BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR.

SERVICE APPEAL NO. 33/2016

Date of institution ... 08.01.2016
Date of judgment ... 23.11.2016

Safdar Khan, Senior Clerk, Operation Branch,
Central Police Office, Khyber Pakhtunkhwa, Peshawar.

... (Appellant)

VERSUS

1. Inspector General of Police, Central Police Office, Khyber Pakhtunkhwa, Peshawar.
2. Deputy Inspector General of Police (Headquarters), KPK, Peshawar.
3. Additional I.G.P, (Headquarter), Khyber Pakhtunkhwa, Peshawar.

... (Respondents)

SERVICE APPEAL AGAINST THE ORDER NO.6383/E.V, DATED 01.10.2015 AND NO. 8019-25/E-V, DATED 08.12.2015 OF THE RESPONDENTS.

Mr. Haji Muhammad Zahir Shah, Advocate. .. For appellant.
Mr. Muhammad Jan, Government Pleader .. For respondents.

MR. MUHAMMAD AAMIR NAZIR .. MEMBER (JUDICIAL)
MR. ABDUL LATIF .. MEMBER (EXECUTIVE)

23.11.16

JUDGMENT

MUHAMMAD AAMIR NAZIR, MEMBER:- The appellant Safdar Khan, Clerk, Operation Branch, Central Police Office, Khyber Pakhtunkhwa, Peshawar, through instant appeal under section-4 of Khyber Pakhtunkhwa Service Tribunal Act, 1974 has impugned order dated 01.10.2015 vide which the appellant was awarded punishment of reduction to lower post from Senior Clerk (BPS-14) to Junior Clerk (BPS-11) with immediate effect. Against the impugned order referred above, the appellant filed a departmental appeal but the same was turned down vide order dated 08.12.2015.

2. Briefly stated facts giving rise to the appeal in hand are that the appellant was appointed as Junior Clerk in the year 1991 and later on he was promoted as Senior Clerk. That in the year 2015 the appellant was issued charge sheet alongwith statement of allegation to the effect that on 11.02.2015 he had picked up the attendance register from the office of Superintendent and tore of two pages of attendance register of the Ministerial Staff for the month of January and February 2015 in which he was marked absent with red pen and that he has prepared bogus attendance for the month of February 2015, hence, committed misconduct. The appellant submitted reply to the charge sheet and statement of allegation, however, an inquiry was initiated against him and the inquiry officer concluded that appellant was guilty of misconduct. Hence, vide impugned order 01.10.2015 the appellant was awarded punishment of reduction to lower post from Senior Clerk (BPS14) to Junior Clerk (BPS-11) with immediate effect. The departmental appeal filed by the appellant against the impugned order referred above, was turned down by the Appellate Order dated 08.12.2015 hence, the instant service appeal.

23.11.16

3. The learned counsel for the appellant argued before the court that the appellant had never committed any misconduct and the allegation leveled against the appellant has not been proved during the inquiry. That no ocular evidence could be produced against the appellant regarding tempering with the attendance register. That no chance of cross-examination of witnesses was provided to the appellant and hence, the appellant was penalized on the basis of defective inquiry report. That since the impugned order is based on one-sided and defective inquiry report hence by accepting the instant appeal the appellant be reinstated into service.

4. On the contrary, learned Government Pleader argued before the court that the appellant has been found guilty of misconduct as he has tempered the attendance register in which he was marked absent. That a full fledge inquiry was conducted and the investigating officer after recoding the statement of witnesses, found the appellant guilty, hence, he was rightly awarded punishment of reduction to lower post. Hence, the appeal in hand is without any substance, therefore, the same be dismissed.

5. We have heard the arguments of learned counsel for the appellant and learned Government Pleader for the respondents and have gone through the record available on file.

6. Perusal of the record reveals that vide charge-sheet and statement of allegation available on file, the appellant was charged to the effect that he had torn off two pages of attendance register of Ministerial Staff for the month of January and February 2015 in which he was marked absent with red pen by the office of Superintendent, Operation Branch, CPO Peshawar. It was further alleged that the appellant had replaced the attendance sheet for the month of February by marking himself as present. Though the appellant denied the allegation leveled against him, however, an inquiry officer was appointed by the competent authority who had recorded statements of witnesses and there-after held the appellant guilty. The competent authority on the basis of inquiry report, penalized the appellant to reduction to lower post from Senior Clerk (BPS-14) to Junior Clerk (BPS-11) with immediate effect. The appeal filed by the appellant against the impugned order dated 01.10.2015 was also turned down by the Appellate Authority. It is evident from record that the inquiry officer recoded the statement of concerned officials, however, the appellant was not associated during the inquiry proceedings and hence the appellant was deprived to cross-examine the witnesses examined by the inquiry officer. Similarly, the appellant was also deprived to produce evidence if any in his defence and thus the inquiry officer on the basis of one-sided version, held the appellant guilty of the charge leveled against him. The competent authority while considering one-sided inquiry report, awarded punishment of reduction to lower post from Senior Clerk (BPS-14) to Junior Clerk (BPS-11) to the appellant. It was mandatory upon the inquiry officer to have associated the appellant during the inquiry proceedings by providing him fair opportunity of cross-examining the witnesses and should have provided him right to produce evidence in his defence. The inquiry conducted by the inquiry office is defective as per law and rules on the subject, hence, we by setting-aside the impugned order dated 01.10.2015, reinstate the appellant to his substantial post of Senior Clerk (BPS-14) with the direction to the

23.11.16

respondents to conduct a de-novo inquiry against the appellant on the allegation leveled against ~~the~~ him by providing him full opportunity of defence. Inquiry should be concluded within two months from receipt of this order. Parties are left to bear their own costs. File be consigned to the record room.

ANNOUNCED
23.11.2016

(ABDUL LATIF)
MEMBER

(MUHAMMAD AAMIR NAZIR)
MEMBER

16.09.2016 Appellant in person and Addl. AG for respondents present. Appellant submitted an application for adjournment wherein he stated that his counsel is busy before Peshawar High Court, Peshawar. Adjournment granted. Rejoinder already submitted. To come up for arguments on 23.11.2016.

Member Member

23.11.2016 Counsel for the appellant and Mr. Muhammad Jan, Government Pleader for the respondents present.

Vide our detailed judgment of today consist of four pages placed on file, we by setting-aside the impugned order dated 01.10.2015, reinstate the appellant to his substantial post of Senior Clerk (BPS-14) with the direction to the respondents to conduct a de-novo inquiry against the appellant on the allegation leveled against him by providing him full opportunity of defence. Inquiry should be concluded within two months from receipt of this order. Parties are left to bear their own costs. File be consigned to the record room.

