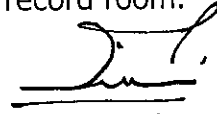


210/2016

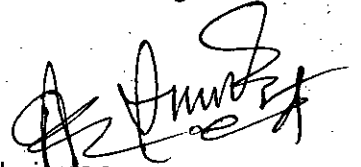
14.10.2021

None present on behalf of the appellant. Mr. Muhammad Rasheed, DDA alongwith Shamraiz Khan, ASI (Legal) for the respondents present.

On previous date, it was directed to issue notice to the appellant. Despite notice, he is not in attendance, therefore, the appeal is dismissed for non-prosecution. File be consigned to the record room.



(Salah-ud-Din)
Member(J)
Camp Court, A/Abad



Chairman
Camp Court, A/Abad

ANNOUNCED

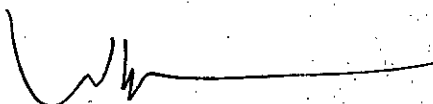
14.10.2021

17.03.2021

Nemo for parties.

Asif Masood Ali Shah, learned Deputy District Attorney for respondents present.

Preceding date was adjourned on a Reader's note, therefore, notice be issued to both the parties for 14/6 /2021 for arguments before D.B. at Camp Court Abbottabad.



(Atiq Ur Rehman Wazir)
Member (E)
Camp Court, A/Abad



Rozina Rehman)
Member (J)
Camp Court, A/Abad

28.09.2021

Nemo for appellant.

Muhammad Riaz Khan Paindakheil, learned Assistant Advocate General for respondents present.

14
Appeal was lastly adjourned on 17.03.2021 for the next date i.e. 14.06.2021, however, in absence of Camp Court for some period, the appeal could not be taken up after 14.06.2021 and has been fixed for today's tour. The appellant was not in attendance on the last date and same is the case today. Let the appellant be notified for next date of hearing. To come up on 14.10.2021 before D.B at Camp Court, Abbottabad.



(Rozina Rehman)
Member(J)
Camp Court, A/Abad



Chairman
Camp Court, A/Abad

Due to covid ,19 case to come up for the same on 14/ 4/ 20
at camp court abbottabad.


Reader

14. 4. 20

Due to summer vacation case to come up for the same on 10 / 20 / 20
at camp court abbottabad.

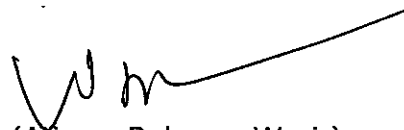

Reader


20.10.2020

Nemo for appellant.

Usman Ghani learned District Attorney for respondents present.

Due to general strike of the bar, case case is adjourned to 16.12.2020 for arguments, before D.B at Camp Court, Abbottabad. Notice be issued to appellant and his counsel for the date fixed.


(Atiq ur Rehman Wazir)
Member (E)
Camp Court, A/Abad


(Rozina Rehman)
Member (J)
Camp Court, A/Abad


Due to COVID-19 case is
adjourned to 17/03-2021


Reader

19.12.2019

Due to general strike of Khyber Pakhtunkhwa Bar Council, learned counsel for the appellant is not available today. Mr. Ziaullah, Deputy District Attorney for the respondents present. Adjourned to 22.01.2020 for arguments before D.B at Camp Court Abbottabad.

(Hussain Shah)
Member
Camp Court Abbottabad


(M. Amin Khan Kundi)
Member
Camp Court Abbottabad

22.01.2020

None for the appellant present. Mr. Muhammad Jan, DDA for the respondents present. Due to general strike of the bar on the call of Khyber Pakhtunkhwa Bar Council, the case is adjourned. To come up for further proceedings/arguments on 20.02.2020 before D.B at camp court Abbottabad. Appellant be put on notice for the date fixed.

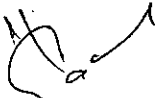

Member


Member
Camp Court A/Abad

20.08.2019

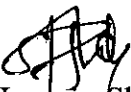
Counsel for the appellant present. Mr. Muhammad Bilal learned Deputy District Attorney for respondents present. Learned counsel for the appellant seeks adjournment. Adjourn. To come up for arguments on 23.10.2019 before D.B at camp court Abbottabad.



Member


Member
Camp Court A/Abad

19.09.2019

Counsel for the appellant and Mr. Muhammad Bilal, Deputy District Attorney for the respondents present. Learned counsel for the appellant requested for adjournment. Adjourned to 20.11.2019 for arguments before D.B at Camp Court Abbottabad.



(Hussain Shah)
Member
Camp Court Abbottabad


(Muhammad Amin Khan Kundi)
Member
Camp Court Abbottabad

20.11.2019


Counsel for the appellant present. Mr. Usman Ghani, District Attorney alongwith Mr. Atif, H.C for respondents present. Learned counsel for the appellant seeks adjournment. Adjourn. To come up for arguments on 19.12.2019 before D.B at Camp Court, Abbottabad.



Member


Member
Camp Court Abbottabad

20.02.2019

Clerk of counsel for the appellant present. Mr. Muhammad Bilal Khan, Deputy District Attorney for the respondents present. Clerk of counsel for the appellant requested for adjournment on the ground that learned counsel for the appellant is not available today. Adjourned to 18.04.2019 for arguments before D.B at Camp Court Abbottabad.


(Ahmad Hassan)
Member
Camp Court Abbottabad


(Muhammad Amin Khan Kundi)
Member
Camp Court Abbottabad

18.04.2019

Clerk of counsel for the appellant and Mr. Muhammad Bilal, DDA alongwith Shamraiz Khan, ASI for the respondents present.

Due to general strike on the call of Pakistan Bar Council, instant matter is adjourned to 20.06.2019 before the D.B at camp court, Abbottabad.


Member


Chairman
Camp court, A/Abad

20.06.2019

Appellant in person and Mr. Muhammad Bilal DDA alongwith Shamraiz Khan, ASI for the respondents present.

Learned counsel for the appellant is not available today, therefore, a request for adjournment is made. Adjourned to 20.08.2019 for arguments before the D.B at camp court, Abbottabad.


Member


Chairman
Camp court, A/Abad

19.07.2018

Appellant is not in attendance however, his counsel Mr. Muhammad Zareed Qureshi, Advocate present. Mr. Muhammad Fayaz, Head Constable alongwith Mr. Usman Ghani, District Attorney for the respondents present. Learned counsel for the appellant made a request for adjournment. Granted. To come up for arguments on 15.10.2018 before the D.B at Camp Court, Abbottabad.

15.10.2018

Member Clerk of counsel for the appellant present. Mr. Shamraiz Khan, ASI alongwith Mr. Usman Ghani, District Attorney for the respondents present. Due to general strike of the Khyber Pakhtunkhwa Bar Council, counsel for the appellant is not in attendance. Adjourned. To come up for arguments on 18.12.2018 before the D.B at camp court, Abbottabad.

Member

Chairman
Camp Court, A/Abad

18.12.2018

Appellant in person and Mr. Usman Ghani, District Attorney alongwith Mr. Shamraiz Khan, ASI for the respondents present.

A request for adjournment is made on account of non-availability of learned counsel for the appellant due to his personal engagement.

Adjourned to 20.02.2019 for arguments before D.B at camp court A/Abad.

Member

Chairman
Camp Court A/Abad

21.11.2017

Clerk to counsel for the appellant and Mr. Kabeerullah Khattak, Addl. AG alongwith Mr. Shamraiz Khan, H.C for respondents present. Written reply submitted. To come up for rejoinder and final hearing on 22.02.2018 before D.B at camp court A/Abad.


Chairman
Camp court, Abbottabad.

22.02.2018

Clerk to counsel for the appellant and Additional Advocate General alongwith Mr. Shamraiz Khan, H.C for the respondents present. Counsel for the appellant is not in attendance. Seeks adjournment. To come up for arguments on 22.05.2018 before the D.B. at camp court, Abbottabad.



Member




Chairman
Camp court, A/Abad.

