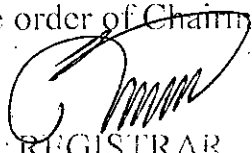


FORM OF ORDER SHEET

Court of _____

Appeal No. 2421/2023

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	16/11/2023	<p>The appeal of Mr. Bilal Ahmad resubmitted today by Malik Noor Muhammad Advocate. It is fixed for preliminary hearing before Single Bench at Peshawar on _____ Parcha Peshai is given to the counsel for the appellant.</p> <p>By the order of Chairman  REGISTRAR</p>

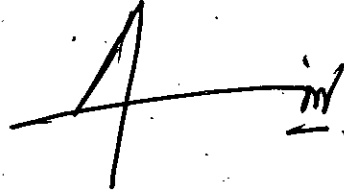
SCANNED
KPST
Peshawar

The appeal of Mr. Bilal Ahmad Ex-Constable son of Said Alam r/o Sohbat Dhand District Khyber received today i.e on 06.11.2023 is incomplete on the following score which is returned to the counsel for the appellant for completion and resubmission within 15 days.

- ✓ 1- Appeal has not been flagged/marked with annexures marks.
- ✓ 2- Annexures of the appeal is unattested.
- ✓ 3- Index of the appeal is incomplete.
- 4- Copy of appointment/enlistment order mentioned in memo of appeal is not attached with the appeal be placed on it.
- 5- Departmental appeal having no date be dated.
- 6- Five more copies/sets of the appeal along with annexures i.e. complete in all respect may also be submitted with the appeal.

No. 3523 /S.T,

Dt. 07-11/2023.



REGISTRAR
SERVICE TRIBUNAL
KHYBER PAKHTUNKHWA
PESHAWAR.

Malik Noor Muhammad Adv.
High Court Peshawar.

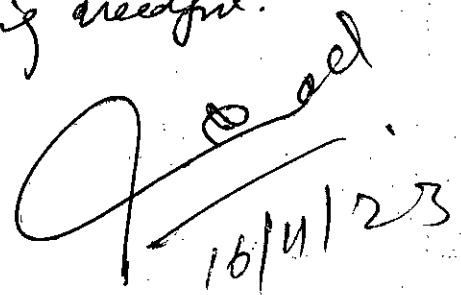
R/Sir,

object #1 - 3 has properly been removed.

• objection #4 The certificate of appoint is attached.

• Object # 5 & 6 removed. as date is mentioned on receipt

Resubmission after doing careful.


16/11/23

BEFORE THE KHYBER PAKHTUNKHWA SERVICES TRIBUNAL PESHAWAR

APPEAL No. 2621 /2023

Bilal Ahmad (Ex-constable BPS-07) S/O Said Alam R/O Sohbat Dhand
Shalobar Road Bara District Khyber.

.....APPELLANT

SCANNED
KPST
Peshawar

...VERSUS...

District Police officer Khyber & Others

.....RESPONDENTS

INDEX

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APPELLANT

THROUGH:

Malik Noor Muhammad
Advocate Peshawar High Court, Peshawar.

OFFICE ADDRESS:

*KHUDRAZI LAW CHAMBERE OPPOSITE TEHSIL
NOWSHERA*

BC-18-1149

CNIC-17201-1312679-1

EMAIL-advocatemaliknoor@gmail.com

© 03139215655

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR.

Appeal No. 2421/2023.

Bilal Ahmad (Ex-constable BPS-07) S/O Said Alam R/O Sohbat Dhand
Shalobar Road Bara District Khyber.

.....Appellant.

...VERSUS...

- 1- District Police officer Khyber.
- 2- Capital City Police Officer at Peshawar.
- 3- Inspector General of Police Khyber Pakhtunkhwa Peshawar.

Khyber Pakhtunkhwa
Service Tribunal

Library No. 8893

Dated 6-11-2023

.....RESPONDENTS.

**APPEAL UNDER SECTION 04 OF THE KHYBER PAKHTUNKHWA SERVICE
TRIBUNAL ACT, 1974, AGAINST THE IMPUGNED ORDER DATED
20.10.2021 VIDE WHICH THE APPELLANT WITHDRAWN FROM SERVICE.**

Prayer:

That on acceptance of this instant service appeal the impugned orders dated 20.10.2021 may graciously be set aside & the respondents may kindly be directed to reinstate the appellant of his job with all back benefits. Any other appropriate relief which this august Tribunal deems fit that may also be awarded in favor of the appellant.

RESPECTFULLY SHEWETH:

ON FACTS:

Brief facts of the appeal are as following:

1. That the appellant was appointed as a police constable BPS-7 through the appointment order dated 28.06.2021 and join the department.

Copy of appointment order dated 28.06.2021 is attached as annexure.....A

2. That the appellant after joining served the department diligently, honestly and efficiently and up to the entire satisfaction of his superior and the appellant recommended for training on serial No. 52 to the police training center Hangu on dated 11.09.2021.

Copy of order dated 11.09.2021 & training list & attendance list are attached as annexure.....B.

3. That the following allegations were leveled against the appellant the above mentioned was informed time and against though his mobile and also through local police station but the above name candidate neither came for joining his duty nor giving his statement for resign.

[Handwritten signature and date]
06/11/23

Copy of withdrawal order dated 20.10.2021
is attached as annexure.....C.

4. That the said allegations are false and frivolous and do not bear the merit of the case, hence are liable to be set aside, Moreover, before join the policy department appellant has already got admission in FATA university (FR) kohat (2017 FU-POISC-16) hence when appellant approached for to take leave for join his last research/thesis and got BS degree, his request departmentally rejected verbally, however absentia occurred but absentia was not intentionally but for the complete education carrier moreover article* 04 of the constitution of Pakistan also pointed, that right of individual to be dealt with in accordance with law. Further-more appellant neither gave ant resign nor any application for resign.