ANNOUNCED
23.11.2016

(ABDUL LATIF)
MEMBER

(MUHAMMAD AAMIR NAZIR)
MEMBER

25.1.2016

Counsel for the appellant present. Learned counsel for the appellant argued that the appellant was serving as Senior Clerk (BPS-14) when subjected to inquiry on the allegations of toring out certain pages of attendance register and replacing the same and vide impugned order dated 1.10.2015 reverted to lower post of junior clerk (BPS-11) where-against the preferred departmental appeal on 7.10.2015 which was rejected on 8.12.2015 and hence the instant service appeal on 8.1.2016.

Appellant Deposited
Security & Process Fee

That the appellant was falsely implicated and that the inquiry was not conducted in the prescribed manners as neither any evidence was recorded nor appellant afforded opportunity of cross-examining the witness and that opportunity of defence and personal hearing was also not extended to the appellant.

Points urged need consideration. Admit. Subject to deposit of security and process fee within 10 days, notices be issued to the respondents for written reply/comments for 30.3.2016 before S.B.

Chairman

30.03.2016

None present for appellant. Mr. Muhammad Ghani, S.I alongwith Addl: A.G for respondents present. Written statement by respondents submitted. The appeal is assigned to D.B for rejoinder and final hearing for 19.7.2016.

Chairman

19.07.2016

Counsel for the appellant and Mr. Usman Ghani, Sr.GP for the respondents present. Learned counsel for the appellant requested for adjournment to file rejoinder. Request accepted. To come up for rejoinder and arguments on 16-9-16

MEMBER

MEMBER

Form- A

FORM OF ORDER SHEET

Court of_____

Case No. 33/2016

S.No.	Date of order Proceedings	Order or other proceedings with signature of judge or Magistrate
1	2	3
1	08.01.2016	The appeal of Mr. Safdar Khan resubmitted today by Mr. Haji Muhammad Zahir Shah Advocate may be entered in the Institution register and put up to the Worthy Chairman for proper order. REGISTRAR
2		This case is entrusted to S. Bench for preliminary hearing to be put up thereon 25-1-16. CHAIRMAN

BEFORE THE SERVICE TRIBUNAL, K.P.K., PESHAWAR.

Service Appeal No. 33 /2016.

Safdar Khan.....Vs.....I.G.P. and others.

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Appellant,

8.1.2016

Through: (Haji Muhammad Zahir Shah),
Advocate, Peshawar, and Amjad Ali
Advocate, Pesh

Haji Mohammad Zahir Shah
Advocate
Supreme Court of Pakistan,
Peshawar.

(1)

BEFORE THE SERVICE TRIBUNAL, KHYBER PAKHTUNKHWA, PESHAWAR.

***

Service Appeal No. 33 /2016.

Safdar Khan, Senior Clerk, Operation Branch, Central Police Office, Khyber Pakhtunkhwa, Peshawar...Appellant.

-Vs-

1-Inspector General of Police, Central Police Office, Khyber Pakhtunkhwa, Peshawar.

2-Deputy Inspector General of Police (Headquarters), KPK, Peshawar.

3-Addl.I.G.P., (Headquarters), Khyber Pakhtunkhwa, Peshawar.....Respondents.

Service Appeal against the Order No.6383/E-V, dated 1.10.2015 and No.8019-25/E-V, dated 8.12.2015 of the respondents.

****

Prayer in Appeal.

By acceptance of this appeal, the impugned Order dated 1.10.2015 of the learned respondent (s) regarding the reduction of the appellant from BPS-14 (Senior Clerk) to BPS-11(Junior Clerk), may be set aside with all back benefits.

Respectfully Sheweth:

The appellant respectfully submits as under:-

Facts.

1- That the appellant was appointed as Junior Clerk in the Police Department on 18.10.1991 and have completed (24) years of service in it, without any adverse entry etc.

2- That the respondents had leveled allegations against the appellant that on 11.2.2015 had picked the attendance register from the office of the Superintendent and tore two pages of the said register for the month of January and February, 2015 in which he was marked absent with **red pen** by the Office Superintendent and the appellant had prepared bogus fresh attendance register for the month of February, 2015. (Statement of allegation is attached herewith).

3- That an Inquiry Officer/Inquiry Committee was appointed and charge sheet was also given to the appellant (Copy of which is attached).

4- That the appellant then submitted reply to the charge sheet, which is also attached.

5- That the final notice was also given to the appellant, which is also attached herewith.

6- That vide impugned order dated 1.10.2015, the appellant was reduced to lower post from Senior Clerk (BPS-14) to Junior Clerk (BPS-11) with immediate effect.

3

7- That the appellant then filed a departmental appeal on 5.10.2015 regarding the above said order.

8- That the departmental appeal of the appellant has been rejected vide order dated 8.12.2015 and hence, this service appeal is submitted on the following grounds:-

Grounds of Appeal.

1- That the impugned orders of the learned respondents are illegal, against facts, and are liable to be set aside.

2- That the allegation leveled against the appellant has not been proved at all. No ocular evidence was produced against the appellant regarding the toring of two pages of attendance register.

3- That the inquiry was also not conducted in accordance with the Rules and he has also been given no chance to cross-examine the witnesses and to produce evidence in defence as well as personal hearing.

4- That the appellant has served the department for (24) years, efficiently and honestly and during this long service, not a single adverse entry was made against him.

5- That the punishment awarded to the appellant is also very harsh as the alleged allegations have not been proved and the appellant has committed no misconduct at all, particularly when there is no evidence to prove that bogus entry of attendance was made by him in the attendance register.

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6- That the departmental appeal of the appellant has also been illegally and wrongly dismissed vide order dated 8.12.2015 without any cogent reason.

It is, therefore, humbly prayed that by acceptance of this appeal, the impugned Orders of the learned respondents regarding the reduction of the appellant to the lower post from Senior Clerk (BPS-14) to Junior Clerk (BPS-11) may be set aside with all back benefits.

Dated: 8/1/2016.

Appellant,

8.1.2016

Through: (Haji Muhammad Zahir Shah),
Advocate, Peshawar.

Haji M... Shah
...ocate
Supreme Court of Pakistan.
Peshawar.

BEFORE THE SERVICE TRIBUNAL, KHYBER PAKHTUNKHWA, PESHAWAR.

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Service Appeal No. _____ /2016.

Safdar Khan.....Vs.....I.G.P. and others.

