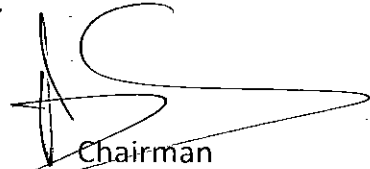


20.07.2016

Appellant with counsel present. Seeks withdrawal of the appeal as the appellant intends to pursue his departmental appeal and requested for withdrawal of the appeal. Hence the appeal is dismissed as withdrawn placing the appellant at liberty to sue afresh subject to all legal exceptions including limitation. File be consigned to the record room.



Chairman
Camp court, A/Abid,

20.07.16





ANNOUNCED

20.07.2016

Form- A
FORM OF ORDER SHEET

Court of _____

Case No. 286/2016


S.No.	Date of order Proceedings	Order or other proceedings with signature of judge or Magistrate
1	2	3
1	25.03.2016	<p>The appeal of Mr. Abdul Waheed Khan resubmitted today by post by Mr. Zulfiqar Ahmad 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	28-03-2016	<p>This case is entrusted to Touring S. Bench at A.Abad for preliminary hearing to be put up thereon <u>20-04-2016</u></p> <p style="text-align: right;"> CHAIRMAN</p>
	20.04.2016	<p>None is present for the appellant. Adjourned for preliminary hearing to 18.05.2016 before S.B at camp court, Abbottabad.</p> <p style="text-align: right;"> Chairman Camp court, A/Abad</p>
	18.5.2016	<p>None present for the petitioner. Notice be issued to appellant and his counsel. To come up for preliminary hearing on 20.07.2016 before S.B. at camp court, Abbottabad.</p> <p style="text-align: right;"> Chairman Camp court, A/Abad</p>

The appeal of Mr. Abdul Waheed Khan son of Abdul Hameed Khan Caste Tanoli Ex-DSP/Elite Distt. Mansehra received to-day i.e. on 09.03.2016 is incomplete on the following score which is returned to the counsel for the appellant for completion and resubmission within 15 days.

- 1- Memorandum of appeal may be got signed by the appellant.
- 2- Annexures of the appeal may be attested.
- 3- Affidavit may be got attested by the Oath Commissioner.
- 4- One copy/set of the appeal along with annexures i.e. complete in all respect may also be submitted with the appeal.


No. 402 /S.T,

Dt. 10/3 /2016


REGISTRAR
SERVICE TRIBUNAL
KHYBER PAKHTUNKHWA
PESHAWAR.

Mr. Zulfiqar Ahmad Adv.
High Court Abbottabad.

*Sir,
Compliance of above has
been carried out. Submitted
for further yr please.*


Zulfiqar Ahmed
Advocate Abbottabad
Office # 11 Ayub Khan Tanoli
Lawyers Plaza
Distt. Courts, Abbottabad

21/3/16

BEFORE THE SERVICES TRIBUNAL KHYBER PUKHTUN KHWA
PESHAWAR Appeal no. 286/2016

Abdul Waheed Khan S/O Abdul Hameed Khan Caste Tanoli R/O Narota, Tehsil &
District Mansehra Ex. DSP/Elite, District Mansehra, Presently confined in Judicial
lockup Mansehra.

... APPELLANT

VERSUS

- 1 Government of KPK, through Chief Secretary, Peshawar.
- 2 Inspector General of Police, Khyber Pakhtunkhwa, Peshawar.
- 3 Deputy Inspector General of Police, Enquiry & Inspection, KPK, Peshawar.
- 4 Deputy Inspector General of Police, Finance & Procurement, CPO, Peshawar.

