

**BEFORE THE HONORABLE KHYBER PAKHTUNKHWA SERVICE  
TRIBUNAL PESHAWAR.**

CM No. -----/2023

In

Service Appeal No. 1566/2023.

Khyber Pakhtunkhwa  
Tribunal  
8575  
857  
24-10-2023

Fazal Mabood

**VERSUS**

Govt; of Khyber Pakhtunkhwa through Secretary Home & Tribal Affairs &  
Others

**APPLICATION FOR PLACING ON FILE DEPARTMENTAL  
APPEAL DULY SIGNED BY APPELLANT AS ADDITIONAL  
DOCUMENT.**

INDEX

S.NO	Description of Documents	Annexure	Pages No
1	Application for placing on file as additional documents		1-2
2	Departmental appeal duly signed by Appellant	R/1	03-4

Through

  
Applicant/Appellant

Mujeeb Ullah  
Advocate 

1

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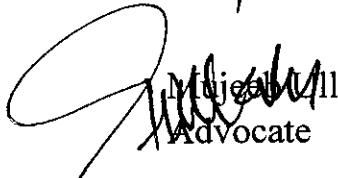
Respectfully Sheweth,

1. That the above titled appeal was fixed for preliminary hearing on 13/10/2023, the case was then admitted for full hearing and comments have been called from respondents for 16/11/2023.
2. That Appellant have already submitted his departmental appeal before this honorable Court but that is not been duly signed by the appellant.
3. That this Hon'ble Court was please to pass an order dated 13/10/2023 wherein appellant has been directed for submission of Departmental Appeal duly been signed by Appellant.
4. That equity, just and law demands placing on file the instant document.

It is therefore most humbly prayed that on acceptance of this Application, Departmental appeal of the Appellant duly signed may kindly be placed on file for ends of justice.

Through

  
Applicant/Appellant

  
Mujeebullah  
Advocate

2

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TRIBUNAL PESHAWAR.**

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**Affidavit**

I Fazal Mabood S/O Fazal Haq Village Gudar P/O Munda District Dir  
Lower do, hereby solemnly affirm and declare that the contents of the instant  
application is true and correct to the best of my knowledge and belief, and  
nothing has been concealed from this Honorable Court.

Identified By:

Mujeeb Ullah

Advocate



  
Deponent  
23-18-23  


SUBJECT: DEPARTMENTAL APPEAL/REPRESENTATION AGAINST THE  
OFFICE ORDER DATED 15-06-2018 OF INSPECTOR GENERAL PRISONS  
KP WHEREBY MAJOR PENALTY OF REMOVAL FROM SERVICE

Respectfully Sheweth:

Appellant submits most respectfully the following facts leading to the instant Departmental Appeal in your kind consideration as under.

- 1) That the appellant was selected and appointed as Junior Technician Pathology (BPS-12) vide order bearing No. 19558-01 Dated 29-06-2018 in Central Prison Mardan
- 2) That in pursuance of the aforementioned appointment order, the Appellant served the department with sheer zeal and dedication to the utmost satisfaction of his superiors and till date no complain whatsoever had been received from any corner of life
- 3) That the appellant submitted an application to the worthy Inspector General of Prisons Khyber Pakhtunkhwa Peshawar, for Two years i.e. (730 Days) extra ordinary leave, leave without pay on 06-11-2019. The application was processed and was approved and leave was sanctioned for a period of two years started from 12-02-2020 till 15-02-2022
- 4) That Appellant is law abiding citizen of Pakistan and is the only bread winner for their family resumed back his duties from 15-02-2022.
- 5) That on 02/02/2022 date the Appellant had a serious domestic issue of father illness, his father was already suffering a psychological disense from few years and the case became worst, his father lost memory and was out of selfcontrol/Disruptive behaviour.
- 6) That is worth to mention that during the aforementioned period the Appellant was

Received Mudasir

*[Signature]*  
14/07/2022  
D.No. 855  
HS

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(11)

eager for healthy life of his father what to say about application for grant of leave or any other communication in respect of his absence

- 7) That Appellant feel proud for being the member of well disciplined Force and expected sympathy and affection on the part of your good self.
- 8) That the case of the Appellant is a case of hardship and due to aforementioned admitted and documented facts the absence of the appellant from duty was not intentional rather the same was beyond the control of Appellant.
- 9) Hence, the Appellant being a member of the force under your kind supervision is obliged to file the departmental appeal/ Representation against the impugned office order inter alia on the following grounds:

**Grounds:**

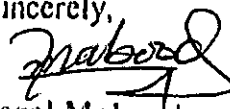
- A. Because the appellant was one to deal the situation and he is the only one to help and care of his home and father
- B. Due a high level of mental and financial stress applicant was unable to communicate with department.
- C. Because the Appellant had no chance and, there was no other single person at his home to deal or receive any notice or to reply for any departmental matter.
- D. Moreover, the case of Appellant is the case of hardship and absence of the Appellant is not intentional rather due to the serious disease of his father, own mental/family and financial stress issues mentioned above which is beyond his control.

In wake of above, stated facts circumstance and documented evidence, the instant appeal/ departmental representation may kindly be accepted and, the removal order / ex-parte proceedings dated 15 06-2022, may kindly be set aside and the Appellant may kindly be reinstated with all back benefits by exonerating the charges levied against the under signed.

ATTESTED

Dated:  
14-July- 2022

Yours sincerely,



Fazal Mabood

Ex. Junior Technician Pathology (BPS-12),  
Central Prison, Mardan