Copy of Viva notification dated 22.09.2021
is attached as annexure.....D.

5. That the competent authority without realizing the actual facts of the case and without hearing the appellant, withdrawn the appointment of major punishment withdrawal appellant, without unveiling the real facts of the case.
6. That appellant has not deal according to K.P.K police rules 1975 (with amendments 2014).
7. That the impugned withdrawal order is thoroughly in derogation to the principle of natural justice and equity.
8. That appellant has unilaterally been withdrawal from service by District Police officer Khyber, without fulfillment legal/codal formalities i.e charge sheet, summary of allegation, Regular inquiry, show cause notice and personal hearing on the sloe basis of absentia.
9. That the impugned order dated 20.10.2021 is illegal, unlawful and has been passed without appreciating the real facts of the case and even without participating the appellant into departmental proceedings hence, is liable to be set aside.
10. That the appellant was not called for personal hearing and was condemned unheard while violating the Latin Maxim Audi Airtime Partum, this impugned order was passed in haste during the absence of the 10-A of Constitution of Islamic Republic of Pakistan 1973.
11. That it was primary duty of the authority to prove the allegation holding a regular inquiry has been held by the Honorable tribunal and Supreme Court of Pakistan in many cases i.e PLD 2008 Sc 451, 1997 SCMR 1543, no inquiry was held in the case of appellant.

A. Ahmad
APPELLANT

Bilal Ahmad *A. Ahmad*

Through:

Malik Noor Muhammad
Advocate High Court

Dated. _____/2023.

Certificate:

It is to certify that no earlier appeal has been filed between the parties on the same issue.

A. Ahmad
D.E.P.O.N.E.N.T

Affidavit:

I, Bilal Ahmad (Ex-constable BPS-07) S/O Said Alam R/O Sohbat Dhand Shalobar Road Bara District Khyber, do hereby declare and affirm that the contents of this appeal is true and correct to the best of my knowledge and belief and nothing has been concealed from this August tribunal so far.

A. Ahmad
D.E.P.O.N.E.N.T



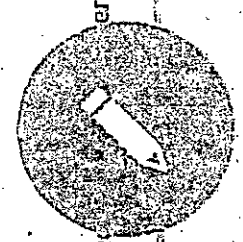
ANNEXURE "A"

5



OFFICE OF THE DISTRICT POLICE OFFICER KHYBER

Second Schedule
(Section 39)



CERTIFICATE OF APPOINTMENT

No. 1950-57/OASl, Dated Khyber the 28/06/2021

Certificate of appointment issued under section 39 of the Khyber Pakhtunkhwa Police Act 2017

Mr. BILAL AHMAD has been appointed as Constable (BPS-07) and vested with the powers, duties, functions and privileges of a Police Officer under section 04 of Khyber Pakhtunkhwa Police Act 2017 in the Province of Khyber Pakhtunkhwa Police under the charge of Provincial Police Officer, 27th April 2021.

[Handwritten signature]

DISTRICT POLICE OFFICER,
KHYBER

OFFICE OF



RECORDED

ACCEPTED

ANNEX B



OFFICE OF
THE DISTRICT POLICE OFFICER
KHYBER

To

The Commandant PTC:Hangu

Subject:

Basic Recruit Course

Memo:

Kindly refer to DIG Training office letter No. 6434-44Trg: Dated 26.07.2021 on the subject cited above.

Enclose Please find herewith nominal roll of recruit constables of District Police Khyber who are already nominated by DIG TRAINING CPD Khyber Pakhtunkhwa VID above quoted reference for kind perusal and further necessary action.


