
ایم بی بی ایس (کے ایم سی)
ایم سی بی ایس (میڈیسن)
ایم آر سی بی (انکلیڈ)
ایف سی بی ایس (گیسٹرو)

Name Qaiser Ali Age _____ Sex M Date 15-01-21

Clinical Record

Recent hx
of G.E.S.

Now Improved

Bl. F. Pass

Abd. dist

Epr. pain

Rec

1. Tab. ECOTIC

1 - 1. کھانے کے لیے - (3) دن

2. Tab. Lycion 4000

1 - 1. کھانے کے لیے - (5) دن

3. Tab. Librax

1 - 1. کھانے کے لیے - (15) دن

4. Rulox Sachet 4000

1 - 1. شہ رسہ - (1) دن

5. Tab. Caplam 2000

1 - 1. کھانے کے لیے - (5) دن

Adm Flup
After 100 days.

Adm. Complete hxd

for two weeks.

(02)



دال، گوہنسی، مرج، مصالے
آلو، ساگ کا استعمال کم کریں

Not Valid Court Purpose ماہر امراض: معدہ، جگر، آنت، بیرقان، نیز انڈسکوپی کی سہولت موجود ہے

0311-0927873
0346-907225

کلینک: نمبر 5-A خوشحال میڈیکل سنٹر ڈبگری گارڈن پشاور
نمبر لینے کیلئے اس نمبر پر رابطہ کریں

ent. to

OUT DOOR PATIENT TICKET

District

CRP No:

1212

Facility Name

17/08/20

Name

Douglas A.D.

Sex

Father's/Husband's Name

Monthly OPD Serial No.

Provisional Diagnosis

Date

Clinical Findings / Investigations / Treatment / Referred / Test Findings

Aliment 500 O
in Raly
in Dazony
in Sotry

Dr. Bohony

OPD
P.D.

-9-

Sent To

OUT-DOOR PATIENT TICKET

District Kurram CRP No. 1328

Facility Name DHQR PCR

Name [Signature] Age 3 Sex Male

Father's/Husband's Name [Signature]

Monthly OPD Serial No. 12/12/11

Provisional Diagnosis

Date	Clinical Findings / Investigations / Treatment / Referred / Test Findings
<p>12/12/11</p> <p>Pain abdomen</p> <p>Loss of appetite</p> <p>Fever</p>	<p>Pass 4u line</p> <p>Normal DS 4u stat</p> <p>Flagyl 100ml 4u stat</p> <p>referred 4u stat</p> <p>Spedix 4u stat</p>


-10-

DISTRICT HEADQUARTER HOSPITAL, TRIBAL DISTRICT
KURRAM PARACHINAR.

To whom it may concern

-11-

It is hereby Certified that I examined Oaisar Ali S/O Sahib Zuman
resident of village Zeran Tribal District Kurram, to day on 06-07-2020
under OPD No.1699. He is suffering from Typhoid Fever Typhoid Positive.
He is advised complete bed rest with treatment for 10 ten days w.e 06-07-2020


Dr. Iqbal Hussain
Medical Officer,
District Headquarter Hospital,
Parachinar.

MEDICAL OFFICER
District Head Quarter Hospital,
Parachinar.

Dated 5/7/2020

Visit To:

OUT DOOR PATIENT TICKET

District _____

CRP No: 11557

Facility Name _____

Name _____

Handwritten signature
Age: 29 yr
Sex: M
(OPD) DRG/HOSPITAL

Father's /Husband's Name _____

30 JUL 2020

Address _____

Monthly OPD Serial No. _____

PARACHINAR

Provisional Diagnosis: _____

Date	Clinical Findings / Investigations / Treatment /Referred/Test Findings
	<p>cyo - Fever</p> <ul style="list-style-type: none"> o Nausea o Anorexia o Fatigue o Yellow discoloration of urine & sclera o Breathing difficulty o SOB <p><i>R. Revolu</i></p> <p>Medicine Requisition Slip.</p>

Handwritten notes:
How
BCP
SBRP
SLAP
CXR P/A
view erect

-12-

P.70

o. Syp. medidone
1/2 200

o. Tab. vitrum

1/2 100

o. cap. Hepatocam

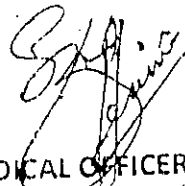
1/2 100

o. Tab. Montiget 10mg

1/2 100

o. Tab. CINMAX 400mg
1/2 100

Adhuc Complete bed rest for
2 at least two weeks



SENIOR MEDICAL OFFICER
District Head Quarter Hospital,
Parachinar.

Dated 20/7/2020



0926-311312 فون
0301-8866050 موبائل

امامیہ کالونی پاراچنار - 13

Name: Darzar Ali Age: _____ Sex: M Date: 5.7.20

Clinical Record

History
Cough with sputum
not

T - 38
BP $\frac{110}{70}$

CRP - 26
Cough investigation

R X ↓ Counts
100 BACTAMAZOLIN 1/2 B (ATB)
100 mg x 7 days
100 NUBESOL 1/2 TAB x 5 days
TAM MONTIKA 10 mg
46 qd
100 mg
TAM ARCEVA 800/480 mg
3
Cap Sp...
5.7.20

5.7.20
Signature
Date

Ren.