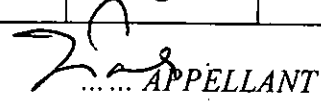
...RESPONDENTS

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SERVICE APPEAL

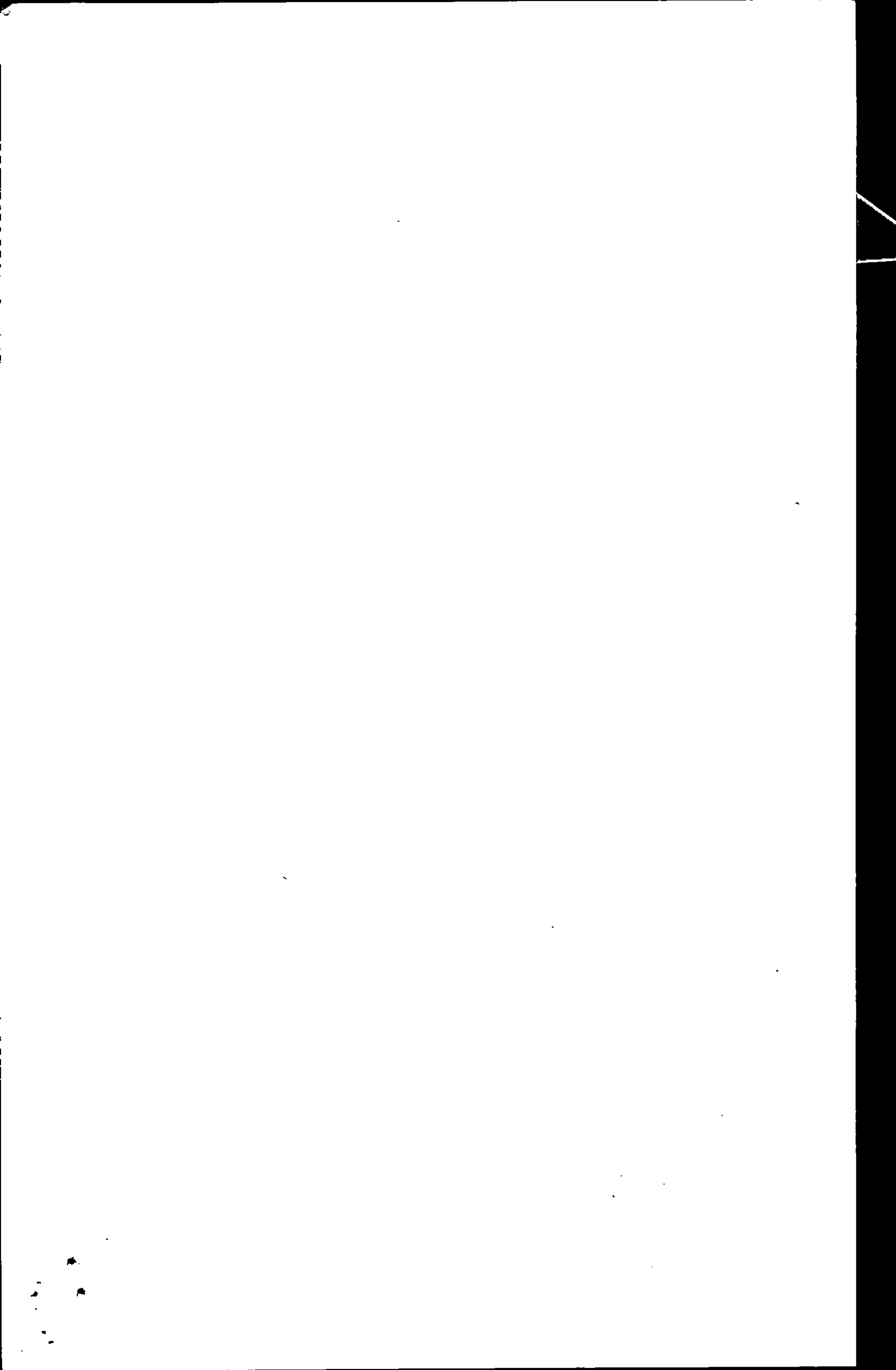
INDEX

S. No.	Description	Annexure	Pages
1	Service Appeal with Petition for condonation of delay		1 To 9
2	Better Copy of FIR	"A"	10 To 13
3	Copy of statement of allegations	"B"	14
4	Copy of Charge sheet and reply to the charge sheet	"C"	15 To 18
5	Copy of inquiry/findings	"D"	19 To 21
6	Copy of impugned order dated 17/06/2015	"E"	22
7	Copy of departmental appeal	"F"	23 To 29
9	Wakalatnama	"G"	30


..... APPELLANT ✓

Dated 07/03/2016

Through

(ZULFIQAR AHMED)
Advocate High Court
Abbottabad



BEFORE THE SERVICES TRIBUNAL KHYBER PUKHTUN KHWA
PESHAWAR Appeal No. 286/2016

Abdul Waheed Khan S/O Abdul Hameed Khan Caste Tanoli R/O Narota, Tehsil & District Mansehra Ex. DSP/Elite, District Mansehra, Presently confined in Judicial lockup Mansehra.

... APPELLANT

VERSUS

K.P. Province
Service Tribunal
Diary No. 196
Dated 09-3-2016

- 1 Government of KPK, through Chief Secretary, Peshawar.
- 2 Inspector General of Police, Khyber Pakhtunkhwa, Peshawar.
- 3 Deputy Inspector General of Police, Enquiry & Inspection, KPK, Peshawar.
- 4 Deputy Inspector General of Police, Finance & Procurement, CPO, Peshawar.

...RESPONDENTS

=====

APPEAL UNDER SECTION 4 OF KHYBER PAKHTUNKHWA, SERVICE TRIBUNAL ACT 1974 AGAINST THE ORDER OF RESPONDENT # 2 DATED 17/06/2015 WHEREBY THE APPELLANT WAS DISMISSED FROM THE SERVICE FROM THE DATE OF SUSPENSION, WHICH ORDER IS ILLEGAL, WITHOUT ANY PLAUSABLE EXPLANATION, VOID WITHOUT LAWFUL AUTHORITY, WITHOUT JURISDICTION AND SAME IS NOT TENABLE IN THE EYES OF LAW AND IS LIABLE TO BE SET ASIDE.

PRAYER:- ON ACCEPTANCE OF INSTANT APPEAL, THE FINDINGS OF RESPONDENTS # 3 & 4 AND ORDER OF RESPONDENT NO 2 MAY KINDLY BE SET ASIDE AND THE PUNISHMENT AWARDED TO THE APPELLANT MAY ALSO BE SET ASIDE AND ANY FURTHER PROCEEDINGS IN CONSEQUENCE OF IMPUGNED ORDER MAY ALSO BE SET ASIDE BEING ILLEGAL, UNLAWFUL, WITHOUT JURISDICTION AND AGAINST THE SETTLED NORMS OF JUSTICE.

Filed in case
9/3/16

Not submitted
25/3/16
to-day

Respectfully Sheweth; -

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

FACTS:-

1. That the appellant is confined in judicial lockup in case FIR NO. 113 dated 03/06/15 under section 365A PPC, police station Lasan Nawab. (Better Copy of the FIR is attached as Annexure "A").
2. That the appellant was appointed as Assistant Sub Inspector in Police Department who was promoted to the rank of Deputy Superintendent of police.
3. That some disciplinary action was initiated by respondent # 2 against the appellant while he was posted as DSP Elite Force and statement of allegations was issued as per allegations mentioned in the same by constituting an inquiry committee comprising of Mohammad Ali Khan Ghandapur DIG (E & I) and Mr. Waqar ud Din DIG (F & C) with the direction to the committee submit findings within 10 days with recommendation as to punishment or other appropriate action against the appellant. (Copy of statement of allegations attached as annexure "B").
4. That the appellant submitted reply to the charges leveled in the sheet by explaining his position in detail. (Copy of the reply to the charge sheet is attached as annexure "C").
5. That the inquiry committee without considering the submission of the appellant, illegally, partially and by violating the relevant laws recommended the appellant for major punishment. (Copy of the inquiry report and findings are attached as annexure "D").
6. That on 17/06/2015 on the recommendation of inquiry committee, the respondent # 2 passed the impugned order of dismissal from service of the appellant vide his office # S/3229-51/15 dated 17/06/2015. (Copy of impugned order dated 17/06/2015 is attached as annexure "E").
7. That the appellant being aggrieved from the order of respondent # 2 on 15/7/2015 preferred departmental appeal before respondent # 1 for

setting aside the impugned order of respondent # 2. (Copy of the departmental appeal preferred before the appellate authority is attached as annexure "F").

8. That sufficient time has lapsed after filing the departmental appeal and no order from the appellate forum has been passed or conveyed to the appellant, therefore as required u/s 4(a) of the service tribunal act, the Appellant being aggrieved seeks the gracious indulgence of This Honourable Tribunal inter alia, on the following grounds to set aside the impugned order on the following grounds:-

GROUND:-

- a. That the findings of the respondents # 3 & 4 and the order of respondent No 2 is illegal arbitrary, void, without lawful authority and also without jurisdiction and hence liable to be set aside.
- b. That no show cause notice has provided under KPK, Police Rules 1975, has been given to explain the allegations leveled in the statement of allegation which was mandatory under rule 3 of the rules as the alleged conduct was not covered under the proviso of security of Pakistan, where such opportunity was not to be given. Thus the spirit of relevant provision is violated which it self smack mala fide and discrimination on the part of respondents. Similarly appointment of inquiry committee it self suggest that the proceedings were initiated under rule 3, 4 and 5 of the Police rules, 1975, but the same has it self been violated by the respondents at the time of holding inquiry proceedings as well as passing the impugned order.
- c. Similarly the procedure provided in rule 6 of KPK, Police Rule, 1975 were also ruined as no explanation was called by the appellant u/s 6(b) to put in a written defense whether the appellant had any desire to be heard in person or not.