22.05.2018


Clerk to counsel for the appellant present. Mr. Muhammad Jan learned Deputy District Attorney present. Clerk to counsel for the appellant submitted application for adjournment. Adjourned. To come up for arguments on 19.07.2018 before D.B at camp court Abbottabad.


Member


Chairman
Camp court, A/Abad

7. 23.06.2017

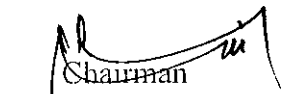
Counsel for the appellant and Mr. Muhammad Bilal, Deputy District Attorney for the respondents present. The Learned DDA requested for adjournment to contact the respondents. Adjourned. To come up for written reply/comments on 20.07.2017 before S.B at camp court, Abbottabad.


Chairman

Camp court, A/Abad

20.07.2017

None present for the appellant. Mr. Muhammad Bilal, DDA alongwith Shamraiz Khan, H.C for the respondents present. Requested for adjournment. To come up for written reply/comments on 21.09.2017 before S.B at camp court, Abbottabad.


Chairman
Camp court, A/Abad

21.09.2017

None is present on behalf of the appellant. Mr. Muhammad Bilal, Deputy District Attorney alongwith Shamraiz Khan, H.C for the respondents present. Seeks further adjournment. Adjourned. To come up for written reply/comments on 21.11.2017 before S.B at camp court, Abbottabad.


Chairman
Camp court, A/Abad


210/16

22.09.2016

Counsel for the appellant present. Learned counsel for appellant argued that the appellant was serving as ASI when subjected to enquiry on the allegations of professional misconduct and vide impugned order dated 16.06.2015 punishments in the shape of reduction in pay for 2 stages (2 years) awarded to the appellant where-against departmental appeal of the appellant was rejected on 21.01.2016 and hence the instant service appeal on 23.02.2016.


That the allegations were neither substantiated nor proved but despite the same the impugned orders were passed which is against law and fact and liable to be set aside.

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 23.12.2016 before S.B.


Chairman
Camp court, A/Abad

23.12.2016

Clerk of counsel for the appellant present. Security and process fee have not been deposited. Submitted application for deposit of the same. The same be deposited within 7 days therefore, notices be issued to the respondents. To come up for written reply/comments on 20.4.2017 at camp court, Abbottabad.


Chairman
Camp court, A/Abad

Appellant Deposited
Security & Process Fee

27-12-2016

20.04.2017

Clerk of counsel for the appellant and Mr. Muhammad Siddique, Sr.GP for the respondents present. Requested for adjournment. To come up for written reply/comments on 23.06.2017 at camp court, Abbottabad.


Chairman
Camp Court, Abbottabad.

~~Chairman~~

Chairman


~~Counsel for the appellant and Mr. Muhammad Siddique~~
~~Chairman~~
~~Chairman~~
~~Chairman~~
~~Chairman~~
Counsel for the appellant and Mr. Muhammad Siddique

23.06.2017




18.5.2016

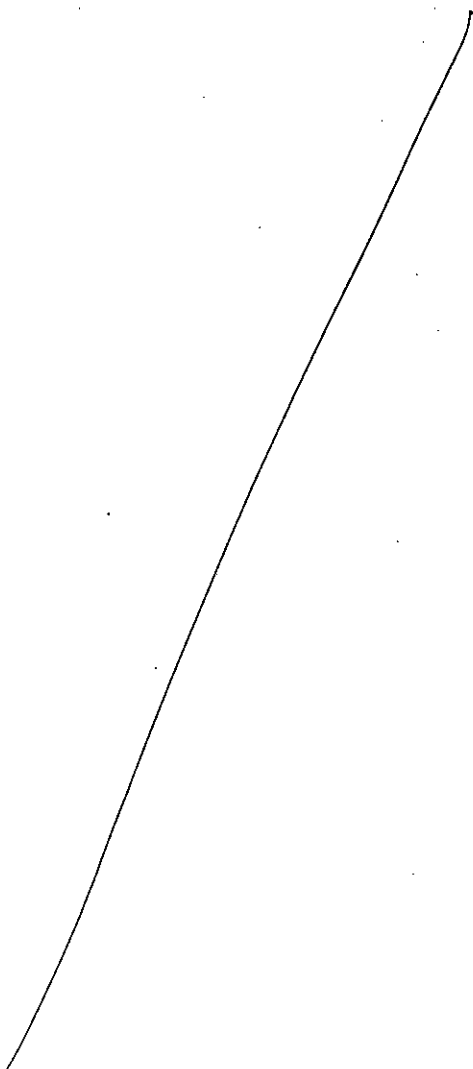
Agent of counsel for the appellant present. Seeks adjournment. Adjourned for preliminary hearing to 20.07.2016 before S.B at camp court, Abbottabad.


Chairman
Camp court, A/Abad

20.07.2016

Appellant in person present. Seeks adjournment as counsel for the appellant is not in attendance. To come up for preliminary hearing on 22.09.2016 before S.B at camp court, Abbottabad.

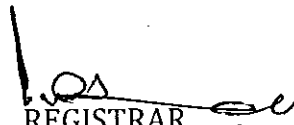




Chairman
Camp court, A/Abad,



Form- A
FORM OF ORDER SHEET

Court of _____

Case No. 210/2016


| S.No. | Date of order Proceedings | Order or other proceedings with signature of judge or Magistrate |
|-------|---------------------------|--|
| 1 | 2 | 3 |
| 1 | 08.03.2016 | <p>The appeal of Mr. Abdul Ghafoor resubmitted today by Mr. Muhammad Zareed Qureshi Advocate may be entered in the Institution Register and put up to the Worthy Chairman for proper order please.</p> <p style="text-align: right;"> REGISTRAR</p> |
| 2 | | <p>This case is entrusted to Touring S. Bench at A.Abad for preliminary hearing to be put up thereon <u>16-3-16</u>.</p> <p style="text-align: right;"> CHAIRMAN</p> |
| | 16.03.2016 | <p>None present for appellant. Notice be issued to counsel for the appellant for preliminary hearing before S.B for 20.4.2016 at Camp Court A/Abad.</p> <p style="text-align: right;"> Chairman Camp Court A/Abad</p> |
| | 20.04.2016 | <p>Junior to counsel for the appellant present. Seeks adjournment. Adjourned for preliminary hearing to 18.5.2016 before S.B at camp court, Abbottabad.</p> <p style="text-align: right;"> Chairman Camp court, A/Abad</p> |

The appeal of Mr. Abdul Ghafoor son of Muhammad Ayub ASI No. 170/H Distt. Police Abbottabad received to-day i.e. on 23.02.2016 is incomplete on the following score which is returned to the counsel for the appellant for completion and resubmission within 15 days.

- 1- Index of the appeal may be prepared according to the Khyber Pakhtunkhwa Service Tribunal rules 1974.
- 2- Affidavit may be got attested by the Oath Commissioner.
- 3- Copy of departmental appeal mentioned in the memo of appeal is not attached with the appeal which may be placed on it.
- 4- Annexures-I and J of the appeal are missing.
- 5- Appeal may be paged according to the index.
- 6- Annexures of the appeal may be attested.
- ⑦ Annexures of the appeal may be flagged.
- 8- Wakalat nama in favour of appellant may be placed on file.
- 9- Five more copies/sets of the appeal along with annexures i.e. complete in respect may also be submitted with the appeal.

No. 301 /S.T.

Di. 23/2/2016


REGISTRAR
SERVICE TRIBUNAL
KHYBER PAKHTUNKHWA
PESHAWAR.

Mr. Muhammad Zareed Qureshi Adv.
High Court Abbottabad.

Sir.

After removal of objection.
This appeal is being
resubmitted please.

4-17

8/3/2016

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

Service Appeal No. 210 /2016

Abdul Gahfoor S/o Muhammad Ayub resident of Kukmang presently Phull Gulab Road Abbottabad ASI 170H District Police Abbottabad.

....APPELLANT

VERSUS

Govt. of Khyber Pakhtunkhwa, through Secretary Home and Tribal Affairs Department, Peshawar & others.