DEPARTMENT OF PATHOLOGY-14-



CITY HOSPITAL PARACHINAR

Ph 0926-311312 * 0301-8866050

Name: Dawar Ali Age _____ Sex Male

Test Adv By: Dr. Sajjad S/o Date 05-07-20

HAEMATOLOGY

CHEMICAL

TEST	RESULT	REF. RANGE	TEST	RESULT	REF. RANGE
WBC	9.700	4.0-----11.0 x10/L	Glucose Fasting		70-----110 mg/dl
RBC	4.74	4.5-----5.5 x10/L	Glucose Random	100	70-----170 mg/dl
Haemoglobin	13.4	13.0-----17.0 g/dl	Glycated HbA1c		4.2-----7.5 %
Platelet Count	331	150-----400 x10/L	Bilirubin (Total)		0.2-----1.2 mg/dl
ESR		0-10 mm in 1 hrs	Bilirubin (Direct)		Up to 0.25 mg/dl
DIFFERENTIAL			Bilirubin (Indirect)		Up to 0.7 mg/dl
Neutrophils	83	40-----75 %	ALT (SGPT)	33	Up to 42 U/L
Lymphocytes	10	20-----45 %	Alkaline Phosphatase		65-----306 U/L
Monocytes	04	02-----10 %	Albumin		35-----45 g/L
Eosinophils	03	01-----06 %	Urea		Up to 50 mg/dl
Basophils	00	<01 %	Creatinine	0.7	0.2-----1.2 mg/dl
Malaria Parasites	mp dot seen		Uric Acid		2.5-----6.5 mg/dl
Blood Group			Calcium		9.0-----11.0 mg/dl
Rh Factor			Total Protein		60-----80 g/l
Bleeding Time		02-----07 minutes	LDH		Up to 285 U/l
Clotting Time		05-----11 minutes	S. Amylase		Up to 100 U/l
Prothrombin Time			Total Cholesterol		Desirable <200 mg/dl
PTTK			Triglycerides		Up to 200 mg/dl
INR			HDL Cholesterol		>35 mg/dl
Widal			LDL Cholesterol		<130 mg/dl

VIROLOGY/SEROLOGY

Rheumatoid Factor		HbsAg
S.H-Pyloriantibodies		Anti HCV
Typhidot	IgG	IgM
Toxoplasma	IgG	IgM
Brucella	Alts	Mts
ASOT Titre	" "	<200 IU/ml
C.Reactive Protein (CRP)	>96	<6mg/l
		ICT-TB
		TROP-T

Remarks:- CRP "Positive"

D/M Lab
Technician



Associate Professor Dr. Saif Amin Afridi

M.B.B.S., M.C.P.S., F.C.P.S. (Medicine)

MEDICAL SPECIALIST, CONSULTANT

Associate Professor, Hayatabad Medical Complex, Peshawar

-15-

Name:

شیریں

Age:

28y

Date:

10-7-20

Add:

1120 1120 1120

to

Fece

- Chills

- GBA

- FLANK pain

WS Te Dexam 0.5
WS 3+3

WS Te Paracetamol
+1

WS Te Zinnat 250
+1

© Silla ESWL

SGPT=96

Advised bed rest for
Three weeks

SIRUS - 2019

Negative

Dr. Saif Amin Afridi
M.B.B.S., M.C.P.S./F.C.P.S. (Medicine)
Associate Professor Medical "A" Wing
Hayatabad Medical Complex
Peshawar

Not valid for Medico Legal Use

سوی ایٹ پروٹیسٹا ڈاکٹر سید امین آفریدی

یگانہ اور حیات آباد ایڈوانسڈ کیمپس پشاور

امراض شکر، بلڈ پریشر، قلب، کلی، اور، ناع، بخار، ویرقان، معده، جگر، رکت، خون، قلب، امراض

کلیکلک: سکرہ نمبر 4-B شمال میڈیکل سٹریٹ، پشاور
PH: 091-2551488 / 0313-9880265



ACCIDENT & EMERGENCY DEPARTMENT

MEDICAL TEACHING INSTITUTION PESHAWAR, KP

Hayatabad Medical Complex

Serial #: 412735

- 16 -

Patient : EIME00319132

QAISAR ALI

28 Yearl Male

Father / Husband

Date : 13 JUL 20 18:58:35

Invoice #: KUTED01833825

Receipt #: KUTED01833839

Presenting Complaints	R	Remarks
<p>fever Chills G.B.A Abdominal pain</p>	<p>Tabs Dext 0-5</p>	
<p>Past medication history Aes to med ER</p>	<p>0-5 3-3</p> <p>Tabs Amoxic 200mg</p>	
<p>Investigations USK LFT MP</p>	<p>US 1-1</p> <p>Tam Paracetamol for 4 days</p>	
<p>Diagnosis Admitted for bed rest three weeks</p>	<p>US 1-1</p> <p>Signature of prescriber</p>	



Not Valid for court use please feel free to call within 48 hours for a repeat of any tests

Patient Name:	Qaisar Ali	Date:	10-Jul-20
Age:	? Yrs	Sex:	Male
Referred By:	Dr Said Ameen	Lab No:	189

TEST REPORT

Hepatitis B Surface Antigen:

Result: Non - reactive

Interpretation

1. Anti-HBe reactivity indicates a less infectious state and a partial resolution of infection.
2. The detection of Anti-HBe must be correlated with patient symptoms and other Hepatitis B viral serological marker for diagnostic purpose and to differentiate acute HBV infection from chronic HBV infection.

Anti - Hepatitis C Antibodies:

Result: Non - Reactive

Interpretation

- REACTIVE Result: A positive Anti-HCV antibodies test requires confirmation by immunoblot test or by PCR.
- Negative Result: A negative test does not exclude the possibility of exposure or infection with Anti-HCV antibodies. The testing for HCV by PCR is not indicated in cases with negative Anti-HCV sero-status.
- Gray Zone: Result. Please repeat the test with a fresh blood sample for confirmation or preferably it should be repeated after 08 weeks.
- Indeterminate Result: Please repeat the test with a fresh blood sample after 08 weeks or confirm by PCR.

Electronically verified report, no signature (s) required.

Mr. M. Ihtesham
DMLT KPK
Medical Faculty Peshawar
(Govt: LRH Peshawar)

Mr. Awal Mir
B.Sc Medical Technologists
M.Sc Hematology
(Govt: KGMC)

Mr. M. Ilyas
B.S Microbiology
M.Phil Microbiology

Mr. Saif (A)
M.Phil, Microbiology
B.S HON MLT
DMLT (KPK) Medical Faculty, Govt: HMC

Mr. Ikram (A)
DMLT KPK
Medical Faculty Peshawar
(Govt: KTH Peshawar)

Quality Lab Services for all diagnostic tests our performance is quality control & standard of health care solutions

Near Khushal Medical Center, Dabgari Garden Peshawar.
Ikram (A): 0344-9176016 / 0313-9680017



Not Valid for court use please feel free to call within 48 hours for a repeat of any tests

Patient Name:	Qaisar Ali	Date:	10-Jul-20
Age:	? Yrs	Sex:	Male
Referred By:	Dr Saïd Ameen	Lab No:	189

Malarial Parasite:

Result

No MP seen

Electronically verified report, no signature (s) required.