District Police Officer

Khyber

NO. 2930-32/OHC-KHYBER, DATED 11/09/2021

Copy of above is forwarded for information to the:-

1. DIG Training Peshawar.
2. Capital City Police Officer, Peshawar.

~~MAILED~~

Scanned with CamScanner

S.No	Name of Recruit	Father Name	D/O Birth	Education	Date of Enlistment	District	Mobile No.
1	SYED ABBAS	SYED SARFARAZ KHAN	11-Mar-1993	MSC	28.05.2021	Khyber	0333-8083854
2	IHSAN ULLAH	AMAN ULLAH	05-Oct-1993	MA	28.05.2021	Khyber	0315-7576740
3	MUHAMMAD HAKEEM	AMAL JAN	05-Jul-1996	B.COM	28.05.2021	Khyber	0301-5961098
4	MUHAMMAD ASIF	SAMEEN KHAN	04-Apr-1998	BSC	28.05.2021	Khyber	0333-9646354
5	MUMTAZ ALI	THIGHOON SHAH	01-Apr-1999	FSC	28.05.2021	Khyber	0312-2020330
6	IRFAN ALAM	SABIR ALAM	17-Jul-1996	MA	28.05.2021	Khyber	0311-9251752
7	MUHAMMAD IBRAHIM	YOUSAF KHAN	03-Feb-1995	BSC	28.05.2021	Khyber	0302-8306086
8	ABDUL SAMAD	LAIQ JAN	19-Feb-1998	MATRIC	28.05.2021	Khyber	0335-9471950
9	ZEEZHAN KHAN	ISMAIL KHAN	13-Apr-1998	FSC	28.05.2021	Khyber	0302-9774435
10	MUHAMMAD SAEED	HUSSAIN SHAH	01-Mar-1992	MSC	28.05.2021	Khyber	0306-9828590
11	ZIA UR REHMAN	MASHAL KHAN	17-Apr-1995	B.COM	28.05.2021	Khyber	0306-8844651
12	MUHHIB ULLAH	NAWA GUL	25-Mar-1997	FSC	28.05.2021	Khyber	0347-9144739
13	INAYAT ULLAH	MUHAMMAD NAEEM	01-Feb-2000	BSC	28.05.2021	Khyber	0333-8385717
14	JAN WALI	KHAN WALI	01-Feb-2002	FSC	28.05.2021	Khyber	0313-9552281
15	IHSAN ULLAH	SIAL GHULAM	25-Apr-1994	FSC	28.05.2021	Khyber	0333-9392464
16	HIKMAT SHER	MUHAMMAD KHAN	05-Apr-1997	FSC	28.05.2021	Khyber	0307-3586659
17	MUHAMMAD AYAZ	ZAHID GUL	05-Feb-1998	FSC	28.05.2021	Khyber	0303-8511865
18	ABDUL MATEEN	ABDUR RAUF	01-Sep-1998	FA	28.05.2021	Khyber	0309-9170096
19	DARWESH KHAN	JAHAZEB KHAN	15.02.2000	BSC	28.05.2021	Khyber	0302-9383739
20	MUHAMMAD KAMRAN	LAIQ KHAN	01-Mar-2002	FSC	28.05.2021	Khyber	0311-0944472
21	MURSAL KHAN	ZEBRO KHAN	08-Mar-1997	BSC	28.05.2021	Khyber	0332-9802264
22	NIAMAT ULLAH	JAVED ULLAH	16-Feb-1998	BSC	28.05.2021	Khyber	0306-5939998
23	JAWAS KHAN	SAEED KHAN	05-Mar-1993	MATRIC	28.05.2021	Khyber	0304-4118800
24	MUHAMMAD ZAHID	AURANGZEB	25-Mar-1996	BSC	28.05.2021	Khyber	0307-8097628
25	IFTIKHAR	ZAIR ABAD	01-Mar-1998	BA	28.05.2021	Khyber	0308-8884048
26	MUHAMMAD FAYAZ	ZAHID GUL	15-Mar-1999	BSC	28.05.2021	Khyber	0308-5988686
27	WEJDAN ALI	KALIM ULLAH	03-Apr-1996	BSC	28.05.2021	Khyber	0302-8345702
28	RAHMAN ULLAH	JANAB SHAH	10-Apr-1997	FSC	28.05.2021	Khyber	0304-9412326
29	NAJEEB ULLAH	SADIQ ULLAH	10-Apr-1998	BA	28.05.2021	Khyber	0302-5901732
30	SHAH KHALID	SHAD KALEEM	04-Mar-1999	FSC	28.05.2021	Khyber	0305-9896746
31	KARIM ULLAH	SADIQ ULLAH	25-Sep-1999	BA	28.05.2021	Khyber	0333-0730051
32	BASEER ALI AMIN	MUHAMMAD AMIN	13-Sep-2001	FSC	28.05.2021	Khyber	0302-8068417
33	MUHAMMAD SHAFIQ	SAID KARIM KHAN	20-Apr-1995	FSC	28.05.2021	Khyber	0333-8006388
34	KAMIL KHAN	GUL SHAH KHAN	04-Apr-1997	BSC	28.05.2021	Khyber	0335-9003156
35	MUHAMMAD AMIN	WEJDAN SHAH	15-Mar-1998	B.S.	28.05.2021	Khyber	0307-9247967
36	HITISHAM AFRIDI	ZAMEEN KHAN	11-Apr-2001	FSC	28.05.2021	Khyber	0303-0093103
37	SARTAJ AZIZ	MAJED GUL	04-Jan-2002	FSC	28.05.2021	Khyber	0313-9514433
38	IHSAN ULLAH	MUHAMMAD JINNAH	03-Feb-1997	BSC	28.05.2021	Khyber	0333-8783580