- d. That no final show cause notice was served on the appellant to clarify his position at any stage of the proceedings.
- e. That the proceedings initiated against the appellant were carried out in his absentia has no right of cross examination was provided to the appellant as basically the inquiry was conducted on the application of one Dr. Jan e Agha. The appellant is still kept in dark if the author of complaint was appeared or summoned during the course of inquiry. In both the cases the appellant had got right to cross examination the person who set the allegations so that real facts could be unearthed in the light of reply submitted to the statement of allegation.
- f. That the other nature and sought of evidence considered by the inquiry committee/respondents # 3 & 4 was also not conveyed to the appellant, thus his right of defense was snatched therefore was condemned unheard and such orders are never appreciated having been based on surmises, conjectures and mere allegations.
- g. That at the time of appointment of inquiry committee the respondent # 1 had clearly ordered that recommendations as to punishment or other appropriate action against the accused should be submitted within 10 days and it was no where mentioned that in case of innocence of the accused he may be exonerated therefore having received a clear indication by respondents # 3 & 4, they being subordinate to respondent # 2 acted under the given directions to punish the accused, have submitted their findings under the influence of respondent # 2 being his subordinates, thus the inquiry and findings are also in violation of specific rules governing such inquiries and smacks the intention of respondent # 2 discriminating the appellant.

- h. That it has been laid down in service laws that the official whose fate has been put at stake shall be present and the witnesses shall be examined in his presence and he shall be afforded an opportunity to cross examine the witnesses whereas the appellant was condemned unheard and relevant rules and regulations have been blatantly violated as the witness/complainant was examined in the absence of the appellant.
- i. That the inquiry committee/respondents # 3 & 4 were requested by the petitioner to provide him the right of examination/cross examination in his presence which has been guaranteed by the Constitution of Islamic Republic of Pakistan, 1973, as well as by the services law and the police rules but the same was denied to the petitioner, therefore, there is sheer violation, malice, mala fide and thus the whole proceedings are nullity in the eye of law.
- j. That as per charge No. (i) of the charge sheet, no evidence oral or in documentary form has been produced by the complainant against the appellant, Similarly no witness of handing over and taking over of ransom money was produced before the inquiry committee and the appellant was dismissed from service on the fake, fabricated story of the complainant which is full of contradictions and doubts.
- k. That the appellant on account of his outstanding service record and performance was sent to Bosnia, Kosovo and Liberia and he successfully delivered the best.
- l. That the appellant while posted at police station Darband during an encounter with the outlaws killed a very wanted proclaimed offender of the District. The other officials who participated in the encounter were awarded recommendations

etc, but the appellant was never blessed with any prize nor with any recommendations.

m. That the appeal is within time and this Honorable tribunal has got jurisdiction to entertain this appeal.


n. That further points will be submitted at the time of arguments.

PRAYER:- It is therefore most humbly prayed that on acceptance of instant appeal impugned order of respondent # 2 and inquiry findings of respondents # 3 & 4, may graciously be set aside and appellant reinstated in service with all back benefits under the law.


...APPELLANT

Through

Dated: 07/03/2016


(ZULFIQAR AHMAD)
Advocate High Court
Abbottabad

BEFORE THE SERVICES TRIBUNAL KHYBER PUKHTUN KHWA
PESHAWAR

Abdul Waheed Khan S/O Abdul Hameed Khan Caste Tanoli R/O Narota, Tehsil & District Mansehra Ex. DSP/Elite, District Mansehra, Presently confined in Judicial lockup Mansehra.

[Signature]
... APPELLANT

VERSUS

- 1 *Government of KPK, through Chief Secretary, Peshawar.*
- 2 *Inspector General of Police, Khyber Pakhtunkhwa, Peshawar.*
- 3 *Deputy Inspector General of Police, Enquiry & Inspection, KPK, Peshawar.*
- 4 *Deputy Inspector General of Police, Finance & Procurement, CPO, Peshawar.*

...RESPONDENTS

=====

SERVICE APPEAL

AFFIDAVIT

I, Zulfiqar Ahmed Advocate, High Court, Abbottabad, do hereby affirm and declare on oath that the contents of forgoing service appeal are correct and true as per information supplied and conveyed to me by client/ appellant. Nothing has been suppressed from this Honorable court. No such appeal is pending in any other court.

/Zulfiqar

[Signature]
...DEPONENT

Dated 07/03/2016



BEFORE THE SERVICES TRIBUNAL KHYBER PUKHTUN KHWA
PESHAWAR

Abdul Waheed Khan S/O Abdul Hameed Khan Caste Tanoli R/O Narota, Tehsil & District Mansehra Ex. DSP/Elite, District Mansehra, Presently confined in Judicial lockup Mansehra.

... APPELLANT

VERSUS

- 1 *Government of KPK, through Chief Secretary, Peshawar.*
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- 3 *Deputy Inspector General of Police, Enquiry & Inspection, KPK, Peshawar.*
- 4 *Deputy Inspector General of Police, Finance & Procurement, CPO, Peshawar.*

...RESPONDENTS

=====

SERVICE APPEAL

PETITION FOR CONDONATION OF DELAY

Respectfully Sheweth; -


- *That the titled appeal is pending hearing before this Honorable tribunal.*
- *That the delay in lodging the appeal, if any, was not intentional as the departmental appeal has been kept pending by the respondent # 1 without any order on it.*
- *That there is scope of success of the instant appeal as prima facie it is lodged on solid footings and balance of convenience is also in favour of appellant and a huge loss to the appellant will be caused if the un intentional delay is not condoned as the impugn orders are against law and facts.*

PRAYER

It is therefore most humbly prayed that on acceptance of instant petition delay may graciously be condoned in the best interest of justice.


...APPELLANT

Dated: Dated: 07/03/2016

Through

(ZULFIQAR AHMAD)
Advocate High Court
Abbottabad.

BEFORE THE SERVICES TRIBUNAL KHYBER PUKHTUN KHWA
PESHAWAR

Abdul Waheed Khan S/O Abdul Hameed Khan Caste Tanoli R/O Narota, Tehsil & District Mansehra Ex. DSP/Elite, District Mansehra, Presently confined in Judicial lockup Mansehra.

... APPELLANT

VERSUS

- 1 *Government of KPK, through Chief Secretary, Peshawar.*
- 2 *Inspector General of Police, Khyber Pakhtunkhwa, Peshawar.*
- 3 *Deputy Inspector General of Police, Enquiry & Inspection, KPK, Peshawar.*
- 4 *Deputy Inspector General of Police, Finance & Procurement, CPO, Peshawar.*

...RESPONDENTS

=====

PETITION FOR CONDONATION OF DELAY

AFFIDAVIT

I, Zulfiqar Ahmed Advocate, High Court, Abbottabad, do hereby affirm and declare on oath that the contents of forgoing petition for condonation of delay are correct and true as per information supplied and conveyed to me by client/ appellant. Nothing has been suppressed from this Honorable court. No such appeal is pending in any other court.

Zulfiqar Ahmed

[Signature]
...DEPONENT

Dated 07/03/2016



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Handwritten notes in Urdu, including a date "25/3/15" and a signature "S.H.O. P.S. Lalsam (M)".