AFFIDAVIT.

I, Safdar Khan, Senior Clerk, Operations Branch, Central Police Officer, Khyber Pakhtunkhwa, Peshawar, do hereby solemnly affirm and declare that the contents of the Appeal are true and correct to the best of my knowledge and belief and nothing has been concealed from this Hon'ble Tribunal.

Dated: 8/1/2016.

(Safdar Khan),

Identify by:

Advocate

ATTESTED

Afrasiab Khan Advocate
Oath Commissioner
High Court Peshawar

8/1/16

6

OFFICE OF THE
INSPECTOR GENERAL OF POLICE
KHYBER PAKHTUNKHWA
CENTRAL POLICE OFFICE
PESHAWAR
Ph: 091-9210545 Fax: 091-9210927

No 6383 /E-V, Dated Peshawar the 01-10-2015

ORDER

This is an order on the Departmental Enquiry of Senior Clerk Safdar Khan presently posted at Operations Branch, CPO, Peshawar on loan from Capital City Police Office, Peshawar who committed the following, acts of omission/commission:-

2. As reported by the Office Superintendent, Operations Branch, CPO, Peshawar that on 11.02.2015 at 13:30 hours when he was offering his Zuhr Prayer, Senior Clerk Safdar Khan picked the Attendance Register from his office and tore 02 Pages of Attendance Register of Ministerial Staff for the months of January and February, 2015 in which he was marked as absent with the red pen by the Office Supdt: and he prepared bogus/fresh Attendance for the month of February, 2015 and initialed on behalf of all Ministerial Staff.

3. On the basis of above mentioned allegations leveled against him, he was issued Charge Sheet with Statement of Allegations and Deputy Inspector General of Police, Operations was appointed as Enquiry Office to probe into the matter.

4. The Enquiry Officers after assessing the Enquiry through all the angels, recording statements of the concerned officials and checking the relevant Record/Register ,held responsible the said official for committing this unlawful act as per the allegations leveled against him. Similarly during the Course of Enquiry, the Enquiry Officer has lastly recommended the defaulter official for awarding him appropriate/suitable punishment as the allegations leveled proved against him.

5. On receipt of Finding/Enquiry Report from the Enquiry Officer, he was served with Final Show Cause Notice. In response to the same, he submitted his reply and also appeared in OR for personal hearing before the undersigned to fulfill the codal formalities of **Efficiency & Discipline Rules-1973/(amended in 2011)**

6. On going through the findings/recommendations of the Enquiry Officer, the material placed on record I, **MUHAMMAD ALAMA SHINWAR, PSP,** Deputy **Inspector General of Police Headquarters Peshawar (Competent Authority)** hereby award him the **punishment of reduction to lower post from Senior Clerk (BPS-14) to Junior Clerk (BPS-11)with immediate effect.**

ORDER ANNOUNCED

(MUAHAMMAD ALAM SHINWARI)PSP
Deputy Inspector General of Police, Hqrs:
Khyber Pakhtunkhwa,
Peshawar.

No. 6384-93 /E-V Dated; Peshawar the 01/10/2015.

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

1). Additional Inspector General of Police, Hqrs: Khyber Pakhtunkhwa, Peshawar.
2). Additional Inspector General of Police, Operations, Khyber Pakhtunkhwa, Peshawar
3).Capital City Police Officer, Peshawar.
4). Deputy Inspector General of Police, Operations, CPO, Peshawar.
5). Office Supdt: Secret, CPO, Peshawar.
6). Registrar, CPO, Peshawar.
7). Office Supdt: Secret, CPO, Peshawar.
8). Office Supdt: Operations Branch, CPO, Peshawar.
9). Incharge Central Registry, CPO, Peshawar.

Attested to be true copy
Haji Muhammad Zahir Shah
Advocate Supreme Court
A.C.J./Peshawar

To

Additional Inspector General of Police,
Police Headquarter Khyber Pakhtunkhwa.

3531/E

SUBJECT: APPEAL FOR REINSTATEMENT OF SERVICES AS SENIOR CLERK.

It is sublimated that I have been reduced to the lower post of Junior Clerk vide No C.P.O Order No: 6383/5 dated.01.10.2015 (copy attached).

In this connection, it is stated that the allegation level against me baseless. I am totally innocent in the case and have not committed the mentioned act.

I was appointed as junior clerk in the Police Department on 18.10.1991. I have completed 24 years service in the Department. I was placed under suspension in the instant case w-e-f 22-03-2015 for which period has not been decided in the order.

I am a poor person and have school going kids/children also. Due to my reversion as Junior Clerk their study will automatically be suffered badly on account of financial loss to be caused in the face of said order.

Keeping in view my above quoted position, long services rendered to the Department and poverty, it is humbly requested that my reduction order to the lower grade of Junior Clerk may kindly be set aside on humanitarian basis and obliged.

Thanks,

Yours obediently,

5.10.15

SAFDAR KHAN
Senior Clerk
Operation Branch
CPO Peshawar

SE-V

DYS 1742/EB/E
5-10-15

1742/EB
5-10-15

Attested to be true copy

Haji Muhammad Zahir Shah
Advocate Supreme Court
A.O.R./ Peshawar

(8)

From:- The DY:Inspector General of Police,
Operations, Khyber Pakhtunkhwa,
Peshawar.

To:- The Dy:Inspector General of Police,
Hqrs:Khyber Pakhtunkhwa,
Peshawar.

No. 6527/PA/DIG/ Ops: dated 7 /10/2015

Subject:- **APPEAL**

Memo:-

Please refer to your Order No.6383/E-V dated 1/10/20115.

Enclosed please find appeal/application submitted by Safdar Khan Senior Clerk Operation Branch, CPO, Peshawar against the order of reduction to lower post from Senior Clerk (BPS-14) to Junior Clerk (BPS-11) for sympathetic consideration.

(ABDULLAH KHAN)
Dy:Inspector General of Police,
Operations, Khyber Pakhtunkhwa,
Peshawar.

