

07.11.2022

Appellant alongwith counsel present.

Muhammad Adeel Butt learned Additional Advocate General for the respondents present.

Learned counsel for the appellant requested for adjournment on the ground that she has not prepared the brief. Adjourned. To come up for arguments on 05.01.2023 before D.B.

SCANNED  
KPST  
Peshawar



(Fareeha Paul)  
Member (E)

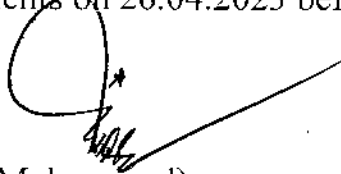


(Rozina Rehman)  
Member (J)

05.01.2023 Learned counsel for the appellant present. Mr. Naseer-ud-Din Shah, Assistant Advocate General for the respondents present.

Learned counsel for the appellant requested for adjournment on the ground that he has not made preparation for arguments. Last opportunity is granted to argue the case on the next date, failing which the case will be decided on available record without arguments. Adjourned. To come up for arguments on 26.04.2023 before D.B.

SCANNED  
KPST  
Peshawar



(Mian Muhammad)  
Member (E)



(Kalim Arshad Khan)  
Chairman

15/4/2022

Counsel for the appellant present. Mr. Fayaz, HC alongwith Mr. Kabirullah Khattak Addl. AG for the respondents present and submitted written reply on their behalf. The appellant may submit rejoinder within a fortnight, if so advised. To come up for arguments on 3.08.2022 before D.B.



CHAIRMAN

3-8-2022

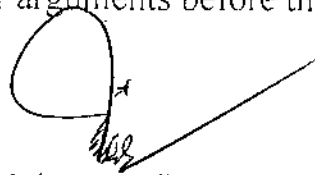
Proper DB not available the case is adjourned to 14-10-2022

42  
Reader

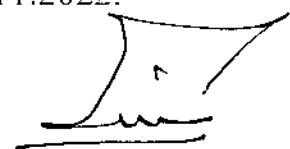
14.10.2022

Clerk of learned counsel for the appellant present. Mr. Muhammad Jan, District Attorney for the respondents present.

Clerk of learned counsel for the appellant requested for adjournment on the ground that learned counsel for the appellant is not available today due to strike of lawyers. Adjourned. To come up for arguments before the D.B on 07.11.2022.



(Mian Muhammad)  
Member (E)



(Salah-ud-Din)  
Member (J)

Stipulated period passed reply not submitted.

15.09.2021

Learned Addl, A.G be reminded about the omission and for submission of reply/comments within extended time of 10 days.

  
Chairman

D

08.12.2021

Clerk of learned counsel for the appellant present. Mr. Kabirullah Khattak, Addl: AG alongwith Mr. Fayaz, H.C for respondents present.

Written reply/comments not submitted. Representative of the respondents seeks time to submit the same on the next date. Adjourned. To come up for written reply/comments on 03.02.2022 before S.B.

  
(MIAN MUHAMMAD)  
MEMBER (E)

03.02.2022

The Tribunal is non-functional, therefore, the case is adjourned to 15.04.2022 before S.B for the same.

  
Reader

declared Public Health Emergency in March, 2020 for three months which was extended from time to time for further term and presently it has been extended by the Government vide Notification No. SOG/HD/1-102/Covid-19/2020/3062, dated 30.06.2021 for the period from 01.07.2021 to 30.09.2021. The case of the appellant falls within the period of emergency. In view of Section 30 of the Khyber Pakhtunkhwa Epidemic Control and Emergency Relief Act, 2020, the limitation period provided under any law shall remain frozen. Points raised Need consideration. Subject to all just and legal objections, this appeal is accepted for full hearing. The appellant is directed to deposit security and process fee within 10 days. Thereafter, notices be issued to the respondents for submission of written reply/comments in office within 10 days after receipt of notices, positively. If the written reply/comments are not submitted within the stipulated time, or extension of time is not sought through written application with sufficient cause, the office shall submit the file with a report of non-compliance. File to come up for arguments on 08.12.2021 before the D.B.

Appellant Deposited  
Security Process Fee  
4/8/21

SCANNED  
KPST  
Peshawar



  
Chairman

Form- A

### FORM OF ORDER SHEET

Court of \_\_\_\_\_

Case No.- 5818 /2021

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	07/06/2021	<p>The appeal of Mr. Sana Ullah presented today by Roaeda Khan 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> <p>This case is entrusted to S. Bench for preliminary hearing to be up there on <u>02/08/21</u>.</p> <p style="text-align: right;"> CHAIRMAN</p>
2-	02.08.2021	<p>Counsel for the appellant present. Preliminary arguments heard.</p> <p>When asked as to what was the cause, that departmental appeal was not preferred within time, learned counsel contends that the impugned order was communicated to the appellant on 10.03.2021 and if the limitation is reckoned from said date, the departmental appeal is within time. In view of particular legal position to be discussed herein-after, the bar of limitation for the time-being is immaterial. In wake of COVID, 19, the Government of Khyber Pakhtunkhwa for the first time</p>

**BEFORE THE HON'BLE SERVICE TRIBUNAL**  
**PESHAWAR**

In Re S.A No. \_\_\_\_\_/2021

Sana Ullah

***VERSUS***

District Police Officer Noshera & Others

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6.	Copy of bail order	"B"	12 To 14
7.	Copy of impugn order	"C"	(15)
8.	Copy of departmental appeal & rejection order	"D & E"	16 To 19
9.	Wakalatnama		

*Sana Ullah*  
APPELLANT

Through

*RK*  
Roeda Khan

Advocate, High Court  
Peshawar.

Dated: 07/06/2021

①

**BEFORE THE HON'BLE SERVICE TRIBUNAL**  
**PESHAWAR**

In Re S.A No. 5818 /2021

Khyber Pakhtunkhwa  
Service Tribunal

Diary No. 5882

Dated 07-6-2021

Sana Ullah Ex-Constable 988 S/o Bakhtiar Ali R/o  
Zakhi Kehna Akbarpura Nowshera.

**Appellant**

***VERSUS***

1. District Police Officer Nowshera.
2. Regional Police Officer Mardan

**Respondents**

**SERVICE APPEAL U/S-4 OF THE KHYBER**  
**PAKHTUNKHWA SERVICES TRIBUNAL ACT**  
**1974 AGAINST THE ORDER DATED 30/09/2020**  
**COMMUNICATED TO THE APPELLANT**  
**10.03.2021 WHEREBY THE MAJOR PENALTY**  
**OF DISMISSAL FROM SERVICE HAS BEEN**  
**AWARDED TO THE APPELLANT BY THE**  
**RESPONDENT DEPARTMENT AGAINST**  
**WHICH THE APPELLANT FILLED**  
**DEPARTMENTAL APPEAL DATED 29/03/2021**  
**WHICH HAS BEEN REJECTED ON 31.05.2021**  
**ON NO GOOD GROUNDS.**

Filed to-day

Registrar

7/6/2021

**Prayer:-**

**ON ACCEPTANCE OF THIS SERVICE**  
**APPEAL both THE IMPUGNED ORDERS**  
**DATED 30/09/2020 & 31.05.2021 MAY**  
**VERY KINDLY BE SET ASIDE AND THE**

(2)

APPELLANT MAY KINDLY BE  
REINSTATE INTO HIS SERVICE  
ALONGWITH ALL BACK BENEFITS.