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Not Valid for court use please feel free to call within 48 hours for a repeat of any tests

Patient Name:	Qaisar Ali	Date:	10-Jul-20
Age:	? Yrs	Sex:	Male
Referred By:	Dr Said Ameen	Lab No:	189

ALT/SGPT:	Result	96 ↑	U/l
Ref. Range (Adults: 10.00 - 50.00)			
Alkaline Phosphates:	Result	254	U/l
Ref. Range (M:80-306 F:64-306) (Children: 15 Yrs 6-14 Children: 17 Yrs 483)			
Bilirubin Total:	Result	0.72	mg/dl
Ref. Range (Adult: 0.2 - 1.0) (New Born: 6.00 - 10.00)			

Note:
 Micromethod on heparinised capillary blood is available for total bilirubin for neonatal jaundice
 Reference ranges for neonatal jaundice are for term babies only. Premature babies have wider/higher reference ranges
 Ref: Lietz N. Fundamentals of clinical chemistry, Philadelphia: WB Saunders Co, 740 (1987)

Electronically verified report, no signature (s) required.

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DISCLAIMER THIS FORM CAN ONLY BE USED FOR PATIENT REPORTS

Name	Qaisar Ali	Date	10-Jul-20
Refer By	Dr. Said Amin Sb		

ABDOMINAL AND PELVIC ULTRASOUND

Liver

Liver is of normal size with normal echogenicity and smooth parenchymal echo pattern. No mass lesion seen. No intra hepatic biliary dilatation. CBD and portal vein are of Normal caliber.

Gallbladder

GB is normal in size having normal wall thickness. No mass or calculus seen.

Spleen

Spleen is of normal size with normal parenchymal echo texture. No focal lesion seen.

Pancreas

Pancreatic head and body are of normal size with normal parenchymal echo texture. Tail not visualized.

Kidneys

Right kidney shows mild fullness of pelvicalyceal system.

Left kidney shows few small calculus largest measuring about 4mm in upper pole.

Both kidneys are of normal size with normal echogenicity & normal cortical thickness with well-differentiated cortico-medullary junction.

Urinary bladder

Is partially filled and shows normal wall thickness. No mass or calculus seen.

Prostate

Is of normal size and shows normal morphology. No mass lesion seen.

IMPRESSION:

- Right renal mild fullness of pelvicalyceal system.
- Left renal few calculi without obstructive changes.

Dear doctor,

If ultrasound report does not coincide with clinical findings, you can always ask for a free second opinion



Not Valid for court use please feel free to call within 48 hours for a repeat of any lets

Patient Name:	Qaisar Ali	Date:	10-Jul-20
Age:	? Yrs	Sex:	Male
Referred By:	Dr Said Ameen	Lab No:	189

REPORT

RESULT

C.R.P (C.Reactive Protein) Positive

Comments:-

C-Reactive Protein In Patients' Sera Has Been Found In Association With Acute Infections, Necrotic And A Variety Of Inflammatory Disorders. There Is A Strong Correlation Between Serum Levels Of CRP And The Onset Of The Inflammatory process. Monitoring Of The CRP Levels In Patients' Sera Indicates The Effectiveness And The Assessment Of The Patient Recovery.

However, A Diagnosis Should Not Be Made On The Results Of A Single Test But On A Correlation Of Clinical Details And Other Laboratory Findings.

Electronically verified report, no signature (s) required.

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Ikram (A): 0344-9176016 / 0313-9680017

محکم دلائل سے مزین و متنوع ومنفرد موضوعات پر مشتمل مفت آن لائن مکتبہ
APD سندھ حکومت کوہاٹ
SND

درخواست برآمد عطائے ملی ایک ماہ گئی اس لئے کل لپور
سیاہی تیر علی ولد صاحب زمان کوہاٹ کوہاٹ تھانہ ایجوکیشن جیٹا فدوی
پیرقان ماملوں ہے۔ ڈاکٹروں نے ایک سینئر مکل سید Resy کا ایڈویس
دیا ہے۔

جناب عالی، گزرا ہے کہ فدوی ایجاب کے زیر سایہ کثرت کثرت فدوی
ایام سے رہا ہے لیکن فدوی کو کہ عرصہ سے پیرقان کی بیماری لگ چکی ہے۔
فدوی کسٹور سے علاج جاری کر رہا ہے۔ جس کے ڈاکٹر نے ایک سینئر مکل سید لپور کی
حدیث کی ہے۔ جس کی وجہ سے فدوی ہر ایک ماہ کیلئے نہیں آتا۔

آزاد آتا ہے۔ کہ پیرانی فرما کر فدوی کو ایک ماہ گئی از روخ $\frac{8}{2020}$ 10
سے $\frac{7}{2020}$ 10 تک بد لعل لیو دینے کا حکم صادر فرما کر مکتور فرمادی۔

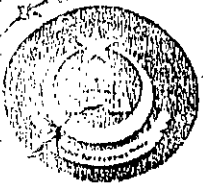
یعنی نو مری ہوگی

27323 -

$\frac{8}{2020}$ 11/

کسٹن تیر علی ولد صاحب زمان قوم شیخ زمان کوہاٹ فون نمبر 03077140755

نذیر احمد پیرانی صاحب کوہاٹ ولد صاحب زمان۔



OFFICE OF THE
DISTRICT POLICE OFFICER
KURRAM, KHYBER PAKHTUNKHWA

Tel/Fax:0926-311354*Email:policekurram@gmail.com

No. 3726-29...Dated Parachinar. 26-10-2020

"C"

-23-

OFFICE ORDER

Constable Qaiser Hussain son of Sahib Zaman R/O Zeran Yousaf Khel (Personal No:50147442) is hereby suspended for his absence and his pay stopped.

District Police Officer
Kurram

No & date even:

Copy to the:

1. DSP/SHO Upper Kurram
2. Pay Officer
3. SRC Kurram
4. OASI Kurram

District Police Officer
Kurram

OASI Branch
Kurram Police

3-09-2020



OFFICE OF THE
DISTRICT POLICE OFFICER
KURRAM, KHYBER PAKHTUNKHWA

Tel/Fax: 0926-311354*Email: policekurram@gmail.com

No. 174 / PA Dated Parachinar. 19-01-2021

"D"
-24-

CHARGE SHEET

Mr. Tahir Iqbal District Police Officer as competent authority under Khyber Pakhtunkhwa Police Rule 1975 (amended 2014), am the opinion that you Constable Qaisar Hussain salary No. 50147442 had rendered yourself liable to be proceeded against as you have committed the following act within the moaning of the Police Rules 1975 amended 2014.