Dy: No. 1771
07/10/2015

Attested to be true copy

Haji Muhammad Zahir Shah
Advocate Supreme Court
A.O.R./ Peshawar

OFFICE OF THE
INSPECTOR GENERAL OF POLICE
KHYBER PAKHTUNKHWA
CENTRAL POLICE OFFICE
PESHAWAR
Ph: 091-9210545 Fax: 091-9210927

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ORDER

Ex-Senior Clerk Safdar Khan (now Junior Clerk) while posted to Operations Branch, CPO, Peshawar was awarded the Major Punishment of reversion to the rank of Junior Clerk on the score of allegations leveled as reported by Office Supdt: Operations Branch, CPO, Peshawar that on 11.02.2015 at 10:30 hours when he was offering his Zuhr Prayer, the said official picked the Attendance Register from his office and tore 02 pages of the same Attendance Register for the month of January & February, 2015 in which he was marked as absent with red pen by the Office Supdt: and he prepared bogus/fresh Attendance Register for the month of February even then initialed on behalf of All Ministerial Staff /Office Supdt:

After such act, he was placed under suspension and also issued Charge Sheet with Statement of Allegations and Deputy Inspector General of Police, Operations Khyber Pakhtunkhwa, Peshawar was nominated as Enquiry Officer to probe into the matter.

The Enquiry Officer completed the Enquiry and the delinquent official was found guilty of the Charges leveled against him so recommended him for appropriate punishment.

On receiving the recommendations by the Enquiry Officer, he was also called in Orderly Room and given him full opportunities in defence by the Competent Authority but in vain.

In view of above, by taking a lenient view by the Competent Authority, he was awarded the Major punishment of reversion to the rank of Junior Clerk.

Owing to the award of above mentioned Punishment, the Petitioner went for an appeal to next Appellate Authority for setting aside his punishment awarded by the Competent Authority i.e. Deputy Inspector General of Police, Hqrs: Khyber Pakhtunkhwa, Peshawar. In this connection he was called for personal hearing before the undersigned.

Upon perusal his appeal, examining the Allegation leveled against him, Recommendations of the Enquiry Officer and the punishment awarding to him for his severe mis-conduct of prolong absence as well as his such rough attitude being a most Senior Ministerial hand, he was given full opportunity for his defense in personal hearing but he could not offer any plausible/cogent reason to satisfy the undersigned.

In view of above, the appeal preferred by the Ex-Senior Clerk Safdar Khan (now Junior Clerk) is hereby "Filed/Rejected" by the undersigned.

Order announced

(MIAN MUHMMAD ASIF)PSP
Addl: IGP, Hqrs:
For Inspector General of Police,
Khyber Pakhtunkhwa,
Peshawar.

No 8019-25 /E-V Dated Peshawar the 8-12- /2015.

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

1. Additional Inspector General of Police, Operations, Khyber Pakhtunkhwa, Peshawar.
2. Deputy Inspector General of Police, Hqrs: Khyber Pakhtunkhwa, Peshawar.
3. Capital City Police Officer, Peshawar.
4. Registrar, CPO, Peshawar.
5. Office Supdt: Secret, CPO, Peshawar.
6. Office Supdt: Operations, CPO, Peshawar.
7. Incharge Central Registry Cell, CPO, Peshawar.

Received on 18.12.15

Attested to be true copy
Haji Muhammad Zahir Shah
Advocate Supreme Court
A.O.R./ Peshawar

OFFICE OF THE
INSPECTOR GENERAL OF POLICE,
KHYBER PAKHTUNKHWA,
CENTRAL POLICE OFFICE,
PESHAWAR
Ph: 091-9210545 Fax: 091-9210927

10

No /E-V Dated Peshawar the /2015

DISCIPLINARY ACTION.

I, **MUBRAK ZEB, PSP, Deputy Inspector General of Police, HQrs: Khyber Pakhtunkhwa, Peshawar** am of the opinion that Senior Clerk Sadfar Khan presently posted in Operations Branch, CPO, Peshawar at Regional Police Office, D I Khan has rendered himself liable to be proceeded against, as he has committed the following acts/omissions within the meaning of **Khyber Pakhtunkhwa Government Civil Servants (E&D) Rules-2011.**

STATEMENT OF ALLEGATIONS

i) As reported by the Office Superintendent, Operations Branch, CPO, Peshawar that on 11.02.2015 at 10: 30 hours when he was offering his Zuhr Prayer, Senior Clerk Safdar Khan picked the attendance Register from his office and tore 02 pages of Attendance Register of Ministerial Staff for the month of January and February, 2015 in which he was marked absent with red pen by the Office Supdt: and he prepared bogus/fresh Attendance for the month of February, and initialed on behalf all Ministerial Staff/Office Supdt:

ii). All this speaks highly adverse on his part warranting stern disciplinary action against him under the said rules.

iii). similarly, due to his such unlawful act, he has been placed under suspension too.

For the purpose of enquiry against the said accused with the reference to the above allegation an Enquiry Officer/Enquiry Committee consisting of the following, is constituted under the rule 10 (1) (a) of the ibid rules.

Mr. DIG Operations Qtrs.

Mr. _____

The Enquiry Officer/Enquiry Committee shall, in accordance with the provision of the said Rules, provide reasonable opportunity of hearing to the accused, record & submit its findings and make, within 30 days of the receipt of this order, recommendations as to punishment or other appropriate action against the accused officer.

The defaulter official and a well conversant representative of the departmental shall assist in the proceedings on the date, time and place fixed by the Enquiry Officer/Enquiry Committee.

(MUBARAK ZEB)
DIG, HQrs:
For Inspector General of Police,
Khyber Pakhtunkhwa
Peshawar.

Received 24/3/15
Clerk Safdar Khan

Attested to be true copy
Haji Muhammad Zahir Shah
Advocate Supreme Court
A.O.R. Peshawar

OFFICE OF THE
INSPECTOR GENERAL OF POLICE,
KHYBER PAKHTUNKHWA,
CENTRAL POLICE OFFICE,
PESHAWAR
Ph: 091-9210545 Fax: 091-921092

(11)

No /SE-V Dated Peshawar the /2015

CHARGE SHEET

I, **MUBRAK ZEB, PSP**, Deputy Inspector General of Police, HQrs: Khyber Pakhtunkhwa, Peshawar as competent authority, under Rule 5(b) of Khyber Pakhtunkhwa, E&D Rules, 2011 hereby charge you Senior Clerk, Safdar Khan posted in Operations Branch, CPO, Peshawar as follows:-

i) As reported by the Office Superintendent, Operations Branch, CPO, Peshawar that on 11.02.2015 at 10: 30 hours when he was offering his Zuhr Prayer, you Senior Clerk Safdar Khan picked the attendance Register from his office and tore 02 pages of Attendance Register of Ministerial Staff for the month of January and February, 2015 in which you were marked absent with red pen by the Office Supdt: and you prepared bogus/fresh Attendance for the month of February, and initialed on behalf all Ministerial Staff/Office Supdt:

ii). All this speaks highly adverse on your part warranting stern disciplinary action against you under the said rules.

iii). similarly, due to your such unlawful act, you have been placed under suspension too.