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Advocate Ahmed
Office # 11, Ayub Khan Tan
Lawyers Plaza
Distt. Courts, Abbottabad

امدادی اطلاع دینے کے لئے
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33

AmExure (A)

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ابتدائی اطلاعی رپورٹ

12

تھانہ لسان نواب

ضلع مانسہرہ

مقدمہ علت نمبر 113

تاریخ وقت وقوعہ 20.03.2015 وقت 12:00 بجے دن

(1)	تاریخ وقت رپورٹ 25.03.2015 وقت 15:50 بجے	چاکیدگی پرچہ 03.06.2015 وقت 09:40 بجے
(2)	نام و سکونت اطلاع دہندہ مستغیث	شریف ولد فاروق قوم افغانی بھمر 34 سال سکونت نمبر 12 ہری پور
(3)	مختصر کیفیت جرم (معد دفعہ) حال اگر کچھ لیا گیا ہو	زیر دفعہ PPC365-A
(4)	جائے وقوعہ اور فاصلہ تھانہ سے اور سمت	ہری پور تالیاں روڈ بمقام جسگراں پیڑہ جانب جنوب فاصلہ 4/5 KM از تھانہ
(5)	نام و سکونت ملزم	
(6)	کاٹلی تفتیش کے متعلق کی گئی اگر اطلاع عہد کرنے میں توقف توجہ بیان کرو	بعد دریافت 157 ضمن (1) مقدمہ رجسٹر ہوا۔
(7)	تھانہ سے روانگی کی تاریخ و وقت	روٹین ڈاک۔

ابتدائی اطلاع نیچے درج کرو۔

مستغیث مندرجہ خانہ نمبر 2 بالانے ایک عدالت تحریری درخواست نسبت اغوا نیگی

مسمیان نجیب اللہ و وحید اللہ برخلاف اسم و مسکن نامعلوم تھانہ میں لا کر دی جو درخواست دفعہ بحوالہ مد نمبر 22 روز نامہ 25.03.2015 درج ہو کر برائے دریافت 157 ضمن (1) شروع کرنے نقل رپٹ حوالہ محمد طارق خان ASI صاحب کی گئی جو آج محمد طارق خان ASI صاحب نے دریافت پیش کر کے کیفیت نمبر 19 میں تحریر فرمایا کہ دریافت سے و بیان نجیب اللہ سے سریدست صورت جرم PPC365 کی پائی جاتی ہے۔ برخلاف اسم و مسکن نامعلوم ملزمان مقدمہ درج رجسٹر کر کے نقل پرچہ معد دریافت بغرض تفتیش حوالہ Oii صاحب کیا جاوے۔ برطابق کیفیت نمبر 19 مقدمہ جرم بالا برخلاف اسم و مسکن نامعلوم (5) نفر ملزمان درج رجسٹر ہو کر نقل پرچہ معد دریافت بغرض تفتیش حوالہ Oii صاحب کیا جاتا ہے۔ کیفیت نمبر 2 تا 19 ضمنی نمبر 1 کا حصہ تصور ہوں گی۔ نقل رپٹ درج ذیل ہے۔ پرچہ گزارش ہے۔

SHO/PS/LASSAN(N)03.06.2015

مد نمبر 22 آمد تحریری درخواست SHO-25.03.2015 وقت 15:50 بجے اس وقت مسمی شریف ولد محمد فاروق قوم افغانی بھمر 34 سال سکونت نمبر 12 ہری پور نے تحریری درخواست لا کر پیش کی جس کا متن ذیل ہے۔ بخدمت جناب SHO صاحب تھانہ لسان نواب۔ جناب عالی! گزارش ہے کہ سائل کا بھائی نجیب اللہ ولد فاروق بھمر 25/26 سال ہمراہ وحید اللہ ولد جان آغا بھمری 17/18 سال، محمد اقبال ولد سید عارف، کٹورہ ولد ظاہر قوم افغانی ساکنان کیمپ نمبر 12 ہری پور کے ہمراہ آٹومہران نمبری 6241/لاہور میں سوار ہو کر سیر و تفریح کے لئے دھنکے شریف مورخہ 20.03.2015 کو آئے اسی دن شام 04:00 بجے وحید اللہ کے والد جان آغانے مجھے اطلاع دی کہ محمد اقبال اور کٹورہ واپس آئے ہیں جنہوں نے آکر بتلایا کہ نجیب اللہ، وحید اللہ کو کوئی اسم و مسکن نامعلوم اشخاص بوقت 12:00 بجے دن بمقام جسگراں پیڑہ گاڑی سے اتار کر لے گئے ہیں۔ جس پر میں نے محمد اقبال و کٹورہ سے پتہ براری کی جنہوں نے مجھے بتایا کہ ہم بوقت 12:00 بجے دن بروز جمعہ ہری پور تالیاں روڈ بمقام پیڑہ جسگراں پہنچے تو آگے روڈ میں ایک آٹو کھڑی تھی جس میں سے پانچ اشخاص جن کے پاس پستول تھے، اترے اور تمہیں کیا کہ آپ قابلی ہیں یہاں کیا کر رہے ہو۔ اس علاقہ میں پولیوٹیم پر حملہ ہوا ہے۔ جو تفتیش کے لئے اب میں سے دو آدمی اپنی گاڑی میں بٹھا کر تفتیش کرتے ہیں جس پر ان نامعلوم اشخاص نے نجیب اللہ، وحید اللہ کو اپنی گاڑی میں بٹھایا اور ان میں سے دو اشخاص گاڑی میں بیٹھ گئے وہ ہم سے