That you are willingly absent from the legitimate duty since long which is a gross misconduct on your part.

By reason of the above, you appear to be guilty of misconduct under the Police Rule 1975 (amended 2014) and have rendered your self liable to all or any of the penalties specified in the Police Rules.

You are, therefore, required to submit your written statement within (03) days of the receipt of this charge sheet to the inquiry officer.

Your written defense if any should reached the inquiry officer within the specified period, failing which it shall be presumed that you have no defense to put in and ex-parte action shall be taken against you.

A statement of allegation is enclosed.

District Police Officer
Kurram

آج صوف 20-1-2021 کو
جارج سید ولد سید
20-1-2021 کو
دستخط سید
Said



OFFICE OF THE
DISTRICT POLICE OFFICER

KURRAM, KHYBER PAKHTUNKHWA

Tel/Fax: 0926-311354*Email: policekurram@gmail.com

No. 175/PA Dated Parachinar. 18-01-2021

DISCIPLINARY ACTION.

Mr. Tahir Iqbal District Police Officer as competent authority, am the opinion that you Constable Qaisar Hussain salary No. 50147442 have rendered yourself liable to be proceeded against departmentally under Khyber Pakhtunkhwa Police Rule 1975 (amended 2014) as you have committed the following act.

STATEMENT OF ALLEGATIONS

That you are willingly absent from the legitimate duty since long which is a gross misconduct on your part.

For the purpose of conduct inquiry with reference to the above allegations DSP Investigation is appointed as Inquiry officer. The inquiry officer shall in accordance with the provision of the Police Rule 1975 (amended 2014), provide reasonable opportunity of hearing to the above official within (07) days of the receipt of this order, recommendations as to punishment or other appropriate action against the official.

The official shall join the proceeding on the date, time and place fixed by the inquiry officer.


District Police Officer
Kurram

Copy to the:

1. Inquiry Officer for initiating proceedings against the official under the provision of Police Rule 1975.
2. The official with the direction to appear before the Inquiry Officer on the date, time and place fixed by him for the purpose of inquiry proceedings.


District Police Officer
Kurram

جواب دہی اور نئی مشابہت مقررہ طریقہ سے ہے۔

۱) یہ کہ میں سائل ایک نمبر دار پولیس اہلکار ہے۔ جو کہ قبل ازیں باقاعدگی سے اپنی ڈیوٹی کر رہا تھا۔

۲) یہ کہ اس دوران عرصہ تقریباً 13/2/2020 قبل سائل کو سوشل سروس کی بیماری لاحق ہو گئی جسکی بابت سائل نے دفتر نیا میں ایک درخواست بابت چھٹی دائرہ کی اور اسی دفعہ DPo آفیسر کیا کہ مجھے سینڈیکل سٹراؤنڈ پر چھٹی عطا فرمائی جائے۔ مگر میرا درخواست پیر ڈیپنڈنٹ پر ایک سٹاف کارہائی نہیں کر رہا تھا۔ درخواست کی نقل و میڈیکل تقریرت لف ہے

۳) یہ کہ میں دوران بیماری کی حالت میں بھی سائل نے تعینات ڈیوٹیاں سرانجام دی۔ جسکا ثبوت بوقت پیشی پیشی کیا جا سکتا۔

۴) یہ کہ اس اثناء میں سائل انتہائی غریب حالت میں تھا اور سسر سے آٹھن کے پوریشن سے بھی نہ تھا۔ اب بھی سائل نے سسر سے میڈیکل ٹیسٹ کئے ہیں۔ (تقریرت لف ہے)۔

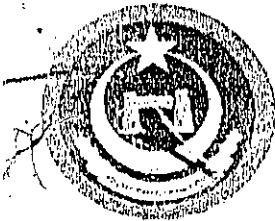
۵) یہ کہ سائل کے گھر میں دیگر کوئی مرد یا لگانے کا کوئی فرد موجود نہ ہے۔ اور سائل آفسر حضور سے استدعا کرتا ہے کہ انسانی ہمدردی کے بنیاد پر سائل کو اس کو تباہی پر معاف فرما کر ایک موقع دیا جائے اور سائل نے وعدہ کرتا ہے کہ وہ آئندہ مکمل ایمانداری سے اپنی ڈیوٹی سرانجام دینگا۔

۶) یہ کہ سائل ایک غریب شخص ہے اور سائل کی غیر ماہتری سہواً تھی اور وعدہ نہ تھی۔

لہذا استدعا ہے کہ نیکو روی جواب نوٹس سائل کی suspension منسوخ فرما کر سائل کو بحال فرمائے۔ سائل تاثر دعا کو رہے گا۔

2020-9-28-21-9

ممبر علی دار صاحب زمان بریلہ
20-1-21
5011774482
موضوع نمبر ۲



-27- "F"

OFFICE OF THE
DISTRICT POLICE OFFICER
KURRAM, KHYBER PAKHTUNKHWA

Tel/Fax: 0926-311354*Email:policekurram@gmail.com
No. 646...../PA Dated Parachinar. 11.2.2021

ORDER

This order is passed on the Charge Sheet against Constable Qaisar Hussain, Salary No. 50147442 under the Khyber Pakhtunkhwa, Police Rules, 1975 (Amendment 2014).

Brief facts are that while posted at Upper Kurram had absented himself from official duty reported by OHC **since long** without any permission or leave from the competent authority, which shows misconduct and lack of interest in the discharging police duties.

He was served with charge sheeted he never bothered to reply charge sheet.

In view of the above I, Tahir Iqbal District Police Officer Kurram in exercise of the powers conferred upon me, hereby award him a major punishment of "Dismissal from Service" with immediate effect and his absence period is treated as leave without pay.

OB No. 139

Date 11 - 02 /2021

District Police Officer
Kurram

No and Date is even;

Copy of the above is forwarded to the Reader/SRS/OHC for necessary action.