....RESPONDENTS

SERVICE APPEAL

INDEX

| S.# | Description | Page No. | Annexure |
|------------|--|-----------------|-----------------|
| 1. | Service appeal along with affidavit | 1 to 5 | |
| 2. | Copy of FIR | 6 | "A" |
| 3. | Copy of Charge Sheet along with statement of allegations | 7 to 8 | "B" & "C" |
| 4. | Copy of reply | 9 to 10 | "D" |
| 5. | Copy of findings of inquiry officer | 11 | "E" |
| 6. | Copy of order | 12 | "F" |
| 7. | Copy of departmental appeal | 13 | "G" |
| 8. | Copy of judgment/order | 14 | "H" |
| 9. | Copy of order of respondent No. 2 | 15 | "I" |
| 10. | Copies of relevant record regarding presence of appellant at Hangu | 16 to 22 | "J" |
| 11. | Wakalatmana | 23 | |

Dated: 2/02/2016

Through


....APPELLANT

21974
(Muhammad Zareed Qureshi)
Advocate High Court, Abbottabad

BEFORE KHYBER PAKHTUNKHAWA SERVICE

TRIBUNAL PESHAWAR

G.W.F. Provincial
Service Tribunal
Diary No. 134
dated 23-2-2016

Service Appeal No. 210 2016

Abdul Ghafoor son of Muhammad Ayub resident of Kukmang Presently Phull Gulab Road
Abbottabad ASI 170H District Police Abbottabad.

...APPELLANT

VERSUS

1. Govt. of Khyber Pakhtunkhaw, through Secretary Home & Tribal Affairs Department,
Peshawar
2. Inspector General of police, Khyber Pakhtaunkhaw, Pesahwar.
3. Deputy Inspector General of Police, Hazara Division, Abbottabad.

...RESPONDENTS

APPEAL UNDER SECTION 4 OF THE KPK SERVICIS TRIBUNAL ACT, 1974, AGAINST
THE ORDER NO. 5404 DATED 16-6-2015 PASSED BY RESPONDENT NO 3
WHEREBY THE APPELANT WAS AWARDED THE MAJOR PUNISHMENT OF
REDUCTION IN PAY FOR TWO STAGES (2 YEARS) AND ORDER NO. 574/16 DATED
PESHAWAR 21-01-2016 WHEREBY RESPONDENT NO. 2 BY UPHOLDING THE
ORDER DATED 16-06-2015 REJECTED THE DEPARTMENTAL APPEAL OF
APPELANT. BOTH THE ORDERS ARE ILLEGAL, VOID, WITHOUT LAWFUL
AUTHORITY, WITHOUT JURISDICTION AND SAME ARE NOT TENABLE IN THE EYES
OF LAW AND ARE LIABLE TO BE SET ASIDE.

PRAYER:

ON ACCEPTANCE OF INSTANT APPEAL, THE IMPUNGNEED ORDER DATED 16-06-
2015 & 21-01-2016 MAY GRACIOUSLY BE SET ASIDE AND THE MAJOR
PUNISHMENT OF REDUCTION IN PAY BY TWO STAGES AWARDED TO APPELANT
MAY KINDLY BE SETASIDE AND APPELANT BE GRANTED ALL THE BENEFITS WITH
HOLDED BY THE RESPONDENTS.

is submitted to-day
and filed.

Registrar,

8/3/16

2

Respectfully Sheweth:.

The facts giving rise to the instant appeal are arrayed as under:.

1. That the appellant was serving in District Police Department Abbottabad as an ASI and was appointed on 31-03-1991.
2. That a case under FIR No 442 Dated 14-06-2014 under section 336 ppc PS Mirpur Abbottabad was registered against the appellant. Copy of FIR is attached as Annexure "A".
3. That appellant by charge sheeted by responding No.3. Copy of charge sheet along with statement of allegations is attached as Annexure "B" & "C" respectively.
4. That appellant submitted his reply before inquiry officer copy of reply is attached as Annexure "D".
5. That inquiry officer conducted the inquiry and submitted his report. Copy of findings of inquiry officer is attached as Annexure-E.
6. That on 16-6-2015 respondent no. 3. Vide office order no. 5404 awarded major punishment to appellant by reduction in pay for two stages (two years) copy of order is attached as Annexure "F".
7. That feeling aggrieved the appellant preferred a department appeal/representation before the respondent No. 2. Copy of department appeal is attached as Annexure "G".
8. That on 8-2-2015 appellant acquitted by the court of Additional Session Judge III Abbottabad. Copy of Judgment is attached as Annexure "H".
9. That on 21-1-2016 respondent no 2 rejected the departmental appeal of appellant. Copy of order of respondent no 2 is attached as Annexure "I".
10. That feeling aggrieved that appellant seeks indulgence of this Honourable Tribunal for setting aside the impugned order dated 16-6-2015 and 21-1-2016 passed by respondents no. 2 & 3 inter-alia on the following grounds:-

GROUNDS :-

- a. That both the order passed by respondents are illegal, unlawful, without lawful authority, having no legal effects on the right of appellant are liable to be set aside.
- b. That both the orders passed by respondent are against the law, facts and circumstances of the case, thus not tenable in the eye of law.

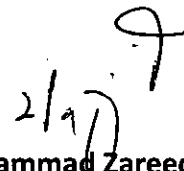
- c. That the appellant has not committed any offence as alleged in the FIR, and the local police registered the case on the bases of complaint made by the then, wife of the appellant complained due to strain matrimonial relations "4".
- d. That the story narrated in FIR by the complainant is totally wrong and medical report also does not support the version of complainant.
- e. That the action against appellant is wrong fabricated, perverse and against the cannon of law and justice.
- f. That even a single witness had not deposed against the appellant and nothing was on record for awarding major punishment.
- g. That at the time of alleged occurrence, appellant was duty at Police Training College Hangu. Copies of relevant record regarding presence of appellant at Hangu or attached as Annexure "J".
- h. No fake entry was made by the appellant neither there is any proof in this regard that the appellant had made any fake entry, hence the order of punishment is based on surmises and conjecture and is liable to be set aside.

It is humbly prayed that on acceptance of instant appeal, the impugned order dated 16-06-2015 & 21-01-2016 may graciously be set aside and the major punishment of reduction in pay by two stages awarded to appellant may kindly be set aside and appellant be granted all the benefits with holded by the respondents.


..... APPELLANT

Through

Dated: 21 Ferb, 2016


(Muhammad Zareed Qureshi)
Advocated High Court, Abbottabad

VERIFICATION:

Verified on oath that the contents of forgoing services appeal are true and correct to the best of my knowledge and belief and nothing has been concealed therein from this Honourable Court.

.....APPELLANT

BEFORE KHYBER PAKHTUNKHAWA SERVICE

TRIBUNAL PESHAWAR

Service Appeal No. _____ 2016

Abdul Ghafoor son of Muhammad Ayub resident of Kukmang Presently Phull Gulab Road
Abbottabad ASI 170H District Police Abbottabad.

...APPELLANT

VERSUS

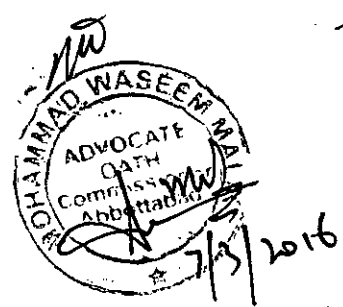
1. Govt. of Khyber Pakhtunkhaw, through Secretary Home & Tribal Affairs Department,
Peshawar & Others

SERVICE APPEAL

AFFIDAVIT

Abdul Ghafoor son of Muhammad Ayub resident of Kukmang Presently Phull Gulab Road
Abbottabad ASI 170H District Police Abbottabad , do hereby solemnly affirm and declare that
the contents of forgoing service appeal are true and correct to the best of may knowledge and
belief and and nothing has been concealed therein from this Honourable Court.

[Signature]
DEPONENT



Identified By:

[Signature]

(Muhammad Zareed Qureshi)

Advocated High Court, Abbottabad

101

BEFORE KHYBER PAKHTUNKHAWA SERVICE

TRIBUNAL PESHAWAR

Service Appeal No. _____ 2016

Abdul Ghafoor son of Muhammad Ayub resident of Kukmang Presently Phull Gulab Road
Abbottabad ASI 170H District Police Abbottabad.