Respectfully Sheweth.

1. That the appellant was appointed as Constable with Respondent Department.
2. That after appointment the appellant performed his duty with full devotion and hard work and no complaint whatsoever has been against the appellant.
3. That while posted at district police line Nowshera a false and fabricated case FIR No 246 dated 19.08.2020 U/S 302 /324 / 148 /149 PPC at Police Station Akbarpura has been lodged against the appellant. (Copy of the FIR attached as annexure "A").
4. That the appellant has been bail outed in the said false in fabricated case by the court concerned (Copy of bail order is attached as annexure "B").
5. That the respondent department without fulfilling the codal formalities and without providing opportunity of personal hearing to the appellant, dismissed the appellant from service on 30.09.2020 on the ground of involvement of the said false and fabricated



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criminal case but the said impugned order has been communicated to the appellant on 10.03.2021. (Copy of impugned order is annexure "C").

6. That the appellant submitted departmental appeal on 29.03.2021 against the impugned order dated 30.09.2020 which has been rejected 31.05.2021 on no good grounds. (Copies of departmental appeal and rejection order are attached as annexure "D & E").
7. That feeling aggrieved the Appellant prefers the instant service appeal before this Hon'ble Tribunal on the following grounds inter alia:-

**GROUND:-**

- A. That the appellant has not been treated in accordance with law and hence his rights secured and guaranteed under the Constitution of 1973 were badly violated.
- B. That the impugned order dated 30.09.2020 is void ab intio because it has been passed without fulfilling the cocal formalities.
- C. That no charge sheet and no statement of allegation has been issued or communicated the appellant.
- D. That no regular inquiry has been conducted by the respondent department and no

opportunity of personal hearing has been provided to the appellant.

- E. That no show cause notice has been issued or communicated to the appellant before imposing the major penalty.
- F. It is a well settle maxim principal of law no one can be condemned unheard because it is against the natural justice of law.
- G. That no statement of witness has been recorded by the inquiry officer and there is no proof of involvement in the said criminal cases against the appellant by the responded department.
- H. That no opportunity of cross examination has been provided to the appellant.
- I. That the respondent department should be waited for the decision of the criminal cases above.
- J. That the impugned order is also void because it has been passed from retrospective effect.
- K. That the appellant seeks the permission of this Hon'ble Court to rely on additional grounds at the hearing of this appeal.

*It is therefore, most humbly prayed that both the impugned orders dated 30.09.2020 & 31.05.2021 may kindly be set aside and the appellant may kindly be reinstate into his service alongwith all back benefits.*

(5)

*Any other relief not specifically asked for may also graciously be extended in favour of the Appellant in the circumstances of the case.*

*SANA WILLEN*

APPELLANT

Through

*RK*

**Roeeda Khan**  
Advocate, High Court  
Peshawar.

Dated: 07/06/2021

NOTE:-

As per information furnished by my client, no such like appeal for the same petitioner, upon the same subject matter has earlier been filed, prior to the instant one, before this Hon'ble Tribunal.

*RK*

Advocate.

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**BEFORE THE HON'BLE SERVICE TRIBUNAL**  
**PESHAWAR**

In Re S.A No. \_\_\_\_\_/2021

Sana Ullah

***VERSUS***

District Police Officer Noshera & Others

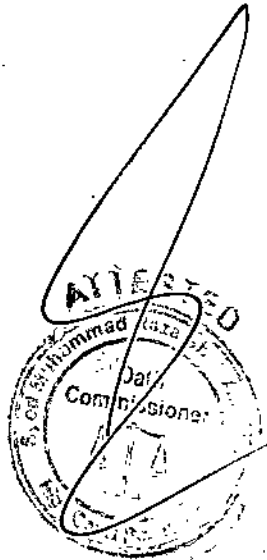
**AFFIDAVIT**

I, **Sana Ullah Ex-Constable 988 S/o Bakhtiar Ali R/o Zakhi Kehna Akbarpura Nowshera**, do hereby solemnly affirm and declare that all the contents of the **instant appeal** are true and correct to the best of my knowledge and belief and nothing has been concealed or withheld from this Hon'ble Court.

*Sana Ullah*  
DEPONENT

*Identified by:*

*Roeeda Khan*  
**Roeeda Khan**  
Advocate High Court  
Peshawar.



(7)

**BEFORE THE HON'BLE SERVICE TRIBUNAL**  
**PESHAWAR**

In Re S.A No. \_\_\_\_\_/2021

Sana Ullah

***VERSUS***

District Police Officer Noshera & Others

**ADDRESSES OF PARTIES**

***PETITIONER.***


Sana Ullah Ex-Constable 988 S/o Bakhtiar Ali  
R/o Zakhi Kehna Akbarpura Nowshera.

**ADDRESSES OF RESPONDENTS**

1. District Police Officer Nowshera.
2. Regional Police Officer Mardan

  
APPELLANT

Through

  
**Roeda Khan**  
Advocate, High Court  
Peshawar.

Dated: 07/06/2021

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**BEFORE THE HON'BLE SERVICE TRIBUNAL**  
**PESHAWAR**

In Re S.A No. \_\_\_\_\_/2021

Sana Ullah

***VERSUS***

District Police Officer Noshera & Others.

**APPLICATION FOR CONDONATION OF DELAY (if any)**

***Respectfully Sheweth,***

Petitioner submits as under:

1. That the above mentioned appeal is filing before this Hon'ble Tribunal in which no date is fixed for hearing so far.
2. That the impugned dismissal order dated 30.09.2020 has been communicated to the appellant on 10.03.2021.

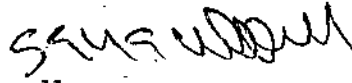
***Grounds:***

- A. That the impugned order dated 30.09.2020 is void order because it has been passed from retrospective effects and without fulfilling the codal formalities has been passed.
- B. That there are number of precedents of the Supreme Court of Pakistan which provides that the cases shall be decided on merits rather than technicalities.

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- c. That there are many judgment of the superior court that limitation has been counted from the date of communication/knowledge.

It is, therefore, requested that the limitation period (if any) may kindly be condone in the interest of justice.