District Police Officer
Kurram

Qaiser Hussain -28-"G"

1988

BEFORE THE DEPUTY INSPECTOR GENERAL OF POLICE KOHAT REGION
KOHAT

SUBJECT: APPEAL AGAINST THE IMPUGNED ORDER OF DPO KURRAM VIDE DATED 11 02 2021, OB NO: 139 NO 646 IN WHICH WITHOUT ENQUIRING THE ALLEGATIONS DIRECTLY IMPOSED THE MAJOR PUNISHMENT OF DISMISSAL FROM SERVICE AND HIS ABSENCE PERIOD IS TREATED AS LEAVE WITHOUT PAY.

Respectfully Sheweth,s

With great veneration the instant appeal is preferred by the appellant on the following grounds:

Facts:

Briefly facts as per impugned order are that the appellant while serving in department posted at Upper Kurram had absented himself from official duty reported by OHC since long without any permission or leave from the competent authority, which shows misconduct and lack of interest in the discharging police duty. (Copy of Impugned order annexed)

Fe
2/13/2021

That due to the above allegation the appellant was served with the charge sheet only and the appellant had properly submit the reply to the charge sheet which were not consider nor entertain and the same were returned to appellant without any lawful justification (Copy of charge sheet along with reply is annexed)

That due to above allegation the appellant was dismissed from service vide impugned order mentioned above.

That the appellant was not absented himself deliberately but the circumstances were beyond the control of the appellant which would be explain at time of personal hearing.

That as per the report of the OHC which is totally in contradiction with the version of the appellant on the basis that no such statement against the appellant is available on the record which proves that the appellant deliberately absented himself from his lawful duty.

That all the proceedings were conducted against the appellant exparty and no opportunity of personal hearing and defense has been provided to the appellant which is against to the service rules as well as against to the Police rules.

That the appellant is young energetic efficient person and having un blemished service record which could be verify from the service record of the appellant.

That no proper departmental enquiry was conducted against the appellant nor any publication regarding absente has ever been intimated to the appellant in any leading news paper.

That no single evidence is available on record which connect the appellant with the allegation nor proved through any reliable probing.

That all the proceedings were conducted against the appellant in the absence of the appellant nor heard in person to explain the position.

That the appellant is very dedicated keen and apprehensive towards his assign duty but this fact has not been appreciated and the appellant was blessed with impugned order

That the appellant feeling aggrieved from the impugned order and submit the representation on the following grounds:-

Grounds:-

1. That the allegations never practice by the appellant and there is nothing on record which connect the appellant with the allegation as the appellant were suffering form Hepatitis since 10-07-2020 and were under treatment and the concern doctor advise for bed rest and during suspension the appellant had tender polio duty on different time and occasion which shows that the appellant during sever illness performed his assign duty .(Copy of medical reports are annexed)
 2. That it is the settle principle of justice that no one should be condem un heard but in the case of appellant no enquiry has been conducted to enquire the allegation as well as without issuing the Show Cause Notice which is mandatory but never served nor issued which speaks the biasness .
 3. That again an unjust has been done with the appellant by not giving ample opportunity of cross examination as well as not heard in person nor properly enquired the allegation. Just on the basis of planted OHC report relying held guilty the appellant without following the prescribed rules relating to enquiry proceedings as per **Police Rules 1975 (amended 2014)**.
 4. That while awarding the impugned order none from the general public was examined in support of the charges leveled against the appellant.
 5. That as per universal declaration of human rights 1948 prohibits the arbitral discretion.
 - 6 That the DPO Kurram has acted whimsically and arbitrary, which is apparent from the impugned order.
 - 7 That the impugned order is not based on sound reasons and same is not sustainable in the eyes of law. The same is based on wrong assumption of facts.
 - 8 That the impugned order is outcome of surmises and conjecture.
-

-30-

In the view of above circumstances it is humbly prayed that the impugned order of DPO Upper Kurram may please be set aside for the end of justice and the appellant may please be graciously be re-instated in service with all back benefits as per prevailing rules.

Date 2/3/2021

(Appellant)

Ex-Constable (Qaiser Hussain No-50147442)

0307-7140755

2921 / EC
rec d 2/3/21

DPO Kurram

For comments & also
provide his service documents
enquiry file

3/3/21

Phone No: 9260112.
Fax No: 9260114.

-31-

From: - The Regional Police Officer,
Kohat Region, Kohat.

To: - The District Police Officers, Kurram.

No. 2280 /EC, Dated Kohat the 3 / 16 / 2021.

Subject: - PENDING APPEALS.

MEMO:

I am directed to refer to the subject quoted above and to state that the following appeals were sent to your office vide this office Endst: Nos. as mentioned below for comments, but the same are still awaited after a lapse of considerable time:-

S.No.	Name of the appellant	This office Endst: No. with date
1.	Ex-FC Qaiser Hussain	2921/EC, dated 03.03.2021
2.	Ex-FC Abdul Wali Khan	4026/EC, dated 25.03.2021
3.	Ex-FC Fahim Jan	5018/EC, dated 14.04.2021
4.	Ex-FC Syed Dildar Hussain	5759/EC, dated 04.05.2021
5.	Ex-FC Gul Nawaz	5760/EC, dated 04.05.2021

I am further directed to request to expedite the same please.


Regional Police Officer,
Kohat Region.

VAKALATNAMA
BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR.

Service Appeal No. _____/2021

Qaisar HussainAppellant

V E R S U S

D. P. O & othersRespondent(s)

I, the undersigned, do hereby appoint and constitute,
FAZAL SHAH MOHMAND Advocate Supreme Court. To act, appear and plead in the above-mentioned matter and to withdraw or compromise the said matter or submit to arbitration any differences or dispute that shall arise touching or in any manner relating to the said matter and to receive money and grant receipts therefore and to do all other acts and things which may be necessary to be done for the progress and the course of the prosecution of the said matter.

1. To draft and sign files at necessary pleadings, applications, objections, affidavits or other documents as shall be deemed necessary and advisable for the prosecution of the said matter at all its stages.
2. To employ any other Legal Practitioner, authorizing him to exercise the power as conferred on the undersigned Advocate, wherever he may think fit to do so.