...APPELLANT

VERSUS

1. Govt. of Khyber Pakhtunkhaw, through Secretary Home & Tribal Affairs Department,
Peshawar & Others

SERVICE APPEAL

APPLICATION FOR CONDONATION OF DELAY

Respectfully Sheweth;

- i. That the title appeal is being filed before this honourable tribunal.
- ii. That the appeal of appellant is within time and delay if any is not attributable to the appellant as respondent no 2 decided the departmental appeal of appellant on 21-1-2016, and during this period appellant time and again visited the office of respondent no 2 and was inform that his appeal will be decided as soon as possible.
- iii. That application for condonation of delay as being submitted before this honourable tribunal.

It is therefore humbly prayed that the delay in filing of instant appeal ,if any may kindly condone..

Through

Dated: 21 Ferb, 2016

2/9/16
(Muhammad Zareed Qureshi)

Advocated High Court, Abbottabad

~~..... APPELLANT~~

7/ ANNEXURE
4/ B "

CHARGE SHEET

I, **Mr. Akhtar Hayat Khan**, Regional Police Officer Police Hazara Region, Abbottabad as Competent Authority, hereby charge you **ASI Abdul Ghafoor No. 170/H** as per enclosed herewith statement of allegations.

You appear to be guilty of misconduct under Police Disciplinary Rules 1975 and have rendered yourself liable to all or any of the penalties specified in the said Police Disciplinary Rules.

You are therefore, required to submit your written defense within 7 days on the receipt of this charge sheet to the Enquiry Officer.

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

Intimate whether you desire to be heard in person or otherwise.

A statement of allegation is enclosed.


(AKHTAR HAYAT KHAN)
Regional Police Officer
Hazara Region (Abbottabad)

Muhammad Ali Akhtar
Regional Police Officer
Hazara Region (Abbottabad)

8
ANNEXURE
"C"

DISCIPLINARY ACTION

1. Mr. Akhtar Hayat Khan, Regional Police Officer of Police, Hazara Region Abbottabad, as Competent Authority am of the opinion that you ASI Abdul Ghafoor No.170/H rendered yourself liable to be proceeded against as you committed the following act/omission within the meaning of Police Disciplinary Rules 1975.

STATEMENT OF ALLEGATIONS

It is alleged that you ASI Abdul Ghafoor of District Lower Kohistan is involved in case FIR No.442 dated 4-6-2014 U/S 336 PPC PS Mirpur Abbottabad. The charges are that:-

1. Mst Naheed Kausar your wife has reported to local police of PS Mirpur that you had beaten her as a result her ear was injured.
- 2: You got BBA from the Court which was later on confirmed.
3. As you were posted on deputation as law instructor in PTC Hangu therefore the matter was taken up with Commandant PTC Hangu about your presence by the SP Inv: Abbottabad vide his letter No.3112/Iny: dated 18-06-2014 and reply thereof submitted by the Commandant PTC Hangu vide his Memo: No.477/GC dated 23-06-2014 and your presence at the time of occurrence was found doubtful/fake in the PTC Hangu. Due to this, mobile data record (CDR) about your presence in Abbottabad was taken which shows your presence in Abbottabad at the time of occurrence.
4. You have given wrong statement to local police about your presence in PTC Hangu at the time of occurrence vide DD No.40 dated 30-05-2014 Police Line PTC Hangu.
5. Due to your mal-practices the case was also being recommended for cancellation by the IO but it was not done so after confirmation of your presence in Abbottabad as pr CDR record.

*Allesha
Hayat Khan*

Add: Superintendent of Police
H: Grs Abbottabad.
Confidential
Dy: No 2195 / PA
Dated 22-08-2014

This tantamounts to gross misconduct on your part.

For the purpose of scrutinizing your conduct with reference to the above allegations Mr. Kamran Mumtaz Addl: SP Abbottabad is deputed to conduct formal Departmental Enquiry against you ASI Abdul Ghafoor No.170/H.

The Enquiry Officer shall in accordance with the provision of the Rules, provide reasonable opportunity of hearing to you, record his finding within 20 days of the receipt of this order, to this office.

Akhtar Hayat Khan
(AKHTAR HAYAT KHAN)
Regional Police Officer
Hazara Region (Abbottabad)

8193-96
No. /PA, Dated Abbottabad the 19/9 /2014.

- Copy of above is forwarded to:-
1. Mr. Kamran Mumtaz Addl: SP Abbottabad (Enquiry Officer) for initiating proceedings against the defaulter officer under provisions of the Police Disciplinary Rules 1975.
 2. ASI Abdul Ghafoor No.170/H through DPO Lower Kohistan with the direction to submit his defence reply within 7 days of the receipt of this statement of allegations and also to appear before the Enquiry Officer on the date, time and place fixed for the purpose of departmental proceedings.
 3. The DPO Lower Kohistan with the direction to return duplicate copy of charge sheet & statement of allegations bearing signature of the recipient to this office please.
 4. The EA Region Office Abbottabad for information please.

Akhtar Hayat Khan
(AKHTAR HAYAT KHAN)
Regional Police Officer
Hazara Region (Abbottabad)

PA.
For M.A.

Addl: SP

تالی عالی "D"

William Alkayed
2014

مثولہ جاریہ شیڈ Disciplinary Action اصول ذمیت پر
 ٹائیڈ کو دفتر میں قہر سے پہلے سیکے رہیں عدت کا بلتور سے
 رہا گیا ہے جو بالغ طریقہ یا حقہ تھی نے اپنے والدین اور
 بھائیوں کا ایما چڑا اور اس کے چہرے پر خوف جو ابے بنا د اور
 سچ رہنے کو دیکھ کر اسے کرنا کرنا ہو گیا بلکہ اس نے اپنے ماں اور
 والدین کو برا بھلا بولنے کی بات کہی اور ان کے ساتھ برا بھلا
 کھاتا ہے کہ میری حالت میں دیکھا ہوگا واضح ہو رہا ہے
 ہو گیا جو کلم عدالت لے ہے۔

3) قمرہ فر 3 جون 2014 کو PJC میں گڈنگ کاڈٹ کاٹا گیا
 کر کے جائیوں دفعت سے راکر رہا دفعت سے گھر میں گزارنے کے لئے
 عدت کے لئے عدالت میں رہا اس کا لیسٹا گیا بقول عدالت
 عدالت دفعت سے عدالت والے لے گئے ہیں قسم لے کر عدالت
 عدالت میں قہر سے پہلے عدالت والوں نے رکھے عدالت
 عدالت میں عدالت کا PJC میں گڈنگ کر کے
 عدالت میں قہر سے پہلے عدالت کے ساتھ عدالت کے ساتھ
 عدالت میں قہر سے پہلے عدالت کے ساتھ عدالت کے ساتھ
 عدالت میں قہر سے پہلے عدالت کے ساتھ عدالت کے ساتھ

4) قمرہ فر 4 جون نے کہہ قسم لے کر عدالت میں گیا کہ ہے عدالت
 عدالت میں قہر سے پہلے عدالت کے ساتھ عدالت کے ساتھ

5) قمرہ فر 5 جون نے کہہ قسم لے کر عدالت میں گیا کہ ہے عدالت
 قسم میں قہر سے پہلے عدالت میں قہر سے پہلے عدالت میں قہر سے پہلے
 عدالت میں قہر سے پہلے عدالت میں قہر سے پہلے عدالت میں قہر سے پہلے
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جو تک خانگہ نظام ہے جس کو جو خانگہ مدد کا
کاوش سے ہم کو طلاق دیا گیا اور اب
ہو رہا ہے

مقامی حکومت
پاکستان
لاہور

اللہ! اس دعا کے بارے میں دعا دانا ضرور ہے گا
کہ تم ہمارے فریاد سنے اور ایسا بہتر ایصال اور
مردانہ کیلئے دعا کرو گے گا۔ مہرم 23
مدرسے اسکا حقت ختم ہوا اور اس لئے خالص
ہے ایماندار اور دیانتدار ہے یا آوری میں کو کمال رکھ
وہ۔ خدا کا دیکھو جو وہ اور اسے خیر اصراف
کے حکم کا کیا آوری میں ہے

عبدالغفور - 170
لاہور کو حوالا

MSI 29/2014

ANNEXURE
"E"

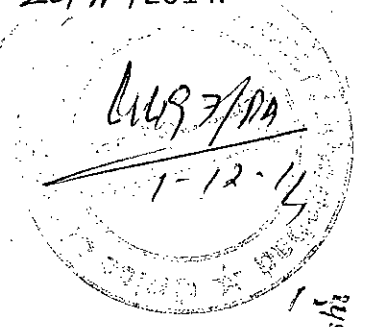
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OFFICE OF THE ADDL: SUPERINTENDENT OF POLICE ABBOTTABAD.