  
Appellant

Through

Date : 07.06.2021

  
Roeda Khan

Advocate, High Court

Peshawar.



(A) (B)

Attested  
ابتدائی اطلاع رپورٹ

ابتدائی اطلاع رپورٹ جس کا مندرجہ ذیل دستاویز اور مندرجہ ذیل ترمیم شدہ رپورٹ کی رقم 1052270000

05137158353

کسٹمر نام / نام

38 316 تاریخ و وقت 19/07/19 وقت 06:30

نارنگی روٹ پر وقت 19/07/19 وقت 09:30

127501-2125101-7  
3301-3306/13

302-321-148-149

302-321-148-149

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302-321-148-149





"B" (18)

**IN THE COURT OF MALIK MUHAMMAD HASNAIN  
ADDITIONAL SESSIONS JUDGE-VI**

Bail Application No. 133 of 2021  
Amjid etc. Vs The State



Order  
10.03.2021

**Present:** One Hawad for accused petitioners; Mr. Haider Nawaz Musharraf advocate for complainant and submitted Vakalatnama and one Wasil Khan (father of deceased Ayaz); Miss. Fari Gill, DyPP for the State.

Accused Petitioners 1. Amjid, 2. Sana Ullah and 3. Aawad Ullah S/O Bakhtiyar Ali, residents of Zakhi Miiana near Kalot Chowk, Camp Koroona, Akbarpura, District Nowshera seek their post arrest bail in case FIR No. 246 dated 19.08.2020 U/s 302/324/148/149 PPC registered at Police Station Akbarpura, District Nowshera.

On 19.08.2020, Rab Nawaz S/O Qeemat Shah in injured condition alongwith other injured and dead bodies of deceased reported at casualty of Civil hospital Pabbi that his father in law had given to his wife Mst. Chaman Bibi her share in the property and Bakhtiar, Murad, Mukhtiar, Imdad, Hayat, Shoaib, Amjid, Sana Ullah and Abdullah had called them to the scene of occurrence for separation of their share in the property and when they reached there, the accused party started firing due to which he and other injured received injuries while his deceased son got hit and died on the spot.

*Handwritten signature of Malik Muhammad Hasnain*  
Malik Muhammad Hasnain  
Additional Sessions Judge-VI  
District Nowshera

**ATTESTED**

20 MAR 2021

Branch Office of the Agency  
Branch Office of the Agency

**ATTESTED**

13

Arguments of learned counsel for the accused petitioner already heard and that of learned DyPP for the state, assisted by learned counsel for complainant as well as learned counsel for Wasil Khan heard today and record perused.

The record available on the file shows that in same FIR/murasila, two occurrences have been reported by two set of complainants for murder of their respective deceased. In report of Rab Nawaz, the present accused petitioners alongwith other co-accused have been charged for the murder of his sons namely Saeed Nawaz, Zahid Nawaz and one Ayaz and firearm injuries for himself, son Shahid Nawaz, Haq Nawaz and Waqar Ahmed. In report lodged by Mst. Anwar Bibi for murder of her son namely Arshid and has charged the complainant Rab Nawaz alongwith others. Time, date and place of occurrence of both the episodes reported are the same. In the given circumstances, case in hand is one of cross version and it will be determined during the course of trial that who is aggressor and who is aggressed upon. Both the parties have concealed the loss of each other. This being the situation, case of the accused petitioners necessitates further probe. Nothing has been recovered from the accused petitioners and they have not confessed their guilt. Furthermore, they are no more required for further investigation and no better purpose would be served by keeping them in further detention. Furthermore, co-accused having similar role have already been

*[Handwritten signature]*  
Subordinate Sessions Judge

**ATTESTED**

**ATTESTED**

20 MAR 2021

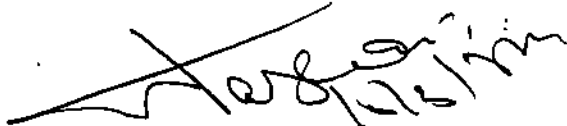
147

Amjid etc. ... Vs... The State  
Order dated 10.03.2021 .... Continued

enlarged on bail, thus rule of consistency also exists in favour of accused petitioners.

Resultantly, the bail petition in hand is allowed, accused petitioners be released on bail subject to furnishing of bail bonds in the sum of Rs. 200,000/- (Two Lacs Rupees) each with two local and reliable sureties each in the like amount to the satisfaction of Illaqa Judicial Magistrate/MOD. Copy of this order be placed on police/judicial file. Requisitioned record be returned to the quarter concerned. File be consigned to record room after its completion and compilation.

**ANNOUNCED:**  
**10.03.2021**



**MALIK MUHAMMAD HASNAIN**  
Additional Sessions Judge-VI,  
Nowshera.

Malik Muhammad Hasnain  
Additional Sessions Judge-VI  
Nowshera

**ATTESTED**  
20 MAR 2021

Deputy Registrar  
Nowshera

**ATTESTED**

"C" (15)

POLICE DEPARTMENT

DISTRICT NOWSHERA

ORDER

This order will dispose of the departmental enquiry initiated under Khyber Pakhtunkhwa Police Rules-1975, against Constable Sana Ullah No. 988 that he while posted at Police Lines Nowshera, involved in case FIR No. 246 dated 19.08.2020 u/s 302 /324 /148 / 149 PPC PS Akbarpura.

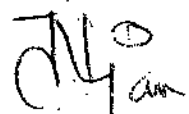
On account of which, he was placed under suspension and proceeded against departmentally through Mr. Bilal Ahmad, ASP Cantt Nowshera, who after fulfillment of legal formalities submitted his report to undersigned vide his office No. 21/St. dated 17.09.2020, wherein he highlighted that the defaulter official went into hiding after the commission of offence and evading from lawful arrest, therefore, recommended ex-parte action against him.

He was served with Final Show Cause Notice on 17.09.2020 through his cousin Muhammad Saeed s/o Sameen Jan r/o Zakhi Miana but failed to submit his reply.

In the light of above, he is hereby awarded major punishment of dismissal from service from 19.08.2020, in exercise of powers vested in me under Khyber Pakhtunkhwa Police Rules-1975.

OB No. 866

Dated 30/09 /2020

  
District Police Officer,  
Nowshera

No. 2624-29 /PA, dated Nowshera, the 30/09 /2020.

Copy for information and necessary action to the:

1. Pay Officer.
2. Establishment Clerk.
3. OHC.
4. FMC with its enclosures (14 pages).
5. I/C Clothing Godown.
6. Official concerned.

**ATTESTED**

"D"

(16)

بخدمت جناب ڈی آئی جی (سردان)، ریج سردان

اپیل بر خلاف حکم مورخہ 30-09-2020 آف ڈی پی او نوشہرہ

جس کی رو سے اپیلانٹ کو ملازمت سے برخاست کیا گیا

جناب عالی!