2. By reasons of the above, you appear to be guilty of misconduct under Rule 4 of Khyber Pakhtunkhwa Govt. Servants Efficiency and Discipline Rules 2011 and have rendered yourself liable to all or any of the penalties specified in the Rules ibid.

3. You are, therefore, required to submit your written defence within seven days of the receipt of this charge sheet to the Enquiry Committee/Enquiry Officer as the case may be.

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

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

6. A statement of allegations is enclosed.

Received on 24/3/15
Sr. clerk Safdar Khan

(MUBARAK ZEB)
DIG, HQrs:
For Inspector General of Police,
Khyber Pakhtunkhwa
Peshawar.

Attested to be true copy
Haji Muhammad Zahir Shah
Advocate Supreme Court

(12)

To:

The DIG / Operations,

Khyber Pakhtunkhwa,

Peshawar,

(Inquiry Officer)

Subject: **Explanation of the charge sheet**

Respected Sir!

Kindly refer the attached Charged Sheet with Statement of Allegations received by me on 24 Mar 2015.

In this connection, I submit as follows:-

i. Being senior clerk of the department, I understand the importance of organizational documents very soundly. Beside its significance, I am well aware of the serious repercussions of doing such a mischievous act and for a person with my service, committing such an irresponsible act is not understandable. Meaning by, I being senior clerk submit a request to you that the issue may not be treated as an offensive against me, **as I am ignorant of this episode which has happened and ultimately made allegation against me.**

ii. Respected Sir, as a senior clerk, I understand that what all illegal amendments made in the documents / registers can be concealed / made out of sight and what cannot be, then how it is possible that a red entry made by Office Superintendent Operation Branch, CPO, be amended illegally with these expectations that it may fulfill the job. **Sir no one of the department can even think of it then how a sensible senior clerk can commit this mistake.**

iii. Respected sir, I basically belong to a poor family and I too understand the importance of this job for me and my pitiable family and kids. **Sir I may be**

(13) (21)

trusted for my statement that I am not guilty and fully unaware of the matter / issue.

The allegations raised are full of concoctions and clearly fabricated against me for an unknown reason. It is therefore humbly requested that I may kindly be exonerated of the charges leveled against me. I shall be obliged for your rational act.

Thanks,

Yours obediently,
Safdar Khan
Senior Clerk
Operation Room, CPO

25/3/15

OFFICE OF THE
INSPECTOR GENERAL OF POLICE,
KHYBER PAKHTUNKHWA,
CENTRAL POLICE OFFICE,
PESHAWAR
Ph: 091-9210545 Fax: 091-9210927

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FINAL SHOW CAUSE NOTICE

1. **WHEREAS**, you Senior Clerk Safdar Khan while posted in Operations Branch, CPO, Peshawar on 11.02.2015 at 10:30 hours when the Office Supdt: went for Zuhar Prayer you picked the attendance Register of Ministerial Staff from his office and tore 02 pages of in which you were marked absent with red pen, you prepared bogus/fresh attendance for the months of January & February and initialed on behalf of all Ministerial Staff/Office Supdt:, which is a gross misconduct as defined in Govt. Servants (Efficiency and Discipline Rules 2011), resultantly you were closed to CPO, Peshawar.

2. **AND WHEREAS**, on going through the material placed on record and other connected papers, I am satisfied that you have committed the misconduct and is guilty of the charges leveled against you, which stands proved and render you liable to be awarded punishment under the said rules.

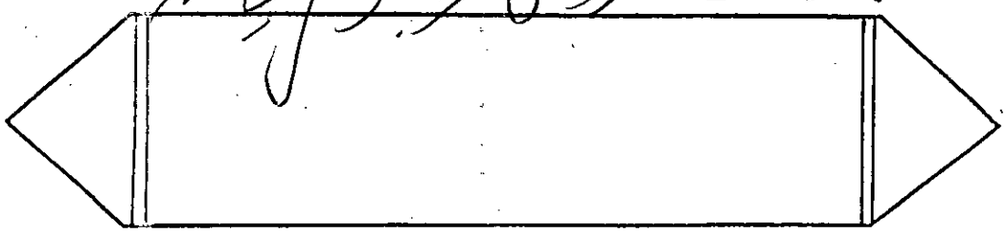
3. **NOW THEREFORE**, I, Muhammad Alam Shinwari DIG/Headquarters Khyber Pakhtunkhwa, Peshawar a as Competent Authority have tentatively decided to impose upon you, any one or more penalties including the penalty of "dismissal from Service" under Section 4 of Govt. Servants (Efficiency and Discipline Rules-2011).

5. **YOU ARE, THEREFORE,** required to show cause within seven days of the receipt of this Final Show Cause Notice, as to why the aforesaid penalty should not be imposed upon you, failing which it shall be presumed that you have no defence to offer and an exparte action shall be taken against you. Meanwhile also intimate that whether you desire to be heard in person or otherwise.

(MUHAMMAD ALAM SHINWARI)PSP
DIG/HQrs:
For Inspector General of Police,
Khyber Pakhtunkhwa
Peshawar.

Attested to be true copy
Haji Muhammad Zahir Shah
Advocate Supreme Court
A.O.R./ Peshawar

بعدالت سروس ٹریبونل پشاور



سے 2 منجانب

بنام

العبد

موزخہ _ _ _ _ _ _ _ _
مقدمہ _ _ _ _ _ _ _ _
دعویٰ _ _ _ _ _ _ _
جرم _ _ _ _ _ _ _

باعث تحریر آنکہ

HAJI MUHAMMAD ZAHIR SHAH
Advocate
Supreme Court of Paksitan
Peshawar

مقدمہ مندرجہ عنوان بالا میں اپنی طرف سے واسطے پیروی وجواب دہی وکل کاروائی متعلقہ
آن مقام _____ کیلئے _____
مقرر کر کے اقرار کیا جاتا ہے۔ کہ صاحب موصوف کو مقدمہ کی کل کاروائی کا کامل اختیار ہوگا۔ نیز
وکیل صاحب کو راضی نامہ کرنے وتقرر ثالث وفیصلہ برحلف دیئے جواب دہی اور اقبال دعوی اور
بصورت ڈگری کرنے اجراء اور وصولی چیک وروپیہ ازعرضی دعوی اور درخواست ہر قسم کی تصدیق
زرایں پر دستخط کرانے کا اختیار ہوگا۔ نیز صورت عدم پیروی یا ڈگری یکطرفہ یا اپیل کی برامدگی اور منسوخی
نیز دائر کرنے اپیل نگرانی ونظر ثانی وپیروی 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 بااختیارات حاصل ہوں گے اور اس کا ساختہ
پرداختہ منظور قبول ہوگا۔ دوران مقدمہ میں جو خرچہ وہرجانہ التوائے مقدمہ کے سبب سے وہوگا۔
کوئی تاریخ پیشی مقام دورہ پر ہو یا حد سے باہر ہو تو وکیل صاحب پابند ہوں گے۔ کہ پیروی
مذکور کریں۔ لہذا وکالت نامہ لکھدیا کہ سند رہے۔