No. 876 / PA File _____ dated 26/11/2014.

To:

The Regional Police Officer,
Hazara Region, Abbottabad.



Subject:

DEPARTMENTAL ENQUIRY.

Memo:

Kindly refer to your office Diary No. 3126/C dated 05-11-2014 and Endest No. 8193-96/PA dated 19-09-2014 and reminder No's. 9392-A/PA dated 23-10-2014 and 10019/PA dated 14-11-2014.

Mulazim Kamran Mumtaz
Abbottabad

It is submitted that in adherence with the directions given by your good self undersigned called the accused official Abdul Ghafoor ASI presently posted at Kohistan District. The statement of Abdul Ghafoor ASI has been recorded in which he rebutted the allegation regarding beating her wife. He also stated in his recorded statement that he was in PTC Hangu at the time of occurrence and in this connection he produced a photocopy of Daily Diary according to which he was present at PTC Hangu (statement enclosed). However, it was found suspicious after verification from PTC Hangu. His CDR was also obtained which shows his presence in Abbottabad at the time of occurrence.

After enquiry undersigned reached the conclusion that ASI Abdul Ghafoor was present in Abbottabad at the time of occurrence and showed fake presence at PTC Hangu and has been found guilty.

(Signature)
(Kamran Mumtaz) PSP
Addl: Superintendent of Police,
Abbottabad.

No. _____ / PA

Copy of above is submitted to the District Police Officer, Abbottabad with reference to his office Diary No. 1784/IIC dated 07-11-2014.

PA
issue him final
show cause notice

(Signature)
(Kamran Mumtaz) PSP
Addl: Superintendent of Police,
Abbottabad.

RBO 1483419

ORDER

ANNEXURE 12
"F"

This is an order in departmental enquiry against ASI Abdul Ghafoor, who was Charge Sheeted vide this office Endst: No.8193-96/PA dated 19-09-2014 for the charges given below:-

It is alleged that he ASI Abdul Ghafoor of District Lower Kohistan is involved in case FIR No.442 dated 4-6-2014 U/S 336 PPC PS Mirpur Abbottabad. The charges are that:-

1. Mst Naheed Kausar his wife has reported to local police of PS Mirpur that he had miserably beaten her as a result her ear was injured.
2. He got BBA from the Court which was later on confirmed.
3. As he was posted on deputation as law instructor in PTC Hangu therefore the matter was taken up with Commandant PTC Hangu about his presence by the SP Inv: Abbottabad vide his letter No.3112/Inv: dated 18-06-2014 and reply thereof submitted by the Commandant PTC Hangu vide his Memo: No.1557/GC dated 23-06-2014 and his presence at the time of occurrence was found doubtful/fake in the PTC Hangu. Due to this, mobile data record (CDR) about his presence in Abbottabad was taken which shows his presence in Abbottabad at the time of occurrence.
4. He has given wrong statement to local police about his presence in PTC Hangu at the time of occurrence vide DD No.40 dated 30-05-2014 Police Line PTC Hangu.
5. Due to his mal-practices the case was also being recommended for cancellation by the IO but it was not done so after confirmation of his presence in Abbottabad as per CDR record.


Alleged
Muh... 21
Abbottabad

This tantamount to gross misconduct on his part.

A proper departmental enquiry was conducted by Mr. Kamran Mumtaz Addl: SP Abbottabad who in his findings has held him guilty.


After receipt of findings of E.O. he was served with final show cause notice vide this office Endst: No.10589/PA dated 02-12-2014. He was also heard in person in OR where he offered no convincing reason to prove his innocence.

Keeping in view the recommendation of the Enquiry Officer he is awarded major punishment of *Reduction in Pay for 2 Stages (two years)* under Police Disciplinary Rules 1975. He is reinstated in service with immediate effect and also reprimanded with a warning to be careful in future.


REGIONAL POLICE OFFICER
Hazara Region (Abbottabad)

5404
No. 1/PA dated 16-6-15.

Copy of above is forwarded to the District Police Officer Lower Kohistan for information and necessary action please.


REGIONAL POLICE OFFICER
Hazara Region (Abbottabad)

ANNEXURE
"G"

18

BEFORE THE WORTHY PROVINCIAL POLICE OFFICER (IGP) KHYBER PAKHTUNKHAWA
PESHAWAR

THROUGH PROPER CHANNEL

Subject: Appeal against the order of Worthy Regional Police Officer, Hazara Region Abbottabad.

Vide No. 5404, dated 16-06-2015, whereby the appellant was awarded the major punishment of
reduction in pay for two stages (Two Years).

Respected Sir,

With due respect I beg to submit that I was awarded the subject mentioned major punishment by the
W/RPO, Hazara region Abbottabad. (Copy of order is attached at annexure "A")

- 1). That the Charges against the appellant are envisaged in para no. 1 to 5 of the punishment order. That I
was charge Sheeted and addl: SP Mr. Kamran Mumtaz was appointed as enquiry officer. In response to
the Charge Sheet I submitted my detail and fully rebuttal statement which was not considered and on the
recommendation of the enquiry officer, I was awarded the aforesaid punishment.
- 2). That the facts are that, while posted in PTC Hangu as law instructor, I left for my home on 04 days
casual leave 30th may 2014 to 3rd Jun 2014. Accordingly after availing leave I reported my arrival on due
date i.e. 3rd June 2014, but I not written report of my arrival on due date myself, why I had not been
marked as absent? Copies of daily dairy report are attached as annex: B.
- 3). The case registered against me on 04-06-2014 u/s 336 PPC PS Mirpur Abbottabad, was totally
concocted, manipulated and bogusly planned at the instance of my father in law of 2nd wife. he is well
known for his adverse reputation amongst the public and the police as well for his unlawful attitude of
implicating innocent people particularly close relatives in bogus cases for selfish motives.
- 4). My BBA was confirmed and the order Additional Session Judge II at Annexure "C" is worth
consideration. Similarly I was acquitted in the said case on compromise basis copies are attached at
annexure "D".
- 5). That first I was awarded minor punishment of for future of two years service by commandant PTC
Hangu, which was later on subsided by the IGP as borrowed department cannot award punishment to the
official on deputation. That later on my repatriation to my parent range/District, I was charge sheeted by
the W/RPO Hazara Region Abbottabad and awarded the subject punishment to me direct, although he is
appellate authority.
- 6). That, except the CDR there is nothing in iota of evidence in support of the FIR or my presence at
Abbottabad. As already explained in mu initial statement my mobile was left in home due to which the
CDR illegally confirmed my presence which is not authenticated.
- 7). That the appellant was charged on the basis of frivolous, concocted report made by the father in law
of appellant, where in the Medical report was also not corroborated the stance against appellant and
appellant was acquitted from said charge. Moreover no fake entry was made by the appellant, neither
there is any proof in this regard that the appellant made any fake entry. The order of punishment is based
on surmises and is liable to be set aside.

Sir,

I have undergone 22 years unfurnished service. I am well educated and cadet of intermediate
classes course. I served in PTC Hangu as Law instructor and have completed my tenure of posting as
cadet ship in accordance with standing order No. 11 1987.

In view of above facts and circumstance it is most earnestly innocent, I may kindly be exonerated
of the punishment and order of punishment be set aside.