AND I hereby agree to ratify whatever the Advocate or his substitute shall do in the above matter. I also hereby agree not to hold the Advocate or his substitute responsible for the result of the said matter in consequence of his absence from the Court when the said matter is called up for hearing. I further hereby agree that in the event for the whole or any part of the fee to be paid to the Advocate remaining unpaid, he shall be entitled to withdraw from the above matter.
Received by me on 28-6-21

CLIENT(s)

[Signature]
قیسر حسین ولد ملک زمان

ACCEPTED BY:

[Signature]
FAZAL SHAH MOHMAND
ADVOCATE,
SUPREME COURT OF PAKISTAN.

&

Accepted By :

RABIA MUZAFFAR
ADVOCATE PESHAWAR

BEFORE THE SERVICE TRIBUNAL KPK PESHAWAR

C. M. No _____/2021

In

Service Appeal No 7027 /2021.

Qaisar Hussain..... **Appellant**

V E R S U S

DPO & others.....**Respondents**

APPLICATION FOR PERMISSION TO FILE AMENDED

APPEAL

Respectfully Submitted:-

1. That the above titled Service Appeal is pending before this honorable Tribunal and is fixed for 20-11-2022
2. That the appellant had filed departmental appeal before respondent No. 2³ which was not decided at the time of filing service appeal and which by now has been decided wherein the punishment of dismissal has been converted into removal from service vide order dated 14.09.2021. **(Copy of order is attached as Annexure A).**
3. That as the said order has not been impugned in the Service Appeal and challenging the same is necessary for the just disposal of titled appeal, hence the applicant seeks leave of this honorable Tribunal to amend the titled Service Appeal to such extent.
3. That the valuable rights of the applicant are at stake and the law as well as the dictums of Superior Courts also favors the amendment of cases for the interest of justice.

4. That if the applicant is not allowed to amend his appeal, the very purpose of his appeal would be lost resulting in multiplicity of litigation.

It is therefore prayed, that on acceptance of this application, the applicant may kindly be allowed to file amended appeal thereby impugning the appellate order dated 14-09-2021.


Dated:- 04/2/21

Through


Appellant


Fazal Shah Mohmand
Advocate Supreme Court

&


Rabia Muzaffar
Advocate High Court.

AFFIDAVIT

I, Qaiser Hussain, Ex Constable No 50147442, District Police Khurram (the Appellant), do hereby solemnly affirm and declare on oath that the contents of this **Application** are true and correct to the best of my knowledge and belief and nothing has been concealed from this honorable Tribunal.


DEPONENT

POLICE DEPTT:

KOHAT REGION

ORDER.

This order will dispose of a departmental appeal moved by Ex-Constable Qaiser Ali of district Kurram, against the punishment order, passed by DPO Kurram, vide OB No. 139, dated 11.02.2021 whereby he was awarded major punishment of dismissal from service on the allegations of willful and long absence from lawful duties without any leave or prior permission from his seniors.

Comments as well as relevant record were requisitioned from DPO Kurram and perused. The appellant was also heard in person in O.R held in this office on 09.09.2021. During hearing the appellant did not advance any plausible explanation in his defense to prove his innocence.


Above in view, the undersigned reached to the conclusion that the allegations leveled against the appellant are proved. The appellant willfully did not join the enquiry proceedings which speaks that he was no more interested in resuming his official job. However, keeping in view his future career and being a youngster, the punishment of dismissal from service is hereby modified into major punishment of removal from service so that he may enable for future employment.

Order Announced
09.09.2021


(MOHAMMAD ZAFAR ALI) PSP
Region Police Officer,
Kohat Region.

No. 14926 /EC, dated Kohat the 14/9 /2021.

Copy to District Police Officer, Kurram for information and necessary action w/r to his office Memo: No. 550, dated 28.07.2021. His Service Book is returned herewith, please.


(MOHAMMAD ZAFAR ALI) PSP
Region Police Officer,
Kohat Region.

11

BEFORE THE KHYBER PAKHTUNKHWA, SERVICE TRIBUNAL,
PESHAWAR.

In SA No. 7502-P/2021

7027P

Mr. Qaiser Hussain

VERSUS

- 1. Provincial Police Officer, Khyber Pakhtunkhwa Peshawar.**
- 2. Regional Police Officer, Kohat Region Kohat.**
- 3. District Police Officer, Kurram.**

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03005932556

BEFORE THE SERVICE TRIBUNAL KPK PESHAWAR.

SA No.7027/2021.

Mr. Qaiser Hussain s/o Sahib Zaman Caste, Bangash resident of village Zeran Upper Kurram Parachinar, District Police Kurram.

.....Petitioner.

VERSUS.

1. Provincial Police Officer, Khyber Pakhtunkhwa Peshawar.
2. Regional Police Officer, Kohat Region Kohat.
3. District Police Officer, Kurram.

.....Respondents.

BETTER COMMENTS ON BEHALF OF RESPONDENTS 1, 2 & 3.

Respectfully Sheweth:-

The Parawise comments are submitted as under:-

PRELIMINARY OBJECTIONS:-

- i. That the appellant has got no cause of action.
- ii. That the appellant has got no locus standi to file the Instant appeal.
- iii. That the appeal is bad for mis-joinder and non-joinder of necessary parties.
- iv. That the appellant is stopped file the instant appeal from his own act/conduct.
- v. That the appeal is bad in eyes of law and not maintainable.
- vi. That the appellant has not approached the honorable Tribunal with clean hands.

FACTS.

Mr. Qaiser Hussain s/o Sahib Zaman Caste, Bangash resident of village Zeran Upper Kurram was appointed as Levy Sepoy in Kurram Levy Force on 07/06/2012 and he was absorbed in KP Police vide Home Department Notification No.SO(Police)HD/SMY-2019 Merged Area/403-13 dated: 14/02/2020. He was posted at Court Session Judge in Upper Kurram and absented himself from official duty since long as reported by OHC without any permission or leave from the competent authority, which shows misconduct and lack interest in the discharging police duties. He was served with charge sheeted, he never bothered to reply charge sheet. He was summoned to appear before the undersigned time and again, but in vain. He was willfully absent and did not appear before, the enquiry officer. Despite of repeated summons/notices he turned deaf ear to the instructions of his superior. He was dismissed from service under KP Police Rules 1975 (Amended) 2014 respectively vide order No.1133/PA dated:-24/03/2021. (copy enclosed).