المرقوم _____ ماہ _____ 20ء

العبد _____ گواہ العبد _____

بمقام _____ کے لئے منظور ہے۔

HAJI MUHAMMAD ZAHIR SHAH
Advocate
Supreme Court of Paksitan
Peshawar

HAJI MUHAMMAD ZAHIR SHAH
Advocate
Supreme Court of Paksitan
Peshawar

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PEASHAWAR.

Service Appeal No. 33/2016

Safdar Khan..... (Appellant)

VERSUS

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

Subject:- COMMENTS ON BEHALF OF RESPONDENTS

Respectfully Sheweth!

Preliminary Objections:-

a) The appeal has not been based on facts.
b) The appeal is not maintainable in the present form.
c) The appeal is bad for mis-joining and non-joining necessary parties.
d) The appellant is estopped by his own conduct to file the appeal.
e) The appeal is barred by law & limitation.
f) The appellant has not come to the Honorable Tribunal with clean hands

FACTS:-

1. Correct to the extent of appointment of appellant as Junior Clerk, however, according to the record appellant was not taking interest in the official duties.
2. Incorrect, on 11.02.2015, appellant while posted in Operation branch of CPO Peshawar in order to forge his absence period from duty marked in the attendance register of Ministerial Staff of operation branch for the month of January and February 2015 took it away and tore its pages and prepared fresh bogus and forged attendance register for the said two months. He in addition to marking his attendance in the new pages also put forged initials of the remaining staff in the register. Therefore, charge sheet based on above allegations was issued to appellant.
3. Correct to the extent that enquiry officer was appointed. Enquiry officer examined Hamid Shah FC No. 134 posted in Operation branch CPO Peshawar.

He produced the eye account of the event of taking away the attendance register by appellant. Shahid Niaz Junior Clerk also supported and corroborated the statement of said Hamid Shah. The entire ministerial staff of the operation branch gave joint written statement to the effect that the appellant forged the attendance register and put their bogus initials. Copies of the statement of Hamid Shah FC, Shahid Niaz Junior Clerk and joint statement of the ministerial staff are enclosed as **Annexure A, B & C**.

4. Incorrect, appellant was avoiding defense of the charge sheet and resorted to delaying tactics, eventually the enquiry officer issued another notice to the appellant to submit reply otherwise to face ex-parte action. Copy of the notice is enclosed as **Annexure-D**. Appellant submitted reply but failed to rebut the charges leveled against him.

5. Correct to the extent that final show cause notice was issued to appellant but he failed to advance any plausible explanation and rebutting the charges.

6. Correct to the extent that after completion of all legal and procedural formalities, the impugned order was passed.

7. Correct to the extent of filing of department appeal, however, his departmental appeal was rejected vide speaking order.

8. The appeal of appellant is not sustainable on the grounds advanced in the appeal.

GROUNDS:-

1. Incorrect, the impugned order is just, legal and has been passed in accordance with law and rules.

2. Incorrect, enquiry officer collected sufficient evidence in support of the charges leveled against appellant. Hamid Shah FC and Shahid Niaz Junior Clerk gave eye account of the event of taking away the attendance register by appellant and the remaining ministerial

staff of operation branch deposed that their forged initials were put by appellant in the attendance register.

3. Incorrect, appellant was avoiding associating enquiry officer and submitting reply in response to the charge sheet. In addition to charge sheet notice was issued to appellant for submitting reply. Actually he was unable to face the witnesses therefore, he avoided joining enquiry proceedings.

4. Incorrect, it is evident from the record and statement of the witnesses that appellant was work-shy and was not taking interest in official duty.

5. Incorrect, penalty commensurate with the charges has been imposed on appellant.

6. Incorrect, departmental appeal of appellant has been rejected vide speaking order as there was no force in the departmental appeal of appellant.

It is therefore, requested that the appeal of appellant may be dismissed with costs.

Inspector General of Police,
Khyber Pakhtunkhwa,
Peshawar.
(Respondent No.1 & 2)

Deputy Inspector General of Police
Headquarter, Khyber Pakhtunkhwa,
Peshawar
(Respondent No. 3)

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR.

Service Appeal No. 33/2016

Safdar Khan..... (Appellant)

Versus

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

AFFIDAVIT

I, Falak Nawaz DSP Legal CPO, Peshawar do here by solemnly affirm on oath that the contents of accompanying comments on behalf of Respondents in response to the above titled service appeal is correct to the best my knowledge and belief. Nothing has been concealed from this Honorable Tribunal.

DEPONENT

Falak Nawaz,
DSP/Legal
14203-2060203-5

27.2.2017

ATTESTED
SYED MUHAMMAD KHALID
OATH COMMISSIONER

بیان از ان شاہد نثار جونیئر کلرک ایبٹ آباد آپریشن برانچ

مورخہ 11/02/2015 بروز بدھ جب آفس سپرنٹنڈنٹ ظہر کی نماز کیلئے مسجد گئے ہوئے تھے۔ حاضر شاہ نے مجھے آواز دیکر کہا۔ کہ جونیئر کلرک صفدر خان نے اگر سپرنٹنڈنٹ صاحب کا کمرہ سے ریوالور نکال کر چلا گیا۔ اور آڈٹ برانچ میں بیٹھا ہے۔ میں جونیئر کلرک صفدر خان کو باہر سے جھانک کر دیکھا۔ وہ آڈٹ برانچ میں بیٹھا ہوا تھا۔ میں انفارمیشن گیا۔

24/04/15

شاہد نثار جونیئر کلرک

Attested

Deputy Inspector General of Police
Operations & Training,
Khyber-Pukhtunkhawa Peshawar

بیان از ان FC حامد شاہ نمبر CPO 134 اسپیشن برانچ

مورخہ 11/04/2015 بروز بدھ جب آفیسر سپرنٹنڈنٹ صاحب ظہر کی نماز کے لئے مسجد گئے ہوئے تھے۔ سینئر کلرک صفدر خان کو میں نے دیکھا کہ وہ سپرنٹنڈنٹ صاحب کے دفتر سے باہر آ رہے تھے ہوئے نکل رہا تھا۔ میں نے جونیئر کلرک شاہد نیاز کو آواز دے کر کہا کہ سپرنٹنڈنٹ صاحب آفس میں نہیں ہے اور صفدر آفس سے رجسٹر لے کر جا رہا ہیں۔

حامد شاہ
14/04/2015

Attested

Deputy Inspector General of Police,
Operations & Training,
Khyber Pukhtunkhawa Peshawar

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بیان ازاں جملہ منسٹریل سٹاف آپریشن برانچ CPO پشاور

جناب عالی!