I shall be thankful for this act of kindness and pray for your long life and prosperity.

Your obediently

ASI Abdul Chafiq No 170/H
Hazara Region

13/11/15 AP 336 19 14/6/15 442
Attested
Muhammad Zahid Qureshi
Advocate
Abbottabad

Or 06
09/02/2015

Accused present on bail. Complainant Mst. Naheed Kausar present. PP for the State present. Complainant/injured submitted compromise deed EXPA. To that effect statement recorded.

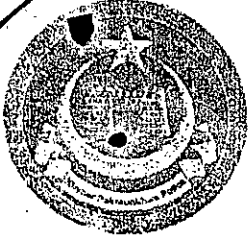
As the complainant/injured has effected compromise with the accused and there is nothing on file on the basis of which the compromise could be visualized with suspicion. The offence with which the accused is charged is also compoundable, therefore, the compromise is accepted and on the basis of compromise the accused is acquitted from the charge of the offence. Accused is on bail. He and his sureties are discharged from the liabilities of the bail bonds. Case property be disposed off according to law after the expiry of period of appeal/revision. File be consigned to Record Room after necessary completion.

Announced
09/02/2015

sd/ a a
(Abdul Baseer)

AD&SJ-III, Abbottabad.

ANNEXURE 15
"I"



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

No. S/ 574 /16, Dated Peshawar the 21/01/2016.

ORDER

This order is hereby passed to dispose of departmental appeal under Rule 11-a of Khyber Pakhtunkhwa Police Rule-1975 submitted by ASI/Abdul Ghafoor No. 170/H. The appellant was awarded punishment of reduction in pay for 02-stages (two years) vide order No. 5404/PA, dated 16.06.2015 by RPO/Hazara on the charges of his involvement in criminal case vide FIR No. 442 dated 04.06.2014 U/S 336 PPC, PS Mirpur Abbottabad.

Meeting of the Appeal Board was held on 06.01.2016, wherein the appellant appeared and heard in person but failed to advance plausible explanation to rebut the charges. Hence the appeal of ASI Abdul Ghafoor No.170/H is hereby rejected.

This order is issued with approval by the Competent Authority.

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

No. S/ 575-82 /16,

Copy of the above is forwarded to the:

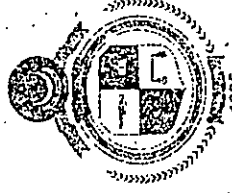
1. Regional Police Officer, Hazara, Abbottabad.
2. District Police Officer, Abbottabad.
3. PSO to IGP/Khyber Pakhtunkhwa, CPO Peshawar.
4. PRO to IGP/Khyber Pakhtunkhwa, CPO Peshawar.
5. PA to Addl: IGP/HQrs: Khyber Pakhtunkhwa, Peshawar.
6. PA to DIG/HQrs: Khyber Pakhtunkhwa, Peshawar.
7. Office Suptd: E-III, CPO, Peshawar.
8. Central Registry Cell (CRC) CPO.

Seen.

ROBITA 3/1/16

Attended
21/01/16

پانی پٹی
ریکارڈرز جنرل برائے
ملتان
Addressed
to
The
Secretary
General
Ministry
of
Health
Islamabad



139

ضلع صنگو

2014ء

رضعت نمبر 012-756 نام درہ القنور نمبر 101 مینج سٹائم مقامہ سولڈر ضلع ادرک آباد

تاریخ آمد - آملع ادرک آباد آن لائن - آن ڈپوشن - تاریخ واپسی ضلع - رالپنڈی

| نمبر شمار | رضعت | | غیر حاضر | | آؤٹ ڈور ان ڈور ریست | | شہادت/کار سیکار | | ترقی | جزئی | تعمیراتی کی تفصیل |
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| 2 | 4.3.12 | 29.2.12 | 17.5.12 | 16.5.12 | | 27.0 | | | | سورہ درزیاج 2/9 | سورہ درزیاج 2/9 |
| 3 | 1.5.12 | 24.4.12 | | | | 24-3-13 | | | | سورہ درزیاج 2/9 | سورہ درزیاج 2/9 |
| 4 | 11.5.12 | 6.5.12 | | | | 56.8 | | | | سورہ درزیاج 2/9 | سورہ درزیاج 2/9 |
| 5 | 16.5.12 | 14.5.12 | | | | 10.7.12 | | | | سورہ درزیاج 2/9 | سورہ درزیاج 2/9 |
| 6 | 11.8.12 | 8-12-12 | | | | | | | | سورہ درزیاج 2/9 | سورہ درزیاج 2/9 |
| 7 | 17.5 | 13.5 | | | | | | | | سورہ درزیاج 2/9 | سورہ درزیاج 2/9 |
| 8 | 29.7 | 27.7 | | | | | | | | سورہ درزیاج 2/9 | سورہ درزیاج 2/9 |
| 9 | 13.9.13 | 10.9.13 | | | | | | | | سورہ درزیاج 2/9 | سورہ درزیاج 2/9 |
| 10 | 9.12.13 | 7.12.13 | | | | | | | | سورہ درزیاج 2/9 | سورہ درزیاج 2/9 |
| 11 | 2.2.14 | 1.2.14 | | | | | | | | سورہ درزیاج 2/9 | سورہ درزیاج 2/9 |
| 12 | 25.2.14 | 22.2.14 | | | | | | | | سورہ درزیاج 2/9 | سورہ درزیاج 2/9 |
| 13 | 16.4.14 | 15.4.14 | | | | | | | | سورہ درزیاج 2/9 | سورہ درزیاج 2/9 |
| 15 | 30.5.14 | 30.5.14 | | | | | | | | سورہ درزیاج 2/9 | سورہ درزیاج 2/9 |
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Attested
[Signature]

[Signature]

Attested
Muhammad Z. Qureshi
Lahore
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کتابت حساب و موازنہ

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| 24 | As | طارق وطن |
| 25 | As | سجاد |
| 26 | As | علی الرحمن |
| 27 | As | ادریس |
| 28 | As | میمن |
| 29 | As | اورنگزیب |
| 30 | As | عمر العقیقہ |
| 31 | As | سیراج |
| 32 | As | عمر العقیقہ |
| 33 | As | حامد وطن |
| 34 | As | ساجد |
| 35 | As | علی |
| 36 | As | عزیز الرحمن |
| 37 | As | سجاد |

Attested
Muhammad Z. Qureshi
Lahore
20-6-2014
C.L.I
PTC HANGU

د کونړي ښار کې د ۱۹۰۰ کال د ۱۱ مې نېټې په ۱۴۰۶ ل.

د ۱۰۰۱ د کورنۍ - قاضی خان ۱۰۰۱/۴

د ۱۰۰۲ د کورنۍ - قاضی خان ۱۰۰۲/۴


د ۱۰۰۳ د کورنۍ - قاضی خان ۱۰۰۳/۴

د ۱۰۰۴ د کورنۍ - قاضی خان ۱۰۰۴/۴

د ۱۰۰۵ د کورنۍ - قاضی خان ۱۰۰۵/۴

د ۱۰۰۶ د کورنۍ - قاضی خان ۱۰۰۶/۴

د ۱۰۰۷ د کورنۍ - قاضی خان ۱۰۰۷/۴



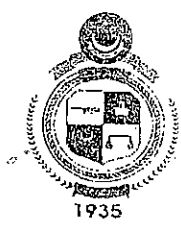
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Attested

MR. HANGIR
20-6-2014
BIG M...