Para wise Comments on facts.

1. Pertains to record regarding appointment of appellant as Levy Sepoy in Kurram Levy Force in erstwhile FATA. After promulgation of 25th Constitutional Amendment, the services of erstwhile Levies/Khassadar personnel have been absorbed in Khyber Pakhtunkhwa Police in accordance with Kurram Levy Force Act, 2019 and Levy Force (Absorption in the Khyber Pakhtunkhwa Police) Rules, 2019. Hence, the appellant was absorbed in Khyber Pakhtunkhwa, police newly merged district Kurram.
2. Incorrect, the appellant deliberately/willfully absented himself from lawful duty after his absorption in KP Police.
3. Incorrect, reply is submitted in the above paras.
4. Incorrect, the appellant along with other had absented himself from lawful duty therefore, a charge sheet was issued to the petitioner on the allegations of absence from duty. The petitioner was directed to resume their duty but the appellant failed deliberately. Copy of charge sheet is annexure "A".
5. Correct, regarding issue of charge sheet, the appellant name is mentioned. Therefore, there was no option except dismissal of the appellant, who was burden on public exchequer. Copy of order is annexure "B".
6. The departmental appeal of the appellant was under process in the office of respondent No.2 and the appellant approached this Honorable Tribunal thus the departmental appeal has become functus officio.
7. Incorrect, a legal and speaking order is passed by respondent No.3, in accordance with relevant rules/law.


GROUND:-

- A. Incorrect, the impugned order is passed by respondent No.3 according to facts and rules.
- B. Incorrect, the appellant was treated in accordance with law/rules. Further added that a charge sheet was issued to him according attendance of the appellant, but the appellant did not resume his duty willfully.
- C. Incorrect, reply is submitted in the above paras.
- D. The appellant had willfully absented himself from lawful duty and did not resume his duty within prescribed period as mentioned in show cause notice.
- E. Incorrect, the appellant never perform his duty and remained absent, as mentioned in impugned order by respondent No.3. He was dismissed after completion of all codal formalities.
- F. Incorrect, detail reply is submitted in above paras.
- G. The respondent No.2 proceeded against the appellant in view of public notice/show cause notice and willful misconduct of the appellant.
- H. The appellant was preceded in accordance with law/rules a legal and speaking order was passed by the respondent No.3.

- I. Incorrect, as submitted in the above paras and the appellant did not resume his duty within stipulated period and willfully absented himself.
- J. Respondent may be allowed to raise or additional documents at the time of hearing of petitioner.

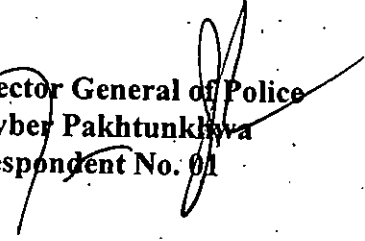
Prayers:-

In view of the above, it is prayed that the appeal being not maintainable may graciously be dismissed with costs, please.


Regional Police Officer,
Kohat Region, Kohat
Respondent No. 02

Regional Police Officer
Kohat Region Kohat


District Police Officer Kurram
Respondent No. 3


Inspector General of Police
Khyber Pakhtunkhwa
Respondent No. 01

BEFORE THE SERVICE TRIBUNAL KPK PESHAWAR

WP No.7027/2021.

Mr. Qaiser Hussain s/o Sahib Zaman Caste, Bangash resident of village Zera
Upper Kurram Parachinar, District Police Kurram.

.....Petitioner

VERSUS.

1. Provincial Police Officer, Khyber Pakhtunkhwa Peshawar.
2. Regional Police Officer, Kohat Region Kohat.
3. District Police Officer, Kurram.

.....Respondents

AFFIDAVIT.

I, Mr. Nasir Khan Senior Clerk Kurram Police Force Focal Person. (The authorized representative of respondent No.3) do hereby solemnly affirm and declared on oath that the contents of this accompanying Para Wise Comments on behalf of respondent No.3 are true and correct to the best of my knowledge and belief and nothing has been concealed from this Honorable Court.

Nasir Khan

DEPONENT.

CNIC. No.61101-2008170-

Cell No.0300-5932556



Shafiq-ur-Rehman Sharaf

21-06-2022.

BEFORE THE KHYBER PAKHTUNKHWA, SERVICE TRIBUNAL,
PESHAWAR.

WP No.7027/2021.

Mr. Qaiser Hussain s/o Sahib Zaman Caste, Bangash resident of village Zerar
Upper Kurram Parachinar, District Police Kurram.

.....Petitioner


VERSUS.

1. Provincial Police Officer, Khyber Pakhtunkhwa Peshawar.
2. Regional Police Officer, Kohat Region Kohat.
3. District Police Officer, Kurram.

.....Respondents.

AUTHORITY LETTER.

Mr. Nasir Khan s/o Shundi Gul Caste, Alisherzai resident of village Sateer
Post Office & Tehsil Sadda District Lower Kurram (Focal Person) to District Police
Officer Kurram bearing CNIC No.61101-2008-170-1 is hereby authorized to
institute parawise comments duly signed by respondents in the Honorable Court or
behalf of the respondents.


District Police Officer, Kurram
Respondent

جناب عالی !