پہلے بطرف لسان نواب روانہ ہوئے۔ دوسرے دو افراد ہمیں ہماری گاڑی میں بطرف لسان نواب روانہ ہوئے جو لسان سے ہوتے ہوئے بمقام گندف پہنچ کر اتر گئے اور ہم ہری پور کی جانب بھاگ گئے۔ آدمی جو ہمارے ساتھ تھے، سامنے آنے پر پہچان سکتے ہیں اور وہ اردو زبان بولتے تھے جس میں، میں نے آج تک انتظار کی مگر میرے بھائی نجیب اللہ اور دوسرے شخص وحید اللہ کا کوئی پتہ نہ بلا ہماری کسی سے کوئی دشمنی عداوت نہ ہے اور سریدست مجھے یہ بھی پتہ نہیں ان کو کون اور کس مقصد کے لئے لے گیا ہے، ہو سکتا ہے کہ نجیب اللہ کے ساتھ محمد اقبال و کٹور جو ساتھ گاڑی پر سیر و تفریح کے لئے گئے جن کو کوئی نہیں لے کر گیا ان میں کوئی پتہ ہو یا ملزمان کی گاڑی کی گاڑی کا نمبر وغیرہ یاد ہو میرے بھائی نجیب اللہ کے پاس گلیکسی موبائل جس میں سم نمبری 0321-9856175 اور وحید اللہ کے پاس موبائل سم نمبری 0306-8989032 تھیں میں ان کی تلاش و پتہ براری کر رہا ہوں جیسے ہی مجھے پتہ چلا تو دوبارہ آکر باقاعدہ رپورٹ درج کراؤں گا اور میرے بھائی نجیب اللہ اور وحید اللہ کے دوسرے دو ساتھیوں کو بھی پیش کردوں گا سریدست میری اطلاعی درخواست برائے اطلاع رکھی جائے اور تسلی ہونے کے بعد کارروائی شروع کی جائے عین نوازش ہوگی۔ سائل شریف ولد محمد فاروق قوم افغانی بھر 34 سال سا کٹھنپ نمبر 12 ہری پور نشان انگوٹھا دستخط انگریزی کارڈ نمبر CM10149824621 موبائل نمبر 030-5241070، 25.03.2015 کارروائی تھانہ آمدہ تحریری درخواست حرف بحرف درج بالا ہوئی۔ درخواست دہندہ نے درخواست میں وقوعہ مورخہ 20.03.2015 کا دن 12:00 بجے ہونا تحریر کیا اور آج مورخہ 25.03.2015 کو پانچ یوم بعد درخواست لاکر پیش کی اور جس جگہ وقوعہ ہونا تحریر کیا، وہ جگہ جسگراں گاؤں سے چند قدم کے فاصلہ پر گاؤں کے سامنے ہے۔ دن 12:00 بجے اس جگہ سے کسی کو انواء کرنا اور پھر بازار لسان نواب سے ہو کر گندف لے جا کر چھوڑنا اور ان سے کوئی رقم وغیرہ اور گاڑی کو بھی نہ لے جانا اور ان کو ملزمان کی گاڑی کا نمبر بھی معلوم نہ ہونا، کئی سوالوں کو جنم دیتا ہے تاہم اس سلسلہ میں معاملہ مشکوک پایا جاتا ہے۔ جس باعث اصل حقائق معلوم کرنے کی خاطر دریافت زیر دفعہ 157 ضمن (1) ضف شروع کرنے کے لئے نقل ریپٹ علیحدہ مرتب کر کے معہ درخواست حوالہ محمد طارق ASI صاحب کی جاتی ہے۔ جناب عالی اقل بمطابق اصل ہے۔

SHO/PS/LASSAN(N)

03.06.2015



Alert
Zulfiqar Ahmad
Advocate Abbottabad
Office # 11 Ayub Khan Tower
Lawyers Plaza
Dist. Courts, Abbottabad

14
OFFICE OF THE
INSPECTOR GENERAL OF POLICE
KHYBER PAKHTUNKHWA
Central Police Office, Peshawar

DISCIPLINARY ACTION

B

I, Nasir Khan Durrani, Inspector General of Police, Khyber Pakhtunkhwa Peshawar being Competent Authority, am of the opinion that Mr. Abdul Waheed Khan the then DSP/Elite Force, Mansehra have rendered himself liable to be proceeded against, as he has committed the following acts of omissions/commissions within the meaning of the Khyber Pakhtunkhwa Police Rules 1975.

STATEMENT OF ALLEGATIONS

- i. That as per complaint of Dr. Jan Agha, he has been directly/indirectly involved in the kidnapping for ransom of his son Wahid Ullah on 20.03.2015 from Beer Road, Mansehra, and extortion of huge amount for his release;
- ii. That he has persistent reputation of corruption and commonly known as a corrupt police officer;
- iii. That he has developed links with the anti social elements and criminals of the area and support their illegal activities; and
- iv. That he has a very loose and un-professional command as a police officer which have brought very negative image of police amongst general public.

The said act of negligence depicts height of inefficiency, disobedience, indiscipline attitude and lack of professionalism which amounts to grave misconduct on his part warranting stern disciplinary action against him.

For the purpose of scrutinizing the conduct of the said officer with reference to the above allegations, an Inquiry Officer/Committee consisting of the following Officer (s) of Khyber Pakhtunkhwa Police Rules 1975.

- i. Mr. Muhammad Ali Gandapur, DIG/E & I
- ii. Mr. Waqar-ud-Din, DIG/Finance & Procurement

The Inquiry Committee/officer (s) shall, in accordance with the provision of the said Rules, provide reasonable opportunity of hearing to the accused officers, record and submit its finding within 10 days of the receipt of this order, recommendations as to punishment or other appropriate action against the accused officer.

Received
25/5/2015
[Signature]

[Signature]
(NASIR KHAN DURRANI)
Inspector General of Police,
Khyber Pakhtunkhwa,
Peshawar.



Attested
Zulfiqar Ahmed
Advocate Abubittalad
Office # 11 Awit Khan Tanoh
Lawyers Plaza
Dist. Courts, Abubittalad

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

CHARGE SHEET

I, **Nasir Khan Durrani**, Inspector General of Police, Khyber Pakhtunkhwa, Peshawar as Competent Authority, under Khyber Pakhtunkhwa Police rules 1975 (amended 2014) hereby charge you Mr. Abdul Waheed Khan, DSP/Elite Force, Manshra as follows:-

- i. That as per complaint of Dr. Jan Agha, you are directly/indirectly involved in the kidnapping for ransom of his son Wahid Ullah on 20.03.2015 from Beer Road, Manshra, and extortion of huge amount for his release;
- ii. That you have persistent reputation of corruption and commonly known as a corrupt police officer;
- iii. That you have developed links with the anti social elements and criminals of the area and support their illegal activities; and
- iv. That you have a very loose and un-professional command as a police officer which have brought very negative image of police amongst general public.

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

You are therefore, directed to submit your written defense within seven (07) days of the receipt of this Charge Sheet to the Enquiry Officer/Committee.

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

You are directed to intimate whether you desire to be heard in person or otherwise.

A statement of allegation is enclosed.

(NASIR KHAN DURRANI)
Inspector General of Police,
Khyber Pakhtunkhwa,
Peshawar.

Received
25/5/2015
Zar

Handwritten signature
Zulfikar Ahmed
 Advocate
 Office # 11 Ayub Khan Tanoor
 Lawyers Plaza
 Dist. Courts, Abbottabad



Inspector General of Police

Rawalpindi

Subject: Reply of charge sheet leveled against me

Respected Sir

With the reference to charge sheet issued by your good self I want to state that

The chargesheet leveled against me are totally baseless and based on malafide intention, political motivation and liable to be set a side.

Just before filing complaint against me to your honour, the complaint also moved an application in P.S Lissan Nawsb in which was compiled in D.D 22 dated 25/3/2015 by one, Sharief S/O mohammad Fareed cast Afghan R/O camp no.12 Distt Haripur has stated that his brother najeeb ullah and one waheed ullah S/O Jan agha resident of camp no 12 haripur were taken away from beer road by five unknown persons on 20/3/2015. After five days of so called occurrence, (copy of DD is annex) similarly on 1/4/2015 Jan agha S/O mohammad Ullah statement was recorded u/s 161 crpc by I.O. after 11/12 days of alleged occurrence, and in his statement he did not charge any person kidnapping or abduction for ransom or any extortion of huge amount against any person nor my name was mentioned in the statement.