اپیلانٹ حسب ذیل عرض رساں ہے:

1. یہ کہ اپیلانٹ محکمہ پولیس میں بطور کانسٹیبل نمبر 988 ملازم تھا اور پولیس لائن نوشہرہ میں تعینات تھا۔
2. یہ کہ مورخہ 19-08-2020 اپیلانٹ کے خلاف ایف آئی آر نمبر 246 زیر دفعہ 324، 148، 149، 302، 34 پی پی سی، تھانہ اکبر پورہ میں درج ہوئی تھی جس کی وجہ سے اپیلانٹ ڈیوٹی پر نہیں آسکا۔
3. یہ کہ اپیلانٹ بالکل بے گناہ ہے لیکن بوجہ ملازمت پولیس اس کو مقدمہ میں بدنامی سے ملوث کیا گیا اور مخالف فریق اپیلانٹ کو قتل کرنے کی کوشش کر رہے تھے۔ بدیں وجہ اپیلانٹ بوجہ خوف ڈیوٹی پر حاضر نہ ہو سکا اور متعلقہ افسران کو بروقت مطلع کیا۔
4. یہ کہ اپیلانٹ نے راضی نامہ کی انتہائی کوشش کی اور اپنے آپ کو عدالت کے حوالے کیا اور اب اپیلانٹ کی مجاز عدالت سے ضمانت منظور ہو چکی ہے۔
5. یہ کہ اپیلانٹ جب جائے ڈیوٹی بر گیا تو معلوم ہوا کہ اپیلانٹ مورخہ 30-09-2020 کو نوکری سے برخاست کر دیا گیا ہے۔ حالانکہ اپیلانٹ کو نہ کسی قسم کا شوکاز نوٹس آیا اور نہ ہی کوئی چارج شیٹ جاری ہوئی اور نہ کوئی

ATTESTED

باقاعدہ انکوائری کی گئی اور نہ اپیلانٹ کو موقع صفائی دیا گیا۔ بدیں وجہ حکم ہذا قابل بحالی نہ ہے۔

6. یہ کہ از روئے قانون و انصاف موقع صفائی ملازم کا حق ہے اور کوئی بھی فیصلہ جس میں میجر پنلٹی بلا سنوائی و چارج شیٹ و انکوائری نہیں دی جاسکتی۔ بدیں وجہ بعد احترام حکم بر خاستگی قابل منسوخی ہے۔

لہذا استدعا کی جاتی ہے کہ بمنظوری اپیل ہذا حکم جناب ڈی پی او صاحب نوشہرہ مورخہ 30-09-2020 منسوخ فرمائی جا کر اپیلانٹ کو ملازمت پر بحال کرنے کا احکامات جاری فرمائے جائیں۔

اپیلانٹ Sanaullah

شاء اللہ ولوختیار علی مسکنہ زخی کہینہ اکبر پورہ نوشہرہ

رابطہ نمبر: 03119674743

CNIC = 17201-8729196-9

No - 1709/ES.

dt - 29-3-21.

EC/DPO NSR

For comments

Insp: legal

For comments

By RPO/Moh.

DPO NSR  
20/3/2021

No. 627/PA

dt 31/03/2021

ATTACHED

1E" (18)

of/26-5-21

**ORDER.**

This order will dispose-off the departmental appeal preferred by **Ex-Constable Sana Ullah No. 988** of Nowshera District Police against the order of District Police Officer, Nowshera, whereby he was awarded major punishment of dismissal from service vide OB: No. 988. The appellant was proceeded against departmentally on the allegations that he while posted at Police Lines, Nowshera was found involved in Case FIR No. 246 dated 19.08.2020 u/s 302/324/148/149-PPC Police Station Akbarpura District Nowshera.

Proper departmental enquiry proceedings were initiated against him. He was issued Charge Sheet alongwith Statement of Allegations and Assistant Superintendent of Police Nowshera Cantt: was nominated as Enquiry Officer. The Enquiry Officer after fulfilling codal formalities submitted his findings to District Police Officer, Nowshera, highlighted that the delinquent Officer went into hiding after commission of offence and evading his lawful arrest, therefore, recommended him for ex-parte action.

He was issued Final Show Cause Notice on 17.09.2020 through Muhammad Saeed s/o Sameen Jan r/o Zakhi Miana, cousin of Constable Sana Ullah, but failed to submit his reply.

Consequently in the light of recommendations of enquiry Officer, an ex-parte action was taken against the delinquent Officer and he was awarded major punishment of dismissal from Service with effect from 19.08.2020 vide District Police Officer, Nowshera OB: No. 866 dated 30.09.2020.

Feeling aggrieved from the order of District Police Officer, Nowshera, the appellant preferred the instant appeal. He was summoned and heard in person in Orderly Room held in this office on 26.05.2021.

From the perusal of the enquiry file and service record of the appellant, it has been found that allegations of misconduct against the appellant have been proved beyond any shadow of doubt. Being a member of disciplined/uniformed force, the involvement of the delinquent Officer in such heinous crime brought a bad name for entire Police force in the eyes of general public. During the course of enquiry proceedings, the appellant did not bother to join enquiry proceedings. Moreover, the delinquent Officer is challaned in case vide FIR No. 246 dated 19.08.2020 u/s 302/324/148/149-PPC Police Station Akbarpura District Nowshera and as per the report of Officer Incharge Investigation, Police Station, Akbarpura the delinquent Officer was guilty of the offence. Therefore, the retention of appellant in Police Department will stigmatize the prestige of entire Police Force as instead of fighting

**ATTESTED**



(19)

crime, he has himself indulged in criminal activities. The appellant has filed the instant appeal which is time barred by 05 months and 27 days. Hence, order passed by the competent authority does not warrant any interference.

Keeping in view the above, I, Yaseen Farooq, PSP Regional Police Officer, Mardan, being the appellate authority, find no substance in the appeal, therefore, the same is rejected and filed, being time barred.

Order Announced.

  
Regional Police Officer,  
Mardan.

No. 2760 /ES, Dated Mardan the 31-5- /2021.

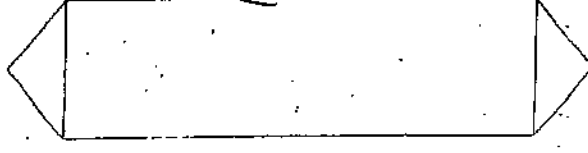
Copy forwarded to District Police Officer, Nowshera for information and necessary w/r to his office Memo: No. 945/PA dated 15.04.2021. His service record is returned herewith.