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ATTENDED

8

39	HAMID ALI	MUHAMMAD GUL	13-Feb-1997	BA	28.05.2021	Khyber	0301-5482348
40	RAJ UD DIN	FAHEEM KHAN	06-Mar-1997	BSC	28.05.2021	Khyber	0307-8553062
41	MUSHTAQ AHMAD	MIR MUHAMMAD	15.01.1998	FSC	28.05.2021	Khyber	0336-9850598
42	MUHAMMAD IRFAN	AWAL JAN	16-Jan-1998	B.COM	28.05.2021	Khyber	0316-1816004
43	SHAH FAISAL	JAHANGIR KHAN	01-Feb-2002	FSC	28.05.2021	Khyber	0302-9047599
44	MOHSIN KHAN	MUHAMMAD SHIREEN JAN	08-Feb-1998	BA	28.05.2021	Khyber	0333-1728282
45	SHAHAB AHMAD	JAVAJD ALAM	13.03.2002	FSC	28.05.2021	Khyber	0307-9822088
46	MUHAMMAD NAVEED	MUHAMMAD SAEED	01-Jan-2002	FSC	28.05.2021	Khyber	0301-5407561
47	SHAMS UR REHMÁN	KABAL KHAN	12-Feb-1994	BSC	28.05.2021	Khyber	0306-8327218
48	ASMAT ULLAH	ZAR KHAN	03.03.1995	DAE	28.05.2021	Khyber	0306-9198386
49	MAJEED ULLAH	ABDUL MAJEED	12-Mar-1997	BA	28.05.2021	Khyber	0335-40258613
50	JIBRAN MUHAMMAD	NIJAZ MUHAMMAD	23-Mar-1997	BSC	28.05.2021	Khyber	0341-7032133
51	ABDULLAH	LAIQ KHAN	03-Oct-1997	BSC	28.05.2021	Khyber	0304-9151001
52	BILAL AHMAD	SAID ALAM	04-Mar-1998	BA	28.05.2021	Khyber	0333-9053088
53	NOWSHAD KHAN	MUHAMMAD IRSHAD	31-May-1998	BA	28.05.2021	Khyber	0310-9775946
54	WASIQ AHMAD	ALAM ZEB	20-Jun-1999	BA	28.05.2021	Khyber	0334-4909087
55	JEHANGIR KHAN	NASIR KHAN	04-Jan-2000	FSC	28.05.2021	Khyber	0302-7389898
56	AFZAL KHAN	SAWAB JAN	14-Mar-2000	BSC	28.05.2021	Khyber	0316-1924813
57	MUHAMMAD SALIM AFRIDI	ZAIR AHMAD	07-Mar-1997	BA	28.05.2021	Khyber	0309-0585713
58	MUHAMMAD KAMRAN	SAID JAMAL	04-Apr-1997	FSC	28.05.2021	Khyber	0332-9419692
59	ZAFAR ALI	SAIFOR SHAH	20-Oct-1997	BA	28.05.2021	Khyber	0304-5018728
60	ASIF KHAN	MUSTAQUEEM KHAN	20.11.2001	FSC	28.05.2021	Khyber	0306-8181033
61	NAEEM JAN	GUL ZAREEN	15-Dec-1992	FSC	28.05.2021	Khyber	0333-9044937
62	SHAH FAHAD	QISMAT KAHN	03-Jan-1998	DAE	28.05.2021	Khyber	0316-9850549
63	MUSTAFA KAMAL	GUL ZAMAN	15-Sep-2001	FSC	28.05.2021	Khyber	0333-3292873
64	MUHAMMAD REHAN	UMAR GUL	04-Feb-1995	MATRIC	28.05.2021	Khyber	0301-8856483
65	SIRAJ AHMAD	MEHRAB GUL	17-Feb-1997	BSC	28.05.2021	Khyber	0333-9384904
66	RIZWAN ULLAH	ADAM KHEL	15-Mar-2000	FSC	28.05.2021	Khyber	0324-9065681
67	SHAHHEEN	JAVED KHAN	02-Feb-2002	FSC	28.05.2021	Khyber	0307-5980506
68	TAROOQ AHMAD	AMAL JAN	01.02.1993	FA	28.05.2021	Khyber	0321-9337656
69	MUHAMMAD KABIR	SHAHID ALI	15-Mar-1996	FSC	28.05.2021	Khyber	0304-5100516
70	MUHAMMAD YOUNAS	GUL AZBAR	14-Jun-1996	BA	28.05.2021	Khyber	0310-9739051
71	NAQEEB ULLAH	RABID ULLAH	07-Dec-1996	FSC	28.05.2021	Khyber	0306-1929283
72	KAMRAN	ZAHID SHAH	01-Apr-1997	BA	28.05.2021	Khyber	0333-1000847
73	HAZRAT BILAL	SHAL AKBAR	12-May-1997	PAS	28.05.2021	Khyber	0302-5696428
74	KARIM ULLAH	JAHGRAIZ KHAN	12-Mar-1996	FSC	28.05.2021	Khyber	0300-5818838
75	MUHAMMAD IKRAM	HIKAYAT SHAH	15-Feb-1998	BSC	28.05.2021	Khyber	0308-8283558
76	ARIF SHAH	IAL DASHAR	23-Aug-1998	BSC	28.05.2021	Khyber	0334-8484768
77	MOHSIN KHAN	HAI NIAZ BASHAH	09-Jan-1999	BSC	28.05.2021	Khyber	0316-5796721
78	MUHAMMAD SHAHID	ALAM SHAH	05-Mar-2001	FSC	28.05.2021	Khyber	0340-9222634
79	YASIR KHAN	NASIR KHAN	16-Apr-2001	MATRIC	28.05.2021	Khyber	0333-1314416