(ii) Najeeb ullah S/O Mohammad farooq himself appeared before the IO and recorded his statement U/S 161 crpc on 4/4/2015, where in he did not levelled any allegation of ransom demanded by unknown persons.

(iii) Similarly statement of mohammad iqbal S/O Said arif cast afghan R/O camp no 15 haripur and kateos S/O Zahir cast afghan R/O camp no 12 haripur, were recorded by local police in zimni number 4 dated 29/3/2015 which is very important and according to local police alleged occurrence seems to be plotted and creates serious doubt about the occurrence, Which clearly shows that a self created story has been manipulated against me on the application of persons best known to the complainant.

(iv) On 14/5/2015 alleged abductee waheed ullah S/O Jan agha was also appeared himself and reached home but he did not approach the police or I.O nor his father informed police about his sons and strangley avoiding to face local police because of reason best known to them, and avoiding for recording any statement to local police till today. (copy of zimni is attached)

(v) That the complainant before your goodself is personally known to me and has a good cordial relations with me. I can,t imagine or even think of the basless allegations which were leveled against me by the complainant.

(iv) That the real facts are that, the complainant borrowed from me Rs eight lakhs (800000) by pretending that he is in a critical position as earlier stated that the complainant has a cardial relationship with me therefore I gave him the money ,against which he handed over to me his vehicle no. Islamabad UW 634 black XLI model 2012 along with documents of vehicle as surity saying that after 15 days he will arrange money and he will get back his vehicle from me.

(vii) That being a govt servant I have not such a huge amount, therefore I took five lakhs from my friend Aamir khan Advocate and handed over vehicle and documents to the Aamir khan in presence of the witnesses. Later on police official of p s city took the vehicle from Aamir khan residence and in this regard a civil suit is filed in the court of CJ VI Mansehra. Copy of the suit is attached .

(2) In reply fo second charge/allegation I want to explain that, I am serving in police department for almost twenty years and I have never been charged for corrutption . in this respect my service book and my ACR,s are clear example fo my past service.another important aspect of my service is that ,I have been posted in different police stations of Hazara region in different positions. No charge of corruption has never been leveled by public nor any departmental enquiry has been made against me and due to hard working and professionalism,excellence I was seleted to serve and represent my country and police department three times in United Nations.ie,

- 1.Bosnia 2001-2002
- 2.Kosovo 2007-2008
- 3.Liberia 2010-9-2011

I have performed my duties to the best of my abilities,in this respect I always got A in my ACR,s reports, due to my hard work and dedication towards my professional duties.

(3) In reply of third charge/allegation , during my almost twenty year of service I was posted in different police stations as SHO. During my posting I apprehended most wanted criminals and drug paddlers. During my posting as SHO city mansehra I apprehended and killed suicide bomber who was plotted to destroy the peace and creat harrasment in the Distt Mansehra.Police officials who took part with me in this operation were peromoted and I was suspended and awarded major punishment reasons best known to high ups.

During my posting as SHO city and PS Saddaer I seized huge amount of drugs and arrested drug paddlers. which after my posting such huge amount of drugs were never been captured by local police .(copy of FIR,s is attached). As example

During my posting as SHO PS Darband Distt mansehra I apprehended the most wanted criminal of Distt maansehra after cross firing. Again police officials in the raid were peromoted and I was ignored again (copy of FIR and other officials recommendation letter is attached)

(4) In reply of para IV it is submitted that through out my carrier I remained in different police stations in Hazara region and also served in other regions as well. I remained on key post of District Police and I never show any loose or un professional command,rather due to my hardworking and outstanding professional behaviour I was given task of acting SP hazara Elite Force couple of time during year 2014-2015 ,and during these posting my superior officers were always satisfied with my performance.

Another unblamable carrier of my service is that I never ever indulge in such like allegations,rather that I have captured the very renowned proclaimed offenders ,drug paddlers and my services and my ACR,s are the clear cut example of my professional excellence.and I want aspect of my professional behaviour is that I was given task in the UN mission and was honoured by UN letter of appreciations due to my professional skills and devotion to

Words my country , I got three appreciations letters during my service in UN. (appreciation letters copy one attached). During my service in UN I always served as an examplery for other police officers. I remained on key post in UN missions.

It is, therefore, humbly requested /prayed that charge /allegations levelled against me may kindly be set a side and a criminal proceeding may also be initiated against the complainant , as he filed a baseless, false allegation against me,


(Waheed khan)

DSp(suspended)CPO peshawer

FINDINGS:

Attest
Zulfiqar
Advocate
Office #
Lawyer



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After going through the entire record, statement and examining DSP Waheed Khan and police officials, the following has been concluded:

- I. The applicant's son namely Wahid Ullah on 20-03-2015 with his friends namely (1) Iqbal s/o Syed Arab, (2) Najeeb Ullah s/o Alam Farooq, (3) Katour s/o Zahir in their personal vehicle Mehran Motor Car bearing Registration No.6241 Lahore were kidnapped by unknown persons on gun point. He rushed to Police Station Lissan Nawab where he was told that an application has already been filed by Mr. Sharif, the brother of Najib Ullah and they are doing work on that application.
- II. In Haripur applicant was handed over a sealed envelope by a Shop Keeper Mr. Sher Rehman s/o Agha Gul and said that a girl having veil on her face gave him the envelope and on its opening the applicant found a memory card in it. In it he heard the recorded voices of his son and another Najib Ullah. The applicant's son was saying and weeping to save him from the hands of the abductors by paying them Rupees 02 crore.
- III. On 25-03-2015, the applicant again visited to Police Station Lissan Nawab Sahib alongwith a Police Officer namely Waheed Khan, DSP who was personally known to him and handed over the Memory Card and photographs of his son and Mr. Najib Ullah to one Muhammad Tariq ASI, who recorded the statement of the applicant just for his satisfaction. Mr. Sharif, the brother of Najib Ullah was also pressurizing the applicant that his son took his brother fraudulently.
- IV. After 20 days one of the kidnapes Najeeb Ullah was released. While son of applicant was kept in hide.
- V. The applicant again contact with the said DSP, Waheed Khan for help and assistance. The said DSP called the applicant to visit him at Silk Way Hotel Mansehra and asked him to bring Rs.11,00,000/- (Rupees Eleven Lac) with him. The applicant was again asked to arrive at Bidra Chowk Mansehra and accordingly the applicant arrived at about 7 p.m in evening time where the said DSP was present. The applicant handed over Rs.11,00,000/- and on next day the applicant was called from phone number 342-0787724 on his phone number 0308-8209477 with the consent of the said DSP Waheed Khan and conversation was made upto the some extent.
- VI. On 30-11-2015 the said DSP again called the applicant to visit his office situated at near Lady Garden Abbottabad and the applicant reached there at about 11 a.m. He was

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ATT-7-2

Zulfiqar Ahmed
Advocate Abbottabad
Ordnance and US
Law Courts, Abbottabad

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asked by the DSP to arrange more 15,00,000/- and US dollars 2500/- to find his son safely and successfully. The applicant replied that he had not yet available Rs.15,00,000/- however he brought a vehicle XLI Model 2012 against Rs.15,00,000/- and also paid US dollars 2500/- and ready to present but his son should be handed over to him. Upon request the said DSP asked the applicant to take the vehicle to the show room for the determination of its price. The applicant handed over his said vehicle to DSP Waheed Khan alongwith registration Book.