(\*\*\*\*\*)

~~ATTESTED~~

بعدالتحاب موصوف

بیت



اسلام آباد  
لوہی لاسٹری

2021ء منجانب

بیت

مورثہ

مقدمہ

دعویٰ

جرم

### بابت تحریر آنکہ

مقدمہ مندرجہ عنوان بالا میں اپنی طرف سے واسطے پیروی و جواب دہی وکل کاروائی متعلقہ

آن مقام کے لیے روایت کیا گیا

مقرر کر کے اقرار کیا جاتا ہے کہ صاحب موصوف کو مقدمہ کی وکل کاروائی کا کمال اختیار ہوگا۔ نیز وکیل صاحب کو راضی نامہ کرنے و تقریر ثالث و فیصلہ پر حلف دینے، جواب دہی اور اقبال دعویٰ اور بصورت ڈگری کرنے اجراء اور وصولی چیک و روپیہ اور عرضی دعویٰ اور درخواست ہر قسم کی تصدیق و زرائع پر دستخط کرانے کا اختیار ہوگا۔ نیز بصورت عدم پیروی یا ڈگری کی طرف یا اپیل کی برادگی اور منسوخی نیز دائر کرنے اپیل نگرانی و نظر ثانی و پیروی کرنے کا مختار ہوگا۔ از بصورت ضرورت مقدمہ مذکور کے وکل 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 بالا اختیارات حاصل ہوں گے اور اس کا ساختہ پر داخست منظور و قبول ہوگا دوران مقدمہ میں ہر خرچہ ہر جائد التوائے مقدمہ کے سبب سے وہوگا۔ کوئی تاریخ پیشی مقام دورہ پر ہو یا حدتہ باہر ہو تو وکیل صاحب پابند ہوں گے کہ پیروی مذکور کریں۔ لہذا وکالت نامہ لکھنا یا کہ سند رہے۔

3/1/21  
M. J. Khan

2021

بیت

7

المرقوم

کے لئے منظور ہے

Accepted by  
Please

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

Service Appeal No. 5818/2021

Sanauallah Ex-Constable 988 s/o Bakhtiar Ali  
r/o Zakhi Kehna Akbarpura, Nowshera.

.....Appellant

**V E R S U S**

The District Police Officer, Nowshera and others.

.....Respondents

**I N D E X**

S.No.	Description of documents	Annexure	Pages
1.	Reply of Respondents	-	1-3
2.	Affidavit	-	04
4.	Copy of FIR	A	05
7.	Copy of charge sheet and statement of allegation.	B	06-07
8.	Copy of enquiry	C	08
	Copy of Final Show Cause Notice	D	09
	Copy of departmental appeal	E	10-11
9.	Copy of rejection order	F	12-13
10.	Copy of warrant 204/87 Cr.P.C	G	14-15

  
**Inspector Legal,  
Nowshera**

(1)

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

Service Appeal No. 5818/2021

Sanaullah Ex-Constable 988 s/o Bakhtiar Ali  
r/o Zakhi Kehna Akbarpura, Nowshera.

.....Appellant

**V E R S U S**

1. District Police Officer, Nowshera.
2. Regional Police Officer, Mardan.

.....Respondents

**REPLY ON BEHALF OF RESPONDENTS**

**Respectfully Sheweth: -**

**PRELIMINARY OBJECTIONS: -**

1. That the appellant has got no cause of action and locus standi.
2. That the appeal is badly barred by law and limitation.
3. That the appellant is estopped by his own conduct to file the instant appeal.
4. That the appeal is not maintainable in its present form.
5. That the appellant has not come to the Honourable Tribunal with clean hands.
6. That the appeal is bad for mis-joinder and non-joinder of necessary and proper parties.

**Reply on Facts: -**

1. Para pertains to enlistment of appellant in Police Department, hence, needs no comments.
2. That each and every Police Officer/Official is under obligation to perform his duty with devotion and upto the entire satisfaction of his high-ups.
3. Incorrect. Appellant while posted at Police Lines, Nowshera, was directly charged in a criminal case registered vide FIR No. 246 dated 19-08-2020 u/s 302/324/148/149 PPC Police Station, Akbarpura. After commission of offence, appellant went into hiding in order to evade his lawful arrest, hence, was recommended for taking ex-parte action by the enquiry officer. If appellant considered himself innocent, he was required to prove his innocence before the court of law. (Copy of FIR is annexure "A").
4. Incorrect. Mere grant of bail does not mean that the appellant has been acquitted by the court.
5. Incorrect. Before awarding punishment to the appellant, all legal and codal formalities were fulfilled. He was issued charge sheet alongwith statement of allegations and a proper departmental enquiry was conducted through ASP Nowshera Cantt: the enquiry officer in his finding report recommended the

appellant for ex-parte action against him. He was also served with Final Show Cause Notice, through his cousin Muhammad Saeed s/o Samin Jan r/o Zakhi Miana, however, he failed to submit his reply to the same as he was absconder, hence, was dismissed from service. (Copy of charge sheet and statement of allegation is annexure "B", Copy enquiry is annexure "C" and Final Show Cause Notice is Annexure "D").

6. Para correct to the extent that, appellant filed departmental appeal before the appellate authority i.e Deputy Inspector General of Police, Mardan against the order of punishment, however, the same was rejected being badly time barred. (Copy of Departmental appeal dated 29-03-2021 is annexure "E" and copy of rejection order dated 31-05-2021 is annexure "F").
7. Appeal of the appellant is liable to be dismissed inter-alia on the following grounds: -


**Reply on GROUNDS**

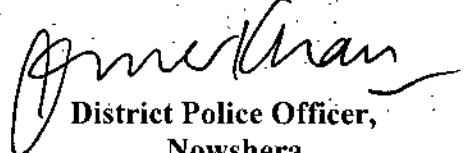
- A. Incorrect. That appellant has been treated in accordance with law/rules and none of his rights have either been denied or violated by the respondents.
- B. Incorrect. Punishment order dated 30-09-2020 was passed after fulfillment of all legal and codal formalities.
- C. Incorrect. Appellant was issued charge sheet with statement of allegation, but he failed to collect the same as he had gone into hiding after commission of offence. (Copy of charge sheet and statement of allegations is already annexed).
- D. Incorrect. Proper enquiry was conducted against the appellant through ASP Nowshera Cantt: but as appellant had gone into hiding therefore, he failed to join enquiry proceeding. (Copy of warrant 204/87 Cr.PC is annexure "G").
- E. Incorrect. As explained above, appellant was served with Final Show Cause Notice through his cousin Muhammad Saeed s/o Samin Jan r/o Zakhi Miana, but he failed to submit his reply.
- F. Para already explained hence, needs no comments.
- G. Incorrect. If appellant was not involved in the criminal case then he should have surrendered himself before the local Police, and joined investigation, rather than to go into hiding.
- H. Incorrect. As explained in the preceding paras, appellant did not join enquiry proceeding so providing him opportunity of cross examination was out of place.
- I. Para already explained hence, needs no comments.
- J. Incorrect. As appellant after commission of offence on 19-08-2020, went into hiding therefore, he was dismissed from service with effect from 19-08-2020.