ہم جملہ منسٹریل سٹاف آپریشن برانچ CPO پشاور بیانی ہیں کہ ہماری پوسٹنگ کو آپریشن برانچ میں تقریباً سال سے زیادہ عرصہ گزر گیا ہے اور اسی طرح سنیئر کلرک صفدر خان کی پوسٹنگ کو بھی آپریشن برانچ میں تقریباً اتنا ہی عرصہ ہو چکا ہے لیکن اس تمام عرصہ میں مذکورہ سنیئر کلرک زیادہ تر غیر حاضر رہتا تھا کبھی کبھار اگر ایک آدھ گھنٹے کے لیے آ بھی جاتا تو کسی قسم کا سرکاری کام نہیں کرتا تھا اور نہ آج تک اس نے کوئی سرکاری کام کیا ہے۔ صرف چند لوگوں سے دعا سلام کر کے غائب ہو جاتا تھا۔ حاضری رجسٹر میں باقاعدہ غیر حاضر رہتا تھا۔ لیکن اسکے باوجود جب بھی غلطی سے گیارہ یا بارہ بجے دفتر آ جاتا تو حاضری رجسٹر میں ریڈ پین پر غیر حاضر ہونے کے باوجود بھی تمام غیر حاضریوں پر دوبارہ حاضری لگا کر چلا جاتا تھا۔ ثبوت کے طور پر حاضری رجسٹر میں اس کی دوبارہ لگی ہوئی تمام حاضریاں موجود ہیں۔ اسکے علاوہ پرانے حاضری رجسٹر کو بھی پھاڑا گیا ہے۔ اور اس میں (ماہ فروری) کے لیے نیا صفحہ بنایا گیا ہے۔ اور آپریشن برانچ کے منسٹریل سٹاف کے نام دوبارہ لکھ کر سامنے فرضی حاضریاں لگائی گئی ہیں جو کہ ہم میں سے کسی کا بھی اصل دستخط نہیں ہے۔ یہ کام وہی کرے گا جو چور اور گنہگار ہوگا۔ اس کے لیے قسم اور طلاق جیسے سخت اقدام کی ضرورت ہے جس سے خود بخود گنہگار کا پتہ چل جائے گا۔

نوٹ: مذکورہ بیان سو فیصد سچ پر مبنی ہے۔

جملہ_ منسٹریل سٹاف آپریشن برانچ CPO پشاور

نمبر شمار	نام	دستخط
1	زبید انور اسسٹنٹ	
2	فرہاد خان اسسٹنٹ	
3	علی مان شاہ اسسٹنٹ	
4	میاں ارشد الوہاب اسسٹنٹ	
5	ربنواز سینئر کلرک	
6	جاوید علی سینئر کلرک	
7	عطاء اللہ سینئر کلرک	
8	سلیمان نیاز جونیئر کلرک	
	شاہد نیاز جونیئر کلرک	
10	زرولی جونیئر کلرک	
11	افتخار نائب قاصد	

Attested

Deputy Inspector General of Police
Operations & Training,
Khyber Pukhtunkhawa Peshawar

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LAST NOTICE

Being an Enquiry Officer, you Senior Clerk Safdar Khan was called to appear before the undersigned. On 11.05.2015 you appeared and was directed personally to submit your written statement so that the Departmental Enquiry should be completed which is lingering due to your absence.

After that you was time and again directed by the undersigned as well as by the Office Superintendent for compliance of the same, but you failed to comply the lawful order of your seniors as well as the Enquiry Officer.

This is the last Notice issued to you with clear directions to submit you written statement within three (03) days positively, otherwise Ex party action will be recommended to be taken against you.

(Abdullah Khan)PSP
Deputy Inspector General of Police,
Operations,
Khyber Pakhtunkhwa.

No 13183 /OS Ops Dated 30.06.2015.

Copy to Senior Clerk Safdar Khan for strict compliance.

30-06-2015

Sir, S.C. Safdar was informed on his Cell No. 0336-9132930 today on 30-06-2015 to visit the Office for receiveing the said last Notice, but he failed to come to the Office on 30-06-2015.

OS Ops
30/06/2015

01-07-2015 [illegible]

1/7/15

صفدر خان
سینئر کلرک

Reply received on 8/7/2015 & placed in the file.

OS Ops

BEFORE THE SERVICE TRIBUNAL, KPK, PESHAWAR.

Date - 16/9/2016

Service Appeal No.33//2016.

Safdar Khan.....Vs.....I.G.P. and others.

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1.	Rejoinder.	1-3
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3/	Authorities of Supreme Court dc	5 to 10.

Dated: 20/7/2016.

Appellant,

Through: (Haji Muhammad Zahir Shah),
Advocate, Peshawar.

Haji Mohammad Zahir Shah
Advocate
Supreme Court of Pakistan
Peshawar.

(1)

BEFORE THE SERVICE TRIBUNAL, KHYBER PAKHTUNKHWA, PESHAWAR.

***

Service Appeal No. 33/2016.

Safdar Khan, Senior Clerk, Operational Branch, Central Police Office, Khyber Pakhtunkhwa, Peshawar...Appellant.

-Vs-

Inspector General of Police, Central Police Office, Khyber Pakhtunkhwa, Peshawar and others.....Respondents.

Rejoinder of the comments of the respondents.

****

Respectfully Sheweth:

The appellant respectfully submits as under:-

Preliminary Objections.

A)- Para(a) is wrong. The appeal is based on true facts.

B)- Para(b) is wrong. The appeal is maintainable in the present form.

C)- Para(c) is wrong.

D)- Para(d) is wrong.

E)- Para(e) is wrong.

F)- Para(f) is wrong.

F a c t s.

1- That the contents of para-1 is wrong to the extent that the appellant was not taking interest in his official duties. He was senior clerk and was given no adverse remarks at all during his entire service.