VII. In the presence of the applicant the said DSP called to some unknown persons that Mr.Wahid Ullah should be brought to the requisite place and asked the applicant to react at Ziarat Chowk of village Bedarra and when applicant reached at the spot he saw a vehicle waiting for him bearing registration LIT 4260 FX. The driver on duty cautioned with his hand and asked to follow him. The applicant has been following the said vehicle and when they reached at near residence of Nawab Zada Farooq Khan, Ex-Tehsil Nazim, suddenly a motor car of blue colour bearing registration number LXD 7834 appeared front of them and the son of the applicant Wahid Ullah came out and handed over to the applicant.

VIII. On 30-04-2015, in the presence of I.B personnel applicant presented his son before DPO Manshera and was told that his son was released after paying ransom alongwith motor car through DSP Waheed Khan

IX. On the other hand DSP Waheed Khan rejected the allegations and stated in his reply that applicant Jan Agha is personally known to him and has good cordial relations with him. He added that real facts are that, the complainant borrowed from him Rs.8,00,000/- by pretending that he is in a critical position. He gave him the money against which applicant handed over him his motor car No.Islamabad UW 634 Black XLI model 2012 alongwith documents. He(DSP) took Rs.5,00,000/- from his friend Amir Khan Advocate and handed over him vehicle and documents. Later-on vehicle was taken by local police of PS City from Aamir Khan.

X. The incident took place on 20-03-2015, while FIR in the case was registered on 03.06.2015 after conducting enquiry u/s 157(1) Cr.P.C.

Conclusion:

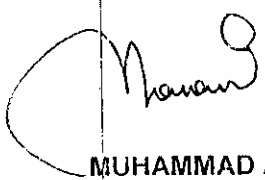
The enquiry Committee has reached to the following conclusion:-


- i. The son of the applicant Jan namely Wahid Ullah was abducted on 20-03-2015 but only daily diary was registered on 25-03-2015 and after lapse of 3 months in a heinous cognizable offence on 06-03-2015 proper FIR was registered, when he was already got released after payment of Rs.11,00,000-/-, 2500 dollars and one motor car.
- ii. It has been established that DSP Waheed Khan and applicant Jan Agha are closed friend. DSP Waheed Khan flatly rejected the allegations and stated that the real issue is that applicant borrowed from him Rs.8 lakhs and in return he gave him motor car which was recovered by Police being case property of the said kidnap case.
- iii. It has been established that DSP Waheed Khan properly played a role of facilitator between the applicant and kidnappers, which being police officer he was not required to do so. This shows personal involvement and interest of DSP Waheed Khan in the plot of abduction.
- iv. This is lame excuse of DSP Waheed Khan that matter of motorcar is actually matter of cash-nexus between him and applicant. On one hand DSP Waheed Khan confessed that he is friend of applicant but on other hand when the applicant was in problem he was demanding back his money in shape of motor car. He confessed that he was handed over motor car which was recovered by P.S City Police from his friend Aamir Khan's house. This shows that he was actually involved in the transaction of ransom money.

Recommendation.

In view of the above, the instant case is an example of kidnapping for ransom, in which DSP Waheed was actually involved alongwith kidnappers. Allegations leveled against DSP Waheed Khan have been proved beyond doubt, therefore, he (DSP Waheed Khan) is recommended for major punishment.

Submitted please.


MUHAMMAD ALI KHAN
Deputy Inspector General of Police,
Enquiry & Inspection,
Khyber Pakhtunkhwa,
Peshawar.


DR. WAQAR UDDIN SYED
Deputy Inspector General of Police,
Finance & Procurement, CPO,
Peshawar.



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

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No. S/3224-51/15, Dated Peshawar the 17/06/2015.

ORDER

This order will dispose off the departmental proceeding initiated against Waheed Khan, DSP/Elite Force District Mansehra. On the basis of complaint submitted to DPO/Mansehra by Dr. Jan Agha received through RPO/Hazara vide his memo: No. 451/C. Cell, dated 06.05.2015, he was charge sheeted on the following allegations:-

- i. That as per complaint of Dr. Jan Agha, you are directly/indirectly involved in the kidnapping for ransom of his son Wahid Ullah on 20.03.2015 from Beer Road, Mansehra, and extortion of huge amount for his release;
- ii. That you have persistent reputation of corruption and commonly known as a corrupt plice officer;
- iii. That you have developed links with the anti social elements and criminals of the area and support their illegal activities; and
- iv. That you have a very loose and un-professional command as a police officer which have brought very negative image of police amongst general public.

2. He was issued charge sheet/statement of allegations vide No. S/3035-36/15, dated 20.05.2015 and Mr. Muhammad Ali Khan, DIG/E&I and Dr. Waqar-ud-Din Syed were appointed as enquiry officers. The misconduct of DSP/Waheed Khan was inquired through enquiry committee. The enquiry committee also heard him in person and he was given full opportunity to defend himself but failed to show any plausible reason in his favour.

3. The enquiry committee submitted its finding report which confirmed the allegations against him beyond any iota of doubt he is recommended for major punishment.

4. Now therefore I Nasir Khan Durrani, Inspector General of Police, Khyber Pakhtunkhwa, Peshawar being Competent Authority, perused the recommendations of the enquiry committee, am satisfied that the charges against DSP Waheed Khan (under suspension) stand proved as such and in exercise of powers vested under Khyber Pakhtunkhwa Police Rules 1975 (amended 2014), impose upon him major penalty of dismissal from service from the date of suspension.

5. Order announced.

(NASIR KHAN DURRANI)
Inspector General of Police,
Khyber Pakhtunkhwa,
Peshawar

Copy of the above is forwarded to the:

1. All Additional Inspectors General of Police Khyber Pakhtunkhwa.
2. All RPOs in Khyber Pakhtunkhwa.
3. All DISG in Khyber Pakhtunkhwa.
4. Commandant, Elite Force, Khyber Pakhtunkhwa, Peshawar.
5. RPO/Hazara Abbottabad with the remarks that he should also be able to join the investigation of main case and if he is found guilty he shall be challaned.
6. The Accountant General of Khyber Pakhtunkhwa Peshawar.
7. PSO to IGP, CPO, Peshawar.
8. PRO CPO, Peshawar.
9. PA to DIG/Headquarters Khyber Pakhtunkhwa.
10. PA to AIG/Establishment CPO Peshawar.
11. Office Supdt: E-I, CPO Peshawar.
12. Incharge Central Registry CPO.