K. The respondents also seek permission of this Honourable Tribunal to advance additional grounds at the time of arguments.

**Prayers**

It is, therefore, most humbly prayed that on acceptance of above submissions, the appeal of the appellant may very kindly be dismissed with costs, please.

  
**Regional Police Officer,  
Mardan  
Respondent No. 02**

  
**District Police Officer,  
Nowshera.  
Respondent No.01**

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

Service Appeal No. 5818/2021

Sanaullah Ex-Constable 988 s/o Bakhtiar Ali  
r/o Zakhi Kehna Akbarpura, Nowshera.

.....Appellant

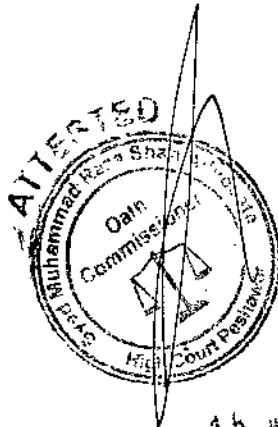
**V E R S U S**

1. District Police Officer, Nowshera.
2. Regional Police Officer, Mardan.

.....Respondents

**AFFIDAVIT**

We the respondents No. 1 & 2 do hereby solemnly affirm and declare on Oath that the contents of reply to the appeal are true and correct to the best of our knowledge and belief and nothing has been concealed from the Honourable tribunal.



15 APR 2022

*[Signature]*  
 Regional Police Officer,  
 Mardan.  
 Respondent No. 02

*[Signature]*  
 District Police Officer,  
 Nowshera.  
 Respondent No.01







DSI برائے دفتر  
مجلس صوالہ ذریعہ

صفحہ 21 کے 5 کو جا  
جو ادارہ سپورٹ  
رہی ہے وہ

رہنما نے سفارتی طور پر قیمت شاہ مسماہ علی بی بی زور قیمت شاہ مسماہ کنڈان کپڑوں کو روک کر  
دیکھ کر اسی کپڑوں سے انکو ٹکا گا جو ان کو روک کر قیمت شاہ مسماہ کپڑوں کو روک کر  
پڑا کر گیا اور یہ قیمت تک کہ جسے زور روک کر خود انکو چھین کر لیا گیا اس کی من گھڑی قیمتوں  
مقرر کی گئیں یہ سب ان کو روک کر ان کے مفروضے کو مستحکم کر لیا گیا اور ان کو روک کر  
540 روپے کی گندم کے مفروضوں کے لئے روک کر 540 روپے کی گندم کے مفروضوں کے لئے روک کر  
مہینہ 472 روپے کے مفروضوں کو روک کر اس سال کے مفروضوں کے لئے روک کر  
اس میں 19 الا شعبہ نقد کے دستخط اور ان کے اول افسانے میں روک کر  
بھیجا گیا ہے اور ان کو روک کر 19/8/2020 کا رول تھا کہ 472 روپے کے مفروضوں کے لئے روک کر  
نہو کر پھر یہ 20 روپے کے مفروضوں کے لئے روک کر ان کے مفروضوں کے لئے روک کر  
محمد خان آواز کے ساتھ 4 صاف 540 روپے اور ان کے مفروضوں کے لئے روک کر  
اطلاع دی جانے کے لئے 4 پیرو کے لئے 4

Asi-PS-AP  
19-8-2020

جاکر کسٹل واپس  
ہو کر  
Case 6  
کا ادارہ سپورٹ

صفحہ 23 کو چھوڑا گیا ہے جو BBA کے لئے  
21

صفحہ 22 کو چھوڑا گیا ہے جو اس وقت تک  
21

صفحہ 23 کو چھوڑا گیا ہے جو اس وقت تک  
21

صفحہ 24 کو چھوڑا گیا ہے جو اس وقت تک  
21

صفحہ 25 کو چھوڑا گیا ہے جو اس وقت تک  
21

ممبر کی طرف سے  
آئی آئی کے لئے  
ممبر کی طرف سے

صفحہ 23 کو چھوڑا گیا ہے جو اس وقت تک  
21

صفحہ 24 کو چھوڑا گیا ہے جو اس وقت تک  
21

صفحہ 25 کو چھوڑا گیا ہے جو اس وقت تک  
21

صفحہ 26 کو چھوڑا گیا ہے جو اس وقت تک  
21

ممبر کی طرف سے  
آئی آئی کے لئے  
ممبر کی طرف سے

اطلاع کے لیے اطلاع دینے کا حکم ہو گا جس کی ہر بات نشان کا گیا جانے گا اور اگر ضروری ہے تو ایسی اطلاع کا حکم بطور تصدیق ہو گا۔ جو الف یا ب سرخ روشنی سے بالفاظ 2020  
ایک لاکھ یا بیشتر علی الترتیب رابطے باشندگان علاقہ غیر یا ضبط اشیاء یا انفانسان جہاں سوزوں ہوں لکھنا ہے۔

CHARGE SHEET

Annex B<sub>3</sub>

6


I, Capt: (R) Naimul Hasnain Liaquat, PSP District Police Officer, Nowshera, as competent authority, hereby charge Constable Sana Ullah No. 988 as per Statement of Allegations enclosed.

2. By reasons of above, you appear to be guilty of misconduct under Police Rules, 1975 and have rendered yourself liable to all or any of the penalties specified in Police Rules, 1975.

3. You are, therefore, required to submit your written defense within 07 days of the receipt of this Charge Sheet to the Enquiry Officer, as the case may be.

4. Your written defense, if any should reach the Enquiry Officer within the specified period, failing which it shall be presumed that you have no defense to put in and in that case ex-parte action shall follow against you.

5. Intimate whether you desire to be heard in person.

  
District Police Officer,  
Nowshera

Whereas, constable Sana Ullah 10288, while posted at police lines Nowshera, now suspended police lines Nowshera is reportedly in case vide FIR No. 246 dated 19.08.2020 u/s 302/324/148/149 PPC PS Akbarpura, which amounts to grave misconduct on his part and renders him liable for Minor/Major punishment under Khyber Pakhtunkhwa Police Rules 1972.

**PROCEEDINGS:**


The official under enquiry was called time and again on his cell phone number on different dates as mentioned below:

- 27.08.2020 at about 11:43 am
- 28.08.2020 at about 11:45 am
- 07.09.2020 at about 11:00 am
- 08.09.2020 at about 11:05 am
- 16.09.2020 at about 02:50 pm

But the cell phone number of delinquent police official is receiving off. Similarly, report from IO of the case obtained which reveal that the delinquent police official FC Sana Ullah involved in murder case is still avoiding from lawful arrest and declared him PO as per record of PS Akbarpura.