Attested
Muhammad Zameer Qureshi
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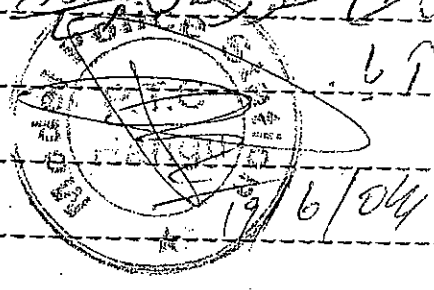
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قائد آباد

Attest
Muhammad Qureshi
Advocate
Qureshi
29/6/14

رپورٹ برخلاف کینٹی کورس آمدہ ضلع
96 رپورٹ وائس مونس 03/6/14 وقت
تفصیل مضمون درج ہے کہ اس وقت عبداللطیف خان ای سی 3 لوم رقت سے
بخیرت وائس آیا - دیگر خیریت گزاری صہ آصف خان ای سی
رقت سے وائس آیا اس طرح خیریت گزاری ہے، لوم
رقت گھر سے وائس آیا



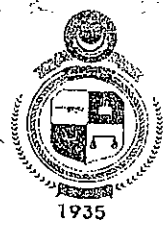
Attest
C. L. B. HANGU
6-6
ریکارڈ لان افٹر

رپورٹ سابقہ حالات ریکارڈ برائے

فیصلہ

کمانڈنٹ پی ٹی سی ہنگو

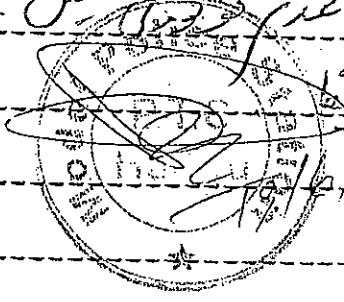
پی ٹی سی ہنگو



قانونہ جی

Attested
Muhammad 7
Advocate
Lahore
Bad

رپورٹ بر خلاف کمپنی کورس آمدہ ضلع
40 رپورٹ رسیدگی مؤرخہ 30/5/14 وقت 14:15
تفصیل مضمون درج ذیل کے تحت منظر مشاہدہ رخصت 4-11-14
یا روزہ سنسن خود کا ہوں۔ عدم حاضری سے 10-11-14



Attested
Ali
PTC Hangu
20-6-2014
C.L.I
PTC HANGU

رپورٹ سابقہ حالات ریکارڈ برائے

کمانڈر پی ٹی سی ہنگو

28
32

Muhammad Zayed
Abdullah
Attsted
Abdullah
Fresh

Handwritten notes on a textured surface, possibly a book cover or endpaper. The text is heavily obscured by noise and grain, but some legible words and numbers are visible. At the top, there are some faint characters. Below that, the word "MASE" is partially visible. A larger word, possibly "KALU", is written below "MASE". Further down, there are some numbers and characters, including "30-5-14". At the bottom, the word "Attsteel" is written, followed by "CPT HANG" and "20-6".

20
31



۱۹۷۵

Attested
Muhammad
Advocate
Ab-ul-Tabad
20-6-2014

پولیس ٹریننگ کالج ہنگو

درخواست برائے چھٹی

نام نمبر، عہدہ الغور اسٹاف اگورس ارننگروٹ، سینئر انٹر، جونیئر ایسٹ

رہائشی ضلع ایک آمدہ ضلع ایک ہاؤسنگ ایک

رخصت استعداء آیام (۱۰) نوم از ۲۹ تا ۳۰

موجودہ حکومت کے حکم نامے کو حوالہ دیا گیا ہے

سب سے گہرا ضروریہ کیونکہ درجہ ۱ کو مابوا رخصت

کے حوالہ سے استقامت کیوں نہتے جانے کے لئے

دستخط درخواست دہندہ (م) تاریخ ۲۷

| | | | | | |
|---------------------------|---------------------------|---------------------------|---------------------------|---------------------------|---------------------------|
| سابقہ رخصت | سابقہ غیر حاضر | ریٹ | شہادت | میڈیکل ایو | پاکرنگ |
| از <u>۱۰</u> تا <u>۱۵</u> | از <u>۱۰</u> تا <u>۱۵</u> | از <u>۱۰</u> تا <u>۱۵</u> | از <u>۱۰</u> تا <u>۱۵</u> | از <u>۱۰</u> تا <u>۱۵</u> | از <u>۱۰</u> تا <u>۱۵</u> |
| ۱۴ | ۱۴ | ۱۴ | ۱۴ | ۱۴ | ۱۴ |
| (۱) | (۱) | (۱) | (۱) | (۱) | (۱) |
| آخری رخصت | شبہائی | دیکھ | آخری رخصت | آخری رخصت | آخری رخصت |
| از <u>۱۰</u> تا <u>۱۵</u> | از <u>۱۰</u> تا <u>۱۵</u> | از <u>۱۰</u> تا <u>۱۵</u> | از <u>۱۰</u> تا <u>۱۵</u> | از <u>۱۰</u> تا <u>۱۵</u> | از <u>۱۰</u> تا <u>۱۵</u> |
| ۱۴ | ۱۴ | ۱۴ | ۱۴ | ۱۴ | ۱۴ |
| (۱) | (۱) | (۱) | (۱) | (۱) | (۱) |

Sci Forwarded please

(م)
افریجاز
27/5/2014

رپورٹ ریکارڈ آفیس
27.5.14
NASIR
H.C
P.T.C Hangu

36 to 30
14 14

Attested
(م)
cli P.T.C Hangu
20-6-2014
C.L.I.
P.T.C HANGU

وکالت نامہ

قیدی

کورٹ فیس

بعدالت جناب سروس ٹریڈنگ کمپنی

ایم ایل اے

منجانب

گورنمنٹ وولفرٹ

نام

محمد الصفور

دعویٰ یا جرم

باعث تحریک آنکہ

مندرجہ بالا عنوان میں اپنی طرف سے پیروی و جوابدی: محمد زریں علی صاحب کے نام سے
مقام ایم ایل اے بدیں شرط ذیل مقرر کیا ہے میں ہر پیشی پر خود یا بذریعہ مختار خاص روبرو عدالت
حاضر ہوتا رہوں گا اور بوقت پکارے جانے وکیل صاحب موصوف کو اطلاع دیکر حاضر کروں گا۔ اگر کسی پیشی پر مظہر
حاضر نہ ہوں اور غیر حاضری کی وجہ سے کسی طور پر مقدمہ میرے خلاف ہو گیا تو صاحب موصوف کے کسی طرح ذمہ دار نہ
ہوں گے۔ نیز وکیل صاحب موصوف صدر مقام پکھری کے علاوہ کسی اور جگہ پکھری کے مقررہ اوقات سے پہلے
یا بروز تعطیل پیروی کرنے کے مجاز نہ ہوں گے۔ اگر مقدمہ مقام پکھری کے کسی اور جگہ ساعت ہونے پر یا بروز پکھری کے
اوقات کے آگے یا پیچھے ہونے پر مظہر کو کوئی نقصان پہنچے تو ذمہ داریاں اسکے واسطے کسی معاوضہ ادا کرنے مختار نامہ
واپس کرنے کے بھی صاف و موصوف ذمہ دار نہ ہوں گے۔ مجھے کل ساختہ پرداختہ صاحب مثل کردہ ذات خود منظور و
قبول ہوگا اور صاحب موصوف کو عرضی دعویٰ اور درخواست اجراءے ڈگری و نظر ثانی اپیل نگرانی دائر کرنے نیز ہر قسم
کی درخواست پر دستخط تصدیق کرنے کا بھی اختیار ہوگا۔ اور کسی حکم یا ڈگری کے اجراءے اور ہر قسم کاروبار
وصول کرنے اور رسید دینے اور داخل کرنے کا ہر قسم کا بیان دینے اور سپرد ٹائلی و راضی نامہ و فیصلہ برخلاف کرنے و
اقبال دعویٰ کا اختیار ہوگا اور بصورت اپیل و برآمدگی مقدمہ یا منسوخ ڈگری یا ایک طرفہ درخواست حکم امتناعی یا
ڈگری و قبل از فیصلہ اجراءے ڈگری بھی صاحب موصوف کو بشرط ادا ایسی علیحدہ پیروی مختار نامہ کرنے کا مجاز ہوگا۔ اور
بصورت ضرورت اپیل یا اپیل کے واسطے کسی دوسرے وکیل یا ایئر سٹر کو بجائے اپنے ہمراہ مقرر کریں اور ایسے مشیر
قانونی کو بھی اس امر میں وہی اختیارات حاصل ہوں گے جیسے صاحب موصوف کو پوری فیس تاریخ پیش سے پہلے ادا نہ
کروں گا تو صاحب موصوف کو پورا اختیار ہوگا کہ مقدمہ کی پیروی نہ کریں اور ایسی حالت میں میرا مطالبہ صاحب
موصوف کے برخلاف نہیں ہوگا لہذا اختیار نامہ لکھ دیا ہے کہ سندر رہے۔ مضمون مختیار نامہ سن لیا ہے اور اچھی طرح
سمجھ لیا ہے اور منظور ہے۔