Attended
E.P.
Zulfiqar Ahmed
Advocate Abbottabad
Office # 11 Ayub Khan Town
Lawyer's Plaza
Dist. Courts, Abbottabad

Received
16/7/15

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**BEFORE THE CHIEF SECRETARY KHYBER
PAKHTUNKHWA PESHAWAR**

Subject: DEPARTMENTAL APPEAL/REPRESENTATION
AGAINST THE ORDER DATED 17.06.2015
WHEREBY THE INSPECTOR GENERAL OF
POLICE KHYBER PAKHTUNKHWA
PESHAWAR IMPOSED MAJOR PENALTY
OF DISMISSAL FROM SERVICE FROM THE
DATE OF SUSPENSION OF THE
APPELLANT.

Respectfully Sheweth!

The brief facts leading to the instant departmental appeal/representation are as under: -

1. That, the Appellant was appointed as Assistant Sub Inspector in police Department who was promoted to the rank of Deputy Superintendent of police and now illegally dismissed from service through impugned order dated 17.06.2015 whereas the Appellant while posted as SHO, PS City Mansehra had killed a suicider at the main gate of police Station City Mansehra when the said suicider tried to enter the gate of police Station City Mansehra. The Appellant was suspended instead of being rewarded for saving the police station as well as the human lives from havoc.

The other police officials were rewarded and issued diverse prizes and recommendations.

2. That, the Appellant while posted at police Station Darband during an encounter with the outlaws killed a very wanted proclaimed offender of the District. The other officials who participated in the encounter were awarded recommendations etc, but the Appellant was never blessed with any prize nor with any recommendations.

3. That, the Appellant on account of his outstanding service record and performance was sent to Bosnia, Kosovo and Liberia and he successfully delivered the best.

4. That, the Appellant while posted as DSP Elite Force was suspended and charge sheet alongwith statement of allegation was communicated to him and a reply was sought from him with regard to the allegation contained in the statement of allegation, the Appellant submitted a detailed reply refuting all the allegations through the written reply.

(The copy of charge sheet, statement of allegation and reply are annexed herewith).

5. That, being dissatisfied from the reply of the Appellant, the inquiry committee started with the inquiry wherein the statement of the complainant was recorded, but despite the request of the Appellant for cross

examination, the said right was denied to the Appellant.

- 6. That, the inquiry committee after conducting the inquiry submitted his findings alongwith conclusion and recommendation to the Inspector General police KPK Peshawar.

(Copy of the findings of the inquiry committee are annexed herewith).

- 7. That, on the recommendation of inquiry committee, Inspector General of police KPK Peshawar imposed major penalty of dismissal from service from the date of suspension of the Appellant vide its order No.3229-51/15 dated Peshawar the 17.06.2015.

(Copy of the order dated 17.06.2015 is annexed herewith).

- 8. That, the Appellant being aggrieved from the impugned order seeks the gracious indulgence of Your Honour inter alia, on the following grounds: -

GROUND

- i. That, the order of dismissal from service is against the law, rules and regulations, arbitrary, fanciful, perverse, unconstitutional, discriminatory and without

lawful authority hence liable to be struck down.

- ii. That, no show cause notice has ever been served to the Appellant/appellant.
- iii. That, it has been laid down in service laws that the official whose fate has been put at stake shall be present and the witnesses shall be examined in his presence and he shall be afforded an opportunity to cross examine the witnesses whereas the Appellant was condemned unheard and relevant rules and regulations have been blatantly violated as the witness/ complainant was examined in the absence of the Appellant.
- iv. That, according to law and rules/ regulations, the witnesses shall be examined on oath and thereafter the person shall be provided an opportunity to cross examine the witnesses but in this particular case the inquiry committee/ officers has refused to afford the opportunity of cross examination.
- v. That, the service law and the constitution of Pakistan has laid down a specific procedure for conducting an inquiry and the said inquiry shall be carried out in accordance with the procedure and law whereas in this particular case, the law and rules/regulations have been completely overlooked by the inquiry committee and on this score the

recommendations and the impugned order are liable to be struck down.

- vi. That, the inquiry committee/officers were requested by the Appellant to provide him the right of examination/cross examination in his presence which has been guaranteed by the Constitution of Islamic Republic of Pakistan, 1973 as well as by the services law and the police rules but the same was denied to the Appellant, therefore, there is sheer violation, malice, malafide and thus the whole proceedings are nullity in the eye of law.
- vii. That, the inquiry committee has not given any weight to the written reply of the Appellant nor the Appellant was allowed while the statement of complainant was recorded and no opportunity of cross-examination was provided to the Appellant. Similarly the complainant was not examined in the presence of the Appellant which is sheer violation of law and rules applicable thereto and on this score only, the impugned order and the findings of inquiry committee are liable to be struck down.
- viii. That, the inquiry committee has not given any findings against the charge No.(ii), (iii) and (iv) given in the charge sheet which clearly shows that no iota of evidence is available against the Appellant.

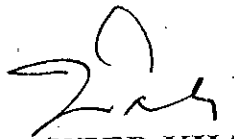
- ix. That, as per charge No.(i) of the charge sheet, no evidence oral or in documentary form has been produced by the complainant against the Appellant. Similarly, no witness of handing over and taking over of ransom money was produced before the inquiry committee and the Appellant was dismissed from service on the fake, fabricated story of the complainant which is full of contradictions and doubts.
- x. That, the complainant changed his version on all the forums on which he appeared i.e. before the I.O in police Station Lissan Nawab (Statement under section 161 Cr.PC), before the DPO Mansehra (application against the Appellant), before the Judicial Magistrate, Mansehra and before the Judicial Magistrate, Abbottabad (Statements under section 164 Cr.PC) which makes the whole story of the complainant as doubtful and cannot be relied upon in any manner whatsoever. *(Copies of the statement are annexed herewith).*
- xi. That, it is also pertinent to note that how an Afghan Refugee arranged a huge amount alongwith the vehicle whereas it is obvious that an Afghan Refugees cannot retain movable or immovable property in Pakistan. The vehicle was not in the name of the complainant and he has not produced any evidence that from where he got the vehicle and the money and in whose presence, the

amount as well as the vehicle was handed over to the Appellant.

PRAYER: -

It is, therefore, most humbly prayed that on acceptance of instant Departmental appeal/ representation, the impugned order dated 17.06.2015 may please be set aside and the appellant may kindly be reinstated in service with all back benefits.

Dated 15.07.2015


WAHEED KHAN,
Ex-DSP Elite
KPK Police.