**FINDINGS:**

Since the delinquent police official is PO these days, hence he couldn't be heard in person. However, in details of the case were obtained from OI Akbarpura. Both parties are relative to each other. And the matter pertain to division of inherited land between Sana Ullah's mother and Had Nawaz's mother. Other relatives were also present there. Suddenly, argument got heated on the division of land and firing took place from both sides. Zahid Nawaz and Saeed Nawaz (brother of accused Had Nawaz) got murdered from one side and Arshid (paternal cousin of Sana Ullah) got murdered. Had Nawaz got injured during firing. Later, FIR No. 246 dated 19.08.2020 u/s 302/324/148/149 PPC was lodged and the same was crossed by the other party. Sana Ullah managed to flee the scene and Had Nawaz got arrested. Since the delinquent police official (Sana Ullah) is PO, the enquiry may be kept pending till his arrest so as to obtain his defence or stance. Or ex-parte decision may be taken by senior officers.

  
Asst. Comm. Nowshera  
Assistant Commissioner of Police

No. 21 / 2020  
Dated 17/9/2020

3

Annex C

Annex D (9)

**FINAL SHOW CAUSE NOTICE**

Whereas, you Constable Sana Ullah No. 988, while posted at Police Lines Nowshera, is reportedly involved in case FIR No. 246 dated 19.08.2020 u/s 302 /324 /148 / 149 PPC PS Akbarpura.


On account of which, you were suspended, closed to Police Lines and proceeded against departmentally through Mr. Bilal Ahmad ASP Cantt Nowshera, who after fulfillment of legal formalities submitted his report to undersigned, wherein he highlighted that you are evading from lawful arrest and declared as PO and recommended you for ex-parte action.

Therefore, it is proposed to impose Major/Minor penalty including dismissal as envisaged under Rules 4(b) of the Khyber Pakhtunkhwa Police Rules 1975.

Hence, I, Capt: (R) Najmul Husnain Liaquat, PSP, District Police Officer, Nowshera, in exercise of the powers vested in me under Rules 5(3) (a) & (b) of the Khyber Pakhtunkhwa Police Rules 1975, call upon you to Show Cause finally as to why the proposed punishment should not be awarded to you.

Your reply shall reach this office within **07 days** of the receipt of this notice, failing which, it will be presumed that you have no defense to offer.

You are at liberty to appear for personal hearing before the undersigned.

  
District Police Officer,  
Nowshera

No. 176 /PA,  
Dated 17/08/2020.

فہرست نامداروں کا طرز و رواج سے بیان کیا گیا ہے۔ اسناد اور  
پہر قتل کا مقدمہ کیا گیا ہے۔ اس میں اس شخص کو ملوث قرار دیا گیا ہے۔  
اس شخص کو ملوث قرار دیا گیا ہے۔ اس میں اس شخص کو ملوث قرار دیا گیا ہے۔  
اس شخص کو ملوث قرار دیا گیا ہے۔ اس میں اس شخص کو ملوث قرار دیا گیا ہے۔

۸۶۶۰۰۳۶۰-۹۱۳۱۵۶۹

محمد سعید ولد مسرت خان

۱۷۲۶۱-۷۰۴۲۲۲۰۵

۱۷۲۶۱-۷۰۴۲۲۲۰۵

محمد سعید ولد مسرت خان

۸۶۶۰۰۳۶۰-۹۱۳۱۵۶۹

اس کے بارے میں

اس شخص کے بارے میں

محل وقوع

اس شخص کے بارے میں  
محل وقوع

محمد سعید ولد مسرت خان

17-09-20

P. A

P. A

Dismissed  
being involved in  
criminal case and  
avoiding lawful arrest  
Tijar

بخدمت جناب ڈی آئی جی (سردان)، ریج سردان

اپیل بر خلاف حکم مورخہ 30-09-2020 آف ڈی پی او نوشہرہ

جس کی رو سے اپیلانٹ کو ملازمت سے برخاست کیا گیا

جناب عالی!

اپیلانٹ حسب ذیل عرض رساں ہے؛

1. یہ کہ اپیلانٹ محکمہ پولیس میں بطور کانسٹیبل نمبر 988 ملازم تھا اور پولیس لائن نوشہرہ میں تعینات تھا۔
2. یہ کہ مورخہ 19-08-2020 اپیلانٹ کے خلاف ایف آئی آر نمبر 246 زیر دفعہ 324، 148، 149، 302، 34 پی پی سی، تھانہ اکبر پورہ میں درج ہوئی تھی جس کی وجہ سے اپیلانٹ ڈیوٹی پر نہیں آسکا۔
3. یہ کہ اپیلانٹ بالکل بے گناہ ہے لیکن بوجہ ملازمت پولیس اس کو مقدمہ میں بدعیتی سے ملوث کیا گیا اور مخالف فریق اپیلانٹ کو قتل کرنے کی کوشش کر رہے تھے۔ بدیں وجہ اپیلانٹ بوجہ خوف ڈیوٹی پر حاضر نہ ہو سکا اور متعلقہ افسران کو بروقت مطلع کیا۔
4. یہ کہ اپیلانٹ نے راضی نامہ کی انتہائی کوشش کی اور اپنے آپ کو عدالت کے حوالے کیا اور اب اپیلانٹ کی مجاز عدالت سے ضمانت منظور ہو چکی ہے۔
5. یہ کہ اپیلانٹ جب جائے ڈیوٹی بر گیا تو معلوم ہوا کہ اپیلانٹ مورخہ 30-09-2020 کو نوکری سے برخاست کر دیا گیا ہے۔ حالانکہ اپیلانٹ کو نہ کسی قسم کا شوکاژ نوٹس آیا اور نہ ہی کوئی چارج شیٹ جاری ہوئی اور نہ کوئی

(#)

باقاعدہ انکوائری کی گئی اور نہ اپیلانٹ کو موقع صفائی دیا گیا۔ بدیں وجہ حکم ہذا قابل بحالی نہ ہے۔

6. یہ کہ از روئے قانون و انصاف موقع صفائی ملازم کا حق ہے اور کوئی بھی فیصلہ جس میں میجر پنشنس بلاستوائی و چارج شیٹ و انکوائری نہیں دی جاسکتی۔ بدیں وجہ بعد احترام حکم بر خاستگی قابل منسوخ ہے۔

لذا استدعا کی جاتی ہے کہ بمنظوری اپیل ہذا حکم جناب ڈی پی او صاحب نوشہرہ مورخہ 30-09-2020 منسوخ فرمائی جا کر اپیلانٹ کو ملازمت پر بحال کرنے کا احکامات جاری فرمائے جائیں۔

اپیلانٹ Sanaullah

شاء اللہ ولو بختمہ علی مسکنہ زخی کہینہ اکبر پورہ نوشہرہ

رابطہ نمبر: 03119674743

CNIC = 17201-8729196-9

No - 1709/ES.