(2)

2- That the contents of para-2 is also wrong and denied. The respondents have produced no evidence to prove that he had torn two pages of the attendance register of the ministerial staff or that he had made any forged entries or registered. None of the witnesses examined by the Inquiry Officer has supported the case of the respondents in this behalf. The appellant was also given no chance to cross-examine the witnesses examined by the respondents and all the proceedings were made in the absence of the appellant and he was not associated with the inquiry and he was also given no chance to produce his defence. (PLJ 2015 Lahore 765. 2/ PLJ 2016 SC 139. 3/ 2002 Scmr 690 are attached).

3- That the contents of para-3 are wrong and the detailed reply has been given in para-2 above.

4- That the contents of para-4 are also wrong and denied.

5- In reply to para-5, it is submitted that the appellant had given plausible explanation regarding the allegations made against him.

6- In reply to para-6, it is submitted that the impugned orders are totally illegal, void and based on malafide and are liable to be set aside.

7- In reply to para-7, it is submitted that the departmental appeal of the appellant was illegally and wrongly rejected.

Grounds.

(3)

Grounds:-

1- That the contents of ground (1) are wrong.

2- That the contents of ground (2) are wrong. None of the witnesses examined by the Inquiry Officer etc have supported the case of the respondents. They were examined in the absence of the appellant and no chance of cross-examination was given to him on their statements and the entire proceedings were conducted in the absence of the appellant and he was not associated with the inquiry and has been awarded very harsh punishment also.

3- That the contents of ground (3) of the comments are also wrong and the detailed reply has been given above.

4- That the content of ground (4) is wrong.

5- That the contents of ground (5) is wrong.

6- In reply to para-6, it is submitted that the departmental appeal of the appellant has illegally been rejected.

It is, therefore, humbly prayed that the comments of the respondents may be struck off and the appeal of the appellant may be accepted with costs.

Dated: 20/7/2016.

Appellant,

Through: (Haji Muhammad Zahir Shah),
Advocate, Peshawar.

Haji Mohammad Zahir Shah
Advocate
Supreme Court of Pakistan
Peshawar.

(4)

BEFORE THE SERVICE TRIBUNAL, K.P.K.PESHAWAR.

Service Appeal No.33/2016.

Safdar Khan.....Vs.....I.G.P. and others.

AFFIDAVIT.

I, Safdar Khan, Serior Clerk, Operational Branch, Central Police Office, KPK, Peshawar, do hereby solemnly affirm and declare that the contents of the Rejoinder of the comments of the respondents are true and correct to the best of my knowledge and belief and nothing has been concealed from this Hon'ble Court.

Dated: 20/7/2016.

Safdar Khan.

Identified by:

Haji Mohammad Zahir Shah
Advocate
Supreme Court of Pakistan
Peshawar.

KHALID MAHMOOD ADVOCATE
ATTESTED
NOTARY PUBLIC
PESHAWAR HIGH COURT

Khalid Mehmood Advocate
Attested
Oath
Commissioner
Peshawar High Court

20-7-16

upheld by the Courts below are set aside and they are acquitted of the charge by extending the benefit of doubt to them. They shall be released from the jail forthwith if not required to be detained in connection with any other case."

(R.A.) Order accordingly.

PLJ 2016 SC 139
[Appellate Jurisdiction]

Present: EJAZ AFZAL KHAN & IQBAL HAMEED-UR-RAHMAN, JJ.

M.C.B. BANK LIMITED, KARACHI--Petitioner

versus

ABDUL WAHEED ABRO, etc.--Respondents

C.P. No. 1702 of 2015, decided on 30.9.2015.

(On appeal against the judgment dated 26.5.2015 passed by the High Court of Sindh, Karachi, in C.P. No. D-1306/2012).

Constitution of Pakistan, 1973--

---Art. 10--Fair trial--Principle of natural justice--Principles and procedures of due process of law and fair trial had not been followed, which are against principle of natural justice. [P. 145] A

Industrial Relations Ordinance, 2002--

---S. 46--Constitution of Pakistan, 1973, Art. 185(3)--Dismissal from service--Embezzlement misappropriation--Penalty of stoppage of increments--Reinstated in service with back benefit--Denial of back benefits--Validity--Respondent had not been afforded proper opportunity to cross-examine witnesses as such respondent had been deprived of due process of fair trial which being against principle of natural justice--Supreme Court was not inclined to interfere in well reasoned concurrent judgments of all Courts below while exercising jurisdiction under Art. 185(3) of Constitution--Petition is dismissed. [Pp. 145 & 147] B & E

General Clauses Act, 1897 (X of 1897)--

---S. 6--Industrial Relations Ordinance, 2002, S. 46--Industrial Relation Ordinance, 2008, S. 87(3)--Scope of--Repeal--Effect of--Section 6 of General Clauses Act, 1897, operates in such a manner that it allows for effect of an enactment repealed by any Central Act to continue even after such repeal--Mandate contained in Section 6

K-P-K

السلام

الٹ جناب سروس ٹریبونل پشاور۔

صفدر خان بنام I.G.P وغیرہ۔

درخواست بسلسلہ تبدیل تاریخ پیشی۔

جناب عالی!

سائل/اپیلانٹ حسب ذیل عرض ہے۔

عنوان ① یہ کہ مقدمہ مذکورہ سروس اپیل عدالت حضور میں زیر سماعت ہے۔
جسمیں آج تاریخ پیشی مقرر ہے۔

عنوان ② یہ کہ سائل/اپیلانٹ کا دیگر کیس آج ہائی کورٹ پشاور میں مقدمہ کیس
میں سماعت ہے جسکی وجہ سے وہ آج پیش ہونے سے قاصر ہے۔

لہٰذا استدعا ہے کہ مقدمہ مذکورہ میں تاریخ پیشی تبدیل
فرمادی جاوے۔

المرقوم
16/09/2016

عرضی

صفدر خان سائل/اپیلانٹ بذریعہ حاجی محمد ظاہر شاہ
ایڈووکیٹ

KHYBER PAKHTUNKWA SERVICE TRIBUNAL, PESHAWAR

No. 1978 /ST Dated 30 / 11 / 2016

To

The Deputy Inspector of Police,
Headquarters Peshawar.

Subject: - **JUDGMENT**

I am directed to forward herewith a certified copy of Judgement dated 23.11.2016 passed by this Tribunal on the above subject for strict compliance.

Encl: As above

REGISTRAR
KHYBER PAKHTUNKHWA
SERVICE TRIBUNAL
PESHAWAR.