المقوم: 201/1

Accepted
21/11/19

محمد الصفور
Naim

لہذا کتنا - کروسی ڈیویڈنٹ لیسٹریٹس ایسٹ ایسٹ

عبد القصور نام گورنمنٹ وینڈر

درخواست نمبر داخل کیا جائے سیکورٹی میں

جناب عالی درخواست دیکھ کر

1۔ یہ کہ مقدمہ عنوان عدالت آفسور میں زیر سماعت ہے جس میں
آج تاریخ لیسٹی تقریباً -

2۔ یہ کہ لڑنے تاریخ پر مقدمہ عنوان Admit ہو گیا تھا لیکن اپیلانٹ
سیکیورٹی میں جمع کروا سکا تھا۔

لہذا استدعا ہے مقدمہ عنوان میں سیکورٹی میں جمع
کروانے کا حکم صادر فرمایا جاوے

الحرف قوم
عبد القصور (اپیلانٹ) پلازیم ملک وکیل محمد زبیر قریشی ایڈووکیٹ



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

Service Appeal No. 110/2016.

Abdul Ghafoor S/O Muhammad Ayub resident of Kukmang, Presently Phull Gulab Road
Abbottabad, ASI No. 170/H District Police Abbottabad.

(Petitioner)

VERSUS

1. Government of Khyber Pakhtunkhwa, through Secretary Home & Tribal Affairs, Khyber Pakhtunkhwa, Peshawar
2. The Inspector General of Police, Khyber Pakhtunkhwa, Peshawar.
3. The Deputy Inspector General of Police, Hazara Region, Abbottabad.

(Respondents)

Respectfully Sheweth

Parawise Comments on behalf of Respondents are as under:-

Preliminary Objections.

1. That the appellant has no cause of action.
2. That the appellant has not come to this Tribunal with clean hands.
3. That the appeal is bad for miss-joinder and non-joinder of necessary parties.
4. That the appellant is estopped by his own conduct.
5. That the appeal is barred by law & limitation, hence liable to be dismissed without any further proceeding.
6. That the appellant has suppressed the material facts from this Honourable Tribunal hence, not entitled for any relief and the appeal is liable to be dismissed.
7. That the order passed by the respondent No. 3 dated 30.10.2015 is according to Law, Rules & Policy hence, appeal is not maintainable in the eye of Law and liable to be dismissed.
8. That all the proceeding has been done by the authority as per rule & law hence appellant has not entitled for any relief and appeal is liable to be dismissed.

FACTS

Para No.1. Need no comments, that the Para No. 1 of the appeal is correct.

Para No.2. In reply to Para No. 2, that the FIR has been registered against the appellant.

- Para No.3. In reply to Para No.3, that the appellant was involved in criminal case and professionally has been misconduct.
- Para No.4. No comments; reply was found unsatisfactory.
- Para No.5 Correct, found involved in nature by enquiry officer after affording him full opportunity of defence.
- Para No. 6. Correct, that respondent No. 3 after fulfilling all the legal requirements imposed legal penalty on the appellant i-e reduction in pay for two stages (two years) vide order No. 5404 dated 16.06.2015.
- Para No. 7. That the appeal of the present appellant was rightly and legally rejected by the appellant authority by adducing cogent and solid reasons.
- Para No.8. That acquittal of appellant in said criminal case hardly matters in departmental proceeding, both proceeds differently and independently. It is well settled by now that departmental proceedings may be initiated even after acquittal of official by court.

GROUND.

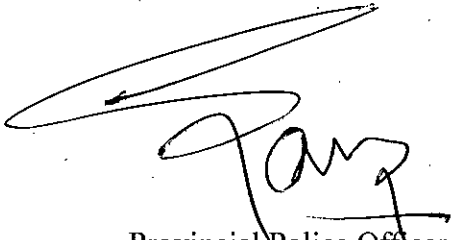
- A. Ground (a) is without substance and casual in nature because appellant himself admit that he was served upon show cause notice followed by dully enquiry in which he was offered an ample opportunity of his defence and after having found him involved he was awarded legal penalty as per rules.
- B. Denied that both the orders were passed after meeting all legal requirements. Appellant badly failed to specifically point out / highlighted any legal infirmity in both the orders passed.
- C. So far as registration of FIR is concerned, it is totally irrelevant for the purpose of Departmental proceedings, in which he was found guilty (of misconduct) as define under the relevant rules.
- D. Incorrect, as explained above.
- E. As explained above.
- F. Not relevant to answering the respondent, because, he was not acquitted of the charges by the court spiced if the trial after having

found the case false rather he was acquitted of the charges on the basis of "Compromise" which is hardly relevant in circumstances.

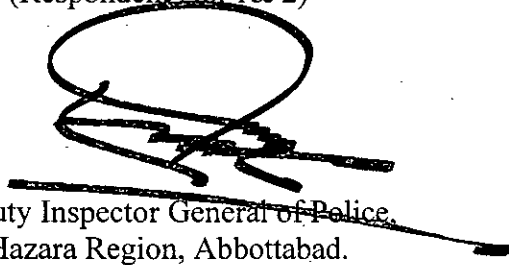
- G. That the contention raised in this Para contradicts the appellant because he was acquitted of the criminal charges on basis of "Compromise".
- H. Denied. This aspect of the matter was also enquired into by enquiry officer and found his presence in Abbottabad as per CDR.
- I. Incorrect, wrong entry has been produced before local Police vide DD No. 40 dated 30.05.2014 PTC Hangu, while on same date the appellant was present at Abbottabad as per CDR.

PRAYER.

In the wake of above legal and factual position appeal of the appellant, being without substance, bereft of reasons, meritless and may graciously be dismissed with costs throughout please.



Provincial Police Officer,
Khyber Pakhtunkhwa, Peshawar.
(Respondent No. 1 & 2)



Deputy Inspector General of Police,
Hazara Region, Abbottabad.
(Respondent No. 3)

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

Service Appeal No. 210/2016.

Abdul Ghafoor S/O Muhammad Ayub resident of Kukmang, Presently Phull Gulab Road
Abbottabad, ASI No. 170/H District Police Abbottabad.

(Petitioner)

VERSUS

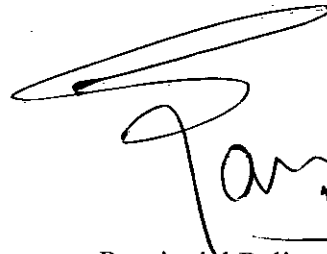
1. Government of Khyber Pakhtunkhwa, through Secretary Home & Tribal
Affairs, Khyber Pakhtunkhwa, Peshawar
2. The Inspector General of Police, Khyber Pakhtunkhwa, Peshawar.
3. The Deputy Inspector General of Police, Hazara Region, Abbottabad.

(Respondents)

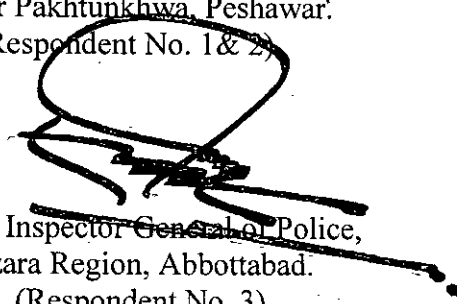
AFFIDAVIT.

We, do hereby affirm on oath that the contents of written comments are
true to the best of our knowledge & belief and nothing has been concealed from the
Honorable Service Tribunal.

Submitted please.



Provincial Police Officer,
Khyber Pakhtunkhwa, Peshawar.
(Respondent No. 1 & 2)



Deputy Inspector General of Police,
Hazara Region, Abbottabad.
(Respondent No. 3)