Dt - 29-3-21.

EC/DPO NSR

For comments

Insp: legal

For comments

By  
RPO/Moh.

No. 627/PA

dt 31/03/2021

DPO NSR  
20/03/2021



**ORDER.**

This order will dispose-off the departmental appeal preferred by Ex-Constable Sana Ullah No. 988 of Nowshera District Police against the order of District Police Officer, Nowshera, whereby he was awarded major punishment of dismissal from service vide OB: No. 988. The appellant was proceeded against departmentally on the allegations that he while posted at Police Lines, Nowshera was found involved in Case FIR No. 246 dated 19.08.2020 u/s 302/324/148/149-PPC Police Station Akbarpura District Nowshera.

Proper departmental enquiry proceedings were initiated against him. He was issued Charge Sheet alongwith Statement of Allegations and Assistant Superintendent of Police Nowshera Cantt: was nominated as Enquiry Officer. The Enquiry Officer after fulfilling codal formalities submitted his findings to District Police Officer, Nowshera, highlighted that the delinquent Officer went into hiding after commission of offence and evading his lawful arrest, therefore, recommended him for ex-parte action.

He was issued Final Show Cause Notice on 17.09.2020 through Muhammad Saeed s/o Sameen Jan r/o Zakhi Miana, cousin of Constable Sana Ullah, but failed to submit his reply.

Consequently in the light of recommendations of enquiry Officer, an ex-parte action was taken against the delinquent Officer and he was awarded major punishment of dismissal from Service with effect from 19.08.2020 vide District Police Officer, Nowshera OB: No. 866 dated 30.09.2020.

Feeling aggrieved from the order of District Police Officer, Nowshera, the appellant preferred the instant appeal. He was summoned and heard in person in Orderly Room held in this office on 26.05.2021.

From the perusal of the enquiry file and service record of the appellant, it has been found that allegations of misconduct against the appellant have been proved beyond any shadow of doubt. Being a member of disciplined/uniformed force, the involvement of the delinquent Officer in such heinous crime brought a bad name for entire Police force in the eyes of general public. During the course of enquiry proceedings, the appellant did not bother to join enquiry proceedings. Moreover, the delinquent Officer is challaned in case vide FIR No. 246 dated 19.08.2020 u/s 302/324/148/149-PPC Police Station Akbarpura District Nowshera and as per the report of Officer Incharge Investigation, Police Station, Akbarpura the delinquent Officer was guilty of the offence. Therefore, the retention of appellant in Police Department will stigmatize the prestige of entire Police Force as instead of fighting

Crime, he has himself indulged in criminal activities. The appellant has filed the instant appeal which is time barred by 05 months and 27 days. Hence, order passed by the competent authority does not warrant any interference.

Keeping in view the above, I, Yaseen Farooq, PSP Regional Police Officer, Mardan, being the appellate authority, find no substance in the appeal, therefore, the same is rejected and filed, being time barred.

Order Announced.

  
Regional Police Officer,  
Mardan.

No. 2760 /ES, Dated Mardan the 31-5- /2021.

Copy forwarded to District Police Officer, Nowshera for information and necessary w/r to his office Memo: No. 945/PA dated 15.04.2021. His service record is returned herewith.

(\*\*\*\*\*)

EC/PMC  
for n. actis

DPONR  
01/06/2021

No. 964/PA  
dt 01/06/2021




ڈائریکٹوریٹ برائے 2014 سرف  
سول جج ایجوکیشن مجسٹریٹ نوشہرہ

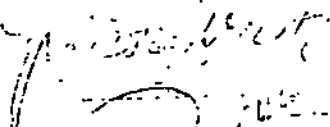
بعدالت حساب نوٹس کی رقم 8/11/2014  
سول جج ایجوکیشن مجسٹریٹ نوشہرہ

بذریعہ عدالت نمبر: 246 مورخہ 8/11/2014 قاتل انکمپلٹ

بذریعہ SHO صاحب قحانہ

مقررہ وقت میں بالائے لازم بالا ارتکاب جرم روپوش ہو کر بدستور اپنی جائز گرفتاری سے گریز کر رہا ہے۔  
لہذا بذریعہ عدالت ہذا جہاں بھی حسب منشا ایڈگر قرار کر کے رد بروعدالت ہذا پیش کیا جائے۔  
دادت ہذا آج تاریخ 25-8-2020 ثبت میرے دستخط اور مہر عدالت کے جاری کیا گیا۔

  
سول جج ایجوکیشن مجسٹریٹ نوشہرہ  
25-8-2020  
Fozia Naseem  
Civil Judge/JM Nowshera

  
SHO صاحب قحانہ  
25-8-2020

اشتبہ روز بروز ۸۷ غرض

سول جی اجوڈیشل بکسٹریٹ نو شہرہ

بغداد

سرکار نام

بمقام عدالت نمبر: ۲۶۶ مورخہ ۱۸ جم ۱۹۶۷-۱۹۶۸  
بذریعہ SHO صاحب قضاہ

ہر گاہ نہ کی رو برو اس پر مطلع کیے جانے سے کہ تم پر تمام ہالا کا الزام لگایا گیا ہے اور تم بعد از اس کتاب پر موقوفہ سے فرار ہو کر سسٹل اپنی جائز کرتا رہا ہے مگر یہ کہتے رہے ہیں کہ اس الزام کے بغیر حاضر کی کوئی امر عدالت موصوف نے وارفت مگر قاری زبردندہ ۲۶۴ غرض ہال کی قس جوتہ ہارے غیر موجودگی کی وجہ سے بعد تمہیں واپس کی گئی ہے۔ تم الزام لگایا کہ بد رویہ اشتہار زدہ دفعہ ۸۷ غرض مظہر کیا ہے۔ سے کہ ۳۰ یوم کے اندر اندر اپنے آپ کو پکڑنا چاہی پیش کر کے الزام ہالا کا جواب دہی کرے بصورت دیگر تمہارے خلاف قانونی کارروائی زبردندہ ۳۸ غرض نکل میں لائی جانی گی۔ جس میں تمہارے جائیداد منقول اور غیر منقول کی ترقی و تسکین اس جا سکتی ہے۔ اس اشتہار کی ایک نقل کا پی الزام ہالیہ کی غرض کے دروازے پر چسپاں کر کے دوسری کاپی پر معززین ملاتہ سے الزام الیک عدم موجودگی کی خاطر فریے کران سے دستخط اکثرت ثبت کریں۔

اشتبہ ہا آج تاریخ ۲۰ مارچ ۱۹۶۷ سے دستخط اور عدالت کے جاری کیا گیا۔



SHO صاحب قضاہ