Lab. 41

ABST

80	MUHAMMAD HAROON	YAQEEN SHAH	25-Feb-2002	FSC	28.05.2021	Khyber	0337-5670711
81	QAZI MUHAMMAD IBRAHIM	QAZI ABDUR RAHIM	31-Mar-1995	D.COM	28.05.2021	Khyber	0335-5000426
82	WAQAR KHAN	SATTAR KHAN	10-Nov-1995	FA	28.05.2021	Khyber	0300-9559277
83	MUHAMMAD ULLAH	AZAM JAN	20-Mar-1998	FSC	28.05.2021	Khyber	0333-4963843
84	MUHAMMAD DAWOOD	IRFAN ULLAH	01-May-2000	BSC	28.05.2021	Khyber	0301-5631779
85	SHABIR REHMAN	HISAN ULLAH	01-Jan-2001	FSC	28.05.2021	Khyber	0333-9746648
86	ABDUL GHANI	JAN MAST	30-Mar-2002	FSC	28.05.2021	Khyber	0333-0470477
87	SHAKEEL KHAN	SHAHZAD MIR	04-Mar-1994	FA	28.05.2021	Khyber	0343-9599371
88	MUHAMMAD ARIF	MUHAMMAD RASOOL	04-May-1994	BA	28.05.2021	Khyber	0336-5151526
89	MUHAMMAD FAIZAN	SAID JALAL	01-May-1995	BS IT	28.05.2021	Khyber	0335-9837680
90	BAKHT MUNIR	KHAIR BAD SHAH	08-Sep-1995	MSC	28.05.2021	Khyber	0306-5959876
91	ABDUL WAKEEL	MUNEER	05-Nov-1996	BA	28.05.2021	Khyber	0313-9846138
92	WAJID ULLAH	NASIR KHAN	09-Sep-1997	BSC	28.05.2021	Khyber	0305-9717718
93	SHAHZAD QAZI	QAZI RAHMAT GUL	31-May-1998	FA	28.05.2021	Khyber	0316-8862797
94	ABDUL HADI	ABDUL GHAFUOR	10-Sep-1998	MA	28.05.2021	Khyber	0305-9861847
95	KHALID	SALIM GUL	03-Apr-1999	BSC	28.05.2021	Khyber	0331-6053025
96	AKBAR ULLAH	TAWANI	24-Apr-2001	FSC	28.05.2021	Khyber	0302-4785201
97	SAHIR SHAH	GHANI SHAH	02-Jun-2001	FSC	28.05.2021	Khyber	0317-9639591
98	SHAH HUSSAIN	SANOBAR KHAN	10.03.1993	FA	28.05.2021	Khyber	0304-5258220
99	ILAL KHAN	MAZAMEEN KHAN	12-Mar-1994	BA	28.05.2021	Khyber	0308-5958350
100	MUHAMMAD KAMRAN KHAN	ZANZIR KHAN	20-May-1994	BSC	28.05.2021	Khyber	0310-6347440
101	IMAM HUSSAIN	GHULAM HUSSAIN	11-Feb-1996	BA	28.05.2021	Khyber	0304-9430891
102	REHAN	SHEREEN KHAN	12-Apr-1996	BA	28.05.2021	Khyber	0333-9097057
103	FARMAN ULLAH	MUHAMMAD NAWAZ	13-Apr-1997	BA	28.05.2021	Khyber	0334-9277392
104	HAROON RASHID	SARDAR KHAN	09-Feb-1998	BSC	28.05.2021	Khyber	0313-9331088
105	HISAN ULLAH	SHER MUHAMMAD	10.04.1998	BA	28.05.2021	Khyber	0333-5357954
106	JUNAID KHAN	MUHAMMAD AJMAL	13-Apr-1998	BSC	28.05.2021	Khyber	0307-8464874
107	HISAN ULLAH	ZARFAD KHAN	07-Feb-1999	BSC	28.05.2021	Khyber	0307-8352467
108	ASIF NAWAZ	SOHRAB GUL	31-Mar-1999	D.COM	28.05.2021	Khyber	0307-7143678
109	ZAKIR ULLAH	ISHTIQ UR REHMAN	20-Apr-1999	BA	28.05.2021	Khyber	0318-1991343
110	ZAKIR ULLAH	NASIR ULLAH	12-Dec-1999	FSC	28.05.2021	Khyber	0314-9145407
111	NOSHAD	ZAHID GUL	01-Jan-1995	FA	28.05.2021	Khyber	0334-0518156
112	NIK MUHAMMAD	KHYAI MUHAMMAD	30-Mar-1996	FA	28.05.2021	Khyber	0304-9649996
113	MUHAMMAD AMIN	NAZIR REHMAN	11-Nov-1996	FSC	28.05.2021	Khyber	0341-2933571
114	HABIB ULLAH	GHAFAR KHAN	03-Apr-1997	FSC	28.05.2021	Khyber	0313-9266233
115	MOJIB KHAN	HABIB UR REHMAN	07-Jun-1997	MATRIC	28.05.2021	Khyber	0333-8949157
116	ZAKIR ULLAH	ABDUL MAJIK	01-Jan-1998	BA	28.05.2021	Khyber	0312-9443364
117	ABDULLAH	GULAB JAN	03-Apr-1998	FSC	28.05.2021	Khyber	0333-9439268
118	SARIRAZ KHAN	ABDUL BAQI	10-Apr-1998	FA	28.05.2021	Khyber	0310-9650185
119	ABDUL	PIRVADA	25-Jan-1999	FA	28.05.2021	Khyber	0307-8549001

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120	WAHAB AFTAB AHMAD KHAN	BAKHAR ALAM	08-Feb-1999	FSC	28.05.2021	Khyber	0333-2294324
121	KAMRAN ULLAH	RAHIM ULLAH	05-May-1999	FSC	28.05.2021	Khyber	0336-9430694
122	SHAHID KHAN	AMIN JAN	28-Dec-1999	FSC	28.05.2021	Khyber	0315-9386270
123	ASIF UD DIN	NOORA KILANAFRIDI	20-Mar-2000	FSC	28.05.2021	Khyber	0341-2594675
124	SHAFEE ULLAH	IQBAL KHAN	05-May-2000	FSC	28.05.2021	Khyber	0346-0474091
125	MUHAMMAD HARIS	IMTIAZ WALI	26-Oct-2000	FSC	28.05.2021	Khyber	0332-5498090
126	ADDUL AZIZ	GUL JAN	23-Mar-2001	FSC	28.05.2021	Khyber	0334-1000393
127	TASLEEM KHAN	JAMIL KHAN	02-Jun-2001	FSC	28.05.2021	Khyber	0300-0036627
128	HAZRAT BILAL	MANI KHEL	26-Jun-2001	FA	28.05.2021	Khyber	0313-9115561
129	GHUFRAN AHMAD	IMKAN	16-Feb-2002	FSC	28.05.2021	Khyber	0309-4337801
130	YOUNAS KHAN	GHULAM HAIDAR	24-Mar-1997	MATRIC	28.05.2021	Khyber	0336-5036447