عرض کیجائی ہے کہ ذیل پولیس ایگاران محرم الخرام ڈپٹی
سے گھاسر ہوئے۔

- 1 کریم خان ولد لوآب خان 667580
- 2 بنت شاہ ولد داد شاہ
- 3 سید قیوم ولد حکیم خان
- 4 محمد آصین ولد تاج محمد
- 5 میر بادشاہ ولد گل بادشاہ
- 6 شاہ معین ولد ورجمین
- 7 ملکیت خان ولد نذیر گل
- 8 مینار گل ولد نذیر گل
- 9 صدر حیات ولد حیات میر
- 10 محمد فاروق ولد لعل وزیر
- 11 لورزہ خان ولد لالہ مور خان
- 12 ظفر خان ولد سوداگر
- 13 جاوید خان ولد بنت میر
- 14 عادل خان ولد حیات میر
- 15 قیصر حسین ولد صاحب زمان
- 16 خورشید علی ولد اکبر علی
- 17 مقصود علی ولد غلام عسکر
- 18 Com. حسین ولد ناد علی
- 19 سید جمال حسین ولد سید آغا حسین
- 20 سید زوار حسین ولد سید حسین امیر
- 21 یوسف حسین ولد زوار حسین

DSP Hqs of Lo Sada P.L.
for report 2008
M. Sada
03.09.2020

RAW

OASI Branch
Kurram Police

3-09-2020

میں نے عرض کی جاتی ہے کہ انسپبل قیصر حسین ولد صاحب نرالی سے

میں نے تقریباً دو مہینوں سے غیر حاضر رہ رہا ہے ایک بار میں

میں نے بند کرنے پر غیر حاضر رہی رپورٹ کیا تھا تاخالی کوئی کارروائی

میں نے مذکورہ بالا انسپبل ایجنٹ تک غیر حاضر رہے

ایجنٹوں سے سفارش کی جاتی ہے کہ مذکورہ بالا انسپبل کے خلاف سخت قانونی کارروائی

کی جائے اور ساتھ ہی تنخواہ بھی بند کرنے کا حکم صادر فرمایا جائے تاکہ ایجنٹ

کلی ایسی حرکت سے گریز ہو جائے

RAW

رپورٹ عرض ہے

OASI Branch
Kurram Police

25-10-2020

Pay stopped; suspended



26/10/2020

PO/SRC

OASI Branch
Kurram Police

3-09-2020

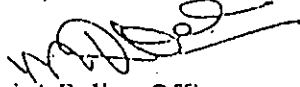
OFFICE OF THE
DISTRICT POLICE OFFICER
KURRAM, RHYDER PAKHTUNKHWA

Tel/Fax: 0926-311354 Email: policekurram@gmail.com

No. 3726-29 Dated Parachinar. 26-10-2020

OFFICE ORDER


Constable Qaiser Hussain son of Sahib Zaman R/O Zeran Yousaf Khel
(Personal No: 50147442) is hereby suspended for his absence and his pay
stopped.


District Police Officer
Kurram

No & date even:

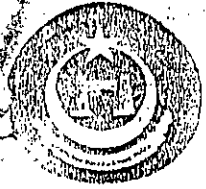
Copy to the:

1. DSP/SHO Upper Kurram
2. Pay Officer
3. SRC Kurram
4. OASI Kurram


District Police Officer
Kurram

OASI Branch
Kurram Police

3-09-2020



A-10

OFFICE OF THE
DISTRICT POLICE OFFICER
KURRAM, KHYBER PAKHTUNKHWA

Tel/Fax: 0926-311354 Email: policekurram@gmail.com

No. 174 / PA Dated Parachinar 19-06-2021

CHARGE SHEET

Mr. Tahir Iqbal District Police Officer as competent authority under Khyber Pakhtunkhwa Police Rule 1975 (amended 2014), am the opinion that you Constable Qaisar Hussain salary No. 50147442 had rendered yourself liable to be proceeded against as you have committed the following act within the meaning of the Police Rules 1975 amended 2014.

That you are willingly absent from the legitimate duty since long which is a gross misconduct on your part.

By reason of the above, you appear to be guilty of misconduct under the Police Rule 1975 (amended 2014) and have rendered your self liable to all or any of the penalties specified in the Police Rules.

You are, therefore, required to submit your written statement within (03) days of the receipt of this charge sheet to the inquiry officer.

Your written defense if any should reached the inquiry officer within the specified period, failing which it shall be presumed that you have no defense to put in and ex-parte action shall be taken against you.

A statement of allegation is enclosed.

District Police Officer
Kurram

Handwritten notes in Urdu:
20-1-021
20-1-021
20-1-021
20-1-021

9

B¹

3

OFFICE OF THE
DISTRICT POLICE OFFICER
KURRAM, KHYBER PAKHTUNKHWA

Tel/Fax: 0926-311354*Email:policekurram@gmail.com

No.646...../PA Dated Parachinar. 11. 2. 2021

ORDER

This order is passed on the Charge Sheet against Constable Qaisar Hussain, Salary No. 50147442 under the Khyber Pakhtunkhwa, Police Rules 1975 (Amendment 2014).

Brief facts are that while posted at Upper Kurram had absented himself from official duty reported by OHC **since long** without any permission or leave from the competent authority, which shows misconduct and lack of interest in the discharging police duties.

He was served with charge sheeted he never bothered to reply charge sheet.

In view of the above I, Tahir Iqbal District Police Officer Kurram in exercise of the powers conferred upon me, hereby award him a major punishment of "Dismissal from Service" with immediate effect and his absence period is treated as leave without pay.

OB No. 139

Date 11 - 02 /2021


District Police Officer
Kurram

No and Date is even:

Copy of the above is forwarded to the Reader/SRS/OHC for necessary action.


District Police Officer
Kurram

POLICE DEPTT:

KOHAT REGION


ORDER.

This order will dispose of a departmental appeal moved by Ex-Constable Qaiser Ali of district Kurram, against the punishment order, passed by DPO Kurram vide OB No. 139, dated 11.02.2021 whereby he was awarded major punishment of **dismissal from service** on the allegations of willful and long absence from lawful duties without any leave or prior permission from his seniors.

Comments as well as relevant record were requisitioned from DPO Kurram and perused. The appellant was also heard in person in O.R held in this office on 09.09.2021. During hearing the appellant did not advance any plausible explanation in his defense to prove his innocence.


Above in view, the undersigned reached to the conclusion that the allegations leveled against the appellant are proved. The appellant willfully did not join the enquiry proceedings which speaks that he was no more interested in resuming his official job. However, keeping in view his future career and being a youngster, the punishment of dismissal from service is hereby modified into major punishment of removal from service so that he may enable for future employment.

Order Announced
09.09.2021


(MOHAMMAD ZAFAR ALI) PSP
Region Police Officer,
Kohat Region.

No. 14926 /EC, dated Kohat the 14/09 /2021.

Copy to District Police Officer, Kurram for information and necessary action w/r to his office Memo: No. 550, dated 28.07.2021. His Service Book is returned herewith, please.


(MOHAMMAD ZAFAR ALI) PSP
Region Police Officer,
Kohat Region.