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روز	نام	وائٹ	19/11	18/11	17/11	16/11	15/11	14/11	13/11	12/11	11/11	10/11	9/11	8/11	7/11	6/11	5/11	4/11	3/11	2/11	1/11
43	عبد رسا احمد	دار پر نظام	P	P	A	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
44	محمد زبیر	محمد سعید	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
45	شمس الرحمن	قابل خان	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
46	سعید اللہ	نور خان	A	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
49	محمد اللہ	عبد الجبار	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
50	جسران محمد	سیار محمد	A	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
51	شہد اللہ	لائق خان	A	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
52	بلال احمد	سید عالم	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
53	نوشاد خان	محمد ارشد	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
54	عاصم احمد	عالم زینب	A	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
55	چنانکھ خان	ناصر خان	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
56	فضل خان	تراب جان	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
57	سلیم احمد	زبیر احمد	A	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
58	سہیل	سید جمال	A	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
59	سہیل	سفر شاہ	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
60	اصفا خان	مسلم خان	A	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
61	نہیم جان	گل زبین	A	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
62	شاہ محمد	شمس خان	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
63	مصطفیٰ جمال	گل زفران	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
64	محمد یحییٰ	عمر گل	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
65	سیراج احمد	عمر اعلیٰ	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
66	رضوان اللہ	عدم حسین	A	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P

Sunday

Sunday

Sunday

Sunday

ANNEXURE

13



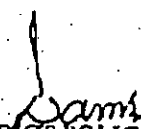
OFFICE OF
THE DISTRICT POLICE OFFICER
KHYBER



ORDER

Mr. Bilal Ahmad s/o Said Alam r/o Sohbat Dhand Shalobar Road Swatabad Bara, District Khyber has been enlisted as Constable (BPS-07) in District Police Khyber vide Order No.1950-57/OASI-Khyber, dated 28.06.2019. The above mentioned was informed time and time through his mobile No.03339000088 and also through local Police Station but the above named candidate neither came for joining his duty nor giving his statement for resign.

Therefore his enlistment order is hereby withdrawn


DISTRICT POLICE OFFICER
KHYBER

No. 4573-81 /OHC-Khyber, dated 20/07/2021.

Copy of above is forwarded for information to the:-

1. W/ Inspector General of Police, Khyber Pakhtunkhwa, Peshawar for information please.
2. Addl: Inspector General of Police HQRS: KPK, Peshawar.
3. Dy: Inspector General of Police HQRS: KPK, Peshawar.
4. AIG/Establishment KPK, Peshawar.
5. Capital City Police Officer, Peshawar.
6. Deputy Superintendent of Police HQRS: Khyber.
7. Pay Officer, Khyber.
8. CRC/FMC

~~ATTACHED~~

ANNEXURE

D

14



**Department of Political Science
FATA UNIVERSITY, FR KOHAT**

Notification

Date: September 22, 2021

It is for the information of all concerned that Viva Voce examination of the following students has been scheduled on October 01, 2021 at 10:00 in the office of the HoD Political Science. All the concerned students are directed to clear all their outstanding dues before appearing in the viva examination.

S.No.	Name	Registration No
1.	Muhammad Anees	2016-FU.Pol.sc-01
2.	Bilal Ahmad	2017-FU.Pol.sc-16
3.	Shahryar	2017-FU.Pol.sc-20
4.	Alyab Rehman	2017-FU.Pol.sc-24
5.	Abdur Rehman	2017-FU.Pol.sc-29
6.	Kamran Khan	2017-FU.Pol.sc-32

HoD Political Science

~~ATTACHED~~

BEFORE THE CAPITAL CITY POLICE OFFICER, PESHAWAR

**SUBJECT: DEPARTMENTAL APPEAL AGAINST THE
IMPUGNED ORDER NO.4573-81/OHC KHYBER,
DATED: 20.10.2021 PASSED BY DISTRICT
POLICE OFFICER KHYBER.**

Respected sir,

It is submitted as under:-

1. That, the appellant humbly beg to submitted before your goodness, that, the appellant was working as a Constable in District Police Khyber and always service the department diligently, honestly, efficiently and up to the entire satisfaction of his superiors. There is no iota of complaint from all four corners against the appellant at any forum rather the services rendered by the appellant were always appreciated by the high-ups of the department.
2. That, the appellant served with zeal devotion and excellent tracks record, moreover, appellant belonged to a respectable family.
3. That, the following allegations were leveled against the appellant the above mentioned was informed time and again through his mobile and also through local police station but the above name candidate neither came for joining his duty nor giving his statement for resign, (order attached with).
4. The, said allegations are false and frivolous and do not bear the merits of the Case, hence, are liable to be Set aside, Moreover, before join the police department appellant has already got admission in FATA university (FR) Kohat (2017-FU-POISC-16) hence when appellant approached for to take leave for join his last research/thesis and got BS Degree, his request departmentally rejected verbally, however absentia occurred but absentia was not intentionally but for the complete education carrier moreover article 4 of constitution of Pakistan also pointed, that right of

ATTSTED

individual to be dealt with in accordance with law. Furthermore appellant neither gave any resign nor any application for resign (Signature, Thumb impression) in connection of resign, it is totally based on malafide intention that appellant gave resign (Viva notification attached).

5. That, the competent authority without realizing the actual facts of the Case and without hearing the appellant, has imposed major punishment dismiss from service, without unveiling the real facts of the case.
6. That, appellant has not dealed according to Khyber Pakhtunkhwa Police rules 1975 (with amendments 2014) (Section 05to09). (Rules attached with).
7. That, the impugned dismissed order is thoroughly in derogation to the principle of natural justice and equity.
8. That, appellant has unilaterally been dismissed from service by Superintendent of Police Operation, without fulfillment legal/codal formalities i.e Charge Sheet, summary of allegation, Regular inquiry, show Cause Notice and personal hearing on the Sole basis of absentia, Authorities attached (1988 PLC /CS) 379, 1988 PLC (CS) 872).
9. That, the impugned order dated: 20/10/2021/ is illegal, unlawful and has been passed without appreciating the real facts of the Case and even without participating the appellant into departmental proceedings hence, is liable to be set aside.
10. That, the appellant was not called for personal hearing and was condemned unheard while violating the Latin Maxim Audi Altrem Partem. Thus impugned order was passed in haste during the absence of the appellant without hearing the version of the appellant and against Article 10-A of Constitution of Islamic republic of Pakistan 1973.
11. That, it was the primary duty of the authority to prove the allegation holding a regular enquiry has been held by the Honorable tribunal and Supreme Court of Pakistan in many cases i.e PLD 2008 Sc 451, 1997 SCMR 1543. No. enquiry

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17

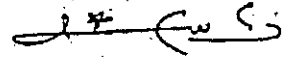
was held in the Case of appellant (Authorities attached with).

12. That, according to Judgment of Supreme Court of Pakistan No. (CP 24772201P) employees of Police can file their departmental appeal any time before High ups. Authority attached with).
13. That, feeling aggrieved from the Supra mentioned episode i.e the order of **Superintendent of Police Operation**, the appellant approaching before your Honor to dig out the real facts of the case, Justice, and reinstate the appellant.
14. That, the appellant has been deprived from his bread and butter to himself and his family, which is against the provisions of Constitution of Islamic republic of Pakistan 1973, hence, a magnanimous view of the matter may kindly be taken.

PRAYER:

In view of nutshell of back drop, it is most respectfully prayed that while accepting the appeal in hand, the impugned order dated: 20-10-2021 passed by District Police Officer Khyber may kindly be set aside and the appellant may kindly be reinstated into his service.

I have the Honor to be
Respected Sir,



Your, Most obedient
Servant, Ex-Constable
Bilal Ahmed
S/o Said Alam
R/o Sohbat Dand Shalobar
Road Swatabad, Bara
District Khyber
Mob: 0333-9000088

~~ATTACHED~~

18

BEFORE THE INSPECTOR GENERAL OF POLICE, PESHAWAR

**SUBJECT: DEPARTMENTAL APPEAL AGAINST THE
IMPUGNED ORDER NO.4573-81/OHC KHYBER,
DATED: 20.10.2021 PASSED BY DISTRICT
POLICE OFFICER KHYBER.**

Respected sir,

It is submitted as under:-

1. That, the appellant humbly beg to submitted before your goodness, that, the appellant was working as a Constable in District Police Khyber and always service the department diligently, honestly, efficiently and up to the entire satisfaction of his superiors. There is no iota of complaint from all four corners against the appellant at any forum rather the services rendered by the appellant were always appreciated by the high-ups of the department.
2. That, the appellant served with zeal devotion and excellent tracks record, moreover, appellant belonged to a respectable family.
3. That, the following allegations were leveled against the appellant the above mentioned was informed time and again through his mobile and also through local police station but the above name candidate neither came for joining his duty nor giving his statement for resign,(order attached with).
4. The, said allegations are false and frivolous and do not bear the merits of the Case, hence, are liable to be Set aside, Moreover, before join the police department appellant has already got admission in FATA university (FR) Kohat (2017-FU-POISC-16) hence when appellant approached for to take leave for join his last research/thesis and got BS Degree, his request departmentally rejected verbally, however absentia occurred but absentia was not intentionally but for the complete education carrier moreover article 4 of constitution of Pakistan also pointed, that right of individual to be dealt with in accordance with law. Furthermore appellant neither gave any resign nor any application for resign (Signature, Thumb impression) in connection of resign, it is totally based on malafide

~~ATTACHED~~

intention that appellant gave resign (Viva notification attached).

5. That, the competent authority without realizing the actual facts of the Case and without hearing the appellant, has imposed major punishment dismiss from service, without unveiling the real facts of the case.
6. That, appellant has not dealed according to Khyber Pakhtunkhwa Police rules 1975 (with amendments 2014) (Section 05to09). (Rules attached with).
7. That, the impugned dismissed order is thoroughly in derogation to the principle of natural justice and equity.
8. That, appellant has unilaterally been dismissed from service by Superintendent of Police Operation, without fulfillment legal/codal formalities i.e Charge Sheet, summary of allegation, Regular inquiry, show Cause Notice and personal hearing on the Sole basis of absentia, Authorities attached (1988 PLC /CS) 379, 1988 PLC (CS) 872).
9. That, the impugned order dated: 20/10/2021/ is illegal, unlawful and has been passed without appreciating the real facts of the Case and even without participating the appellant into departmental proceedings hence, is liable to be set aside.
10. That, the appellant was not called for personal hearing and was condemned unheard while violating the Latin Maxim Audi Aitrem Partem. Thus impugned order was passed in haste during the absence of the appellant without hearing the version of the appellant and against Article 10-A of Constitution of Islamic republic of Pakistan 1973.
11. That, it was the primary duty of the authority to prove the allegation holding a regular enquiry has been held by the Honorable tribunal and Supreme Court of Pakistan in many cases i.e PLD 2008 Sc 451, 1997 SCMR 1543. No. enquiry was held in the Case of appellant (Authorities attached with).
12. That, according to Judgment of Supreme Court of Pakistan No. (CP 24772201P) employees of Police can file their departmental appeal any time before High ups. Authority attached with).

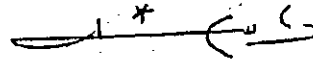
20

13. That, feeling aggrieved from the Supra mentioned episode i.e the order of **Superintendent of Police Operation, CCPO** the appellant approaching before your Honor to dig out the real facts of the case, Justice, and reinstate the appellant.
14. That, the appellant has been deprived from his bread and butter to himself and his family, which is against the provisions of Constitution of Islamic republic of Pakistan 1973, hence, a magnanimous view of the matter may kindly be taken.

PRAYER:

In view of nutshell of back drop, it is most respectfully prayed that while accepting the appeal in hand, the impugned order dated: 20-10-2021 passed by District Police Officer Khyber may kindly be set aside and the appellant may kindly be reinstated into his service.

I have the Honor to be
Respected Sir,



Your, Most obedient
Servant, Ex-Constable
Bilal Ahmed
S/o Said Alam
R/o Sohbat Dand Shalobar
Road Swatabad, Bara
District Khyber
Mob: 0333-9000088

~~ATTACHED~~

21

604

For Insurance Notices see reverse.
Stamps affixed except in case of
uninsured letters of not more than
the initial value of Rs. 100.
Post Office or on which no
acknowledgement is due.

Rs. Ps.

RGL74485518

130

Received a registered*
addressed to _____

[Handwritten signature]

Date-Stamp _____

*Write here "letter", "postcard", "packet" or "parcel"
Initials of Receiving Officer _____ with the word "insured" before it when necessary.

Insured for Rs. (in figures) *200* (in words) _____

If insured.

Insurance fee Rs. _____ Ps. _____ (in words) _____
Weight *110* Kilo - *50* Grams

Name and address of sender
[Handwritten address]

ATTACHED

22

No. 1473

For Insurance Notices see reverse.
Stamps affixed except in case of

Rs. Ps.

RGL74485987

han
the initial weight prescribed in the
Post Office Guide or on which no
acknowledgement is due.

130

14/11/22

Received a registered*
addressed to

1. G. P. State Stamp Wax

*Write here "letter", "postcard", "packet" or "parcel"

Initials of Receiving Officer with the word "insured" before it when necessary.

Insured for Rs. (in figures) 100 (in words)

If insured.

Insurance fee Rs. _____ Ps. _____ (in words) } Weight } Kilo
Grams

Name and address of sender } 1. G. P.



ANNEXURE - F

23



1.

BEFORE THE HONORABLE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

Service Appeal no 264/2023

Bilal Ahmad S/O Said Alam R/O Sohbat Dhand Shalobar Road Bara

District Khyber (Appellant)

Verses

1. District Police Officer, Khyber
2. Capital City Police Officer
3. Inspector General Of Police Khyber Pakhtunkhwa
Peshawar (Respondents)

APPEAL UNDER SECTION 04 OF KHYBER PAKHTUNKHWA SERVICE TRIBUNAL ACT 1974,
AGAINST THE IMPUGNED ORDER DATED 20/10/2021, VIDE WHICH THE APPELLANT
WITHDRAWN FROM SERVICE.

PRAYER IN APPEAL

On the acceptance of this appeal the impugned order dated 20/10/2021 May
graciously be set aside & the respondents may kindly be directed to reinstate the appellant
of his job with all back benefits.

Respectfully Sheweth:-

1. That the appellant was working as a constable in District Police Khyber and always
service the department diligently, honestly, efficiently and up to the entire
satisfaction of his superiors. There is no iota of complaint from all four corners
against the appellant at any forum rather the services rendered by the appellant
were always appreciated by the high-ups of the department.
2. That the appellant served with zeal devotion and excellent tracks record, moreover,
appellant belonged to a respectable family.

Certified to be true copy

Khyber Pakhtunkhwa
Service Tribunal
Peshawar

That, the following allegations were leveled against the appellant the above
mentioned was informed time and against through his mobile and also through local
police station but the above name candidate neither came for joining his duty nor
giving his statement for resign,
(Withdrawal order attached as annexure A)

4. The, said allegations are false and frivolous and do not bear the merits of the Case, hence are liable to be Set aside, Moreover, before join the policy department appellant has already got admission in FATA university (FR) Kohat (2017 FU-POISC-16) hence when appellant approached for to take leave for join his last research/thesis and got BS degree, his request departmentally rejected verbally, however absentia occurred but absentia was not intentionally but for the complete education carrier moreover article 4 of constitution of Pakistan also pointed, that right of individual to be dealt with in accordance with law. Further-more appellant neither gave any resign nor any application for resign (Signature, Thumb impression) in connection of resign, it is totally based on Mala-fine intention that appellant gave resign (viva notification attached as annexure B).

5. That, the competent authority without realizing the actual facts of the case and without hearing the appellant, withdrawa the appointment of major punishment withdrawal appellant, without unveiling the real facts of the case.

6. That, appellant has not deal according to Khyber Pakhtunkhwa Police rules 1975 (with amendments 2014),

7. That, the impugned withdrawal order is thoroughly in derogation to the principle of natural justice and equity.

8. That, appellant has unilaterally been withdrawal from service by District police officer Khyber, without fulfillment legal/codal formalities i.e. Charge Sheet, summary of allegation, Regular inquiry, show cause Notice and personal hearing on the Sloe basis of absentia.

9. That, the impugned order dated: 20/10/2021 is illegal, unlawful and has been passed without appreciating the real facts of the Case and even without participating the appellant into departmental proceedings hence, is liable to be set aside.

10. That, the appellant was not called for personal hearing and was condemned unheard while violating the Latin Maxin Audi Aitrem Partem. This impugned order was passed in haste during the absence of the 10-A of Constitution of Islamic Republic of Pakistan 1973,

11. That, it was primary duty of the authority to prove the allegation holding a regular enquiry has been held by the Honorable tribunal and Supreme Court of Pakistan in many cases i.e. PLD 2008 Sc 451, 1997 SCMR 1543. No. enquiry was held in the case of appellant.

ATTSTED

3.

- 18. That, feeling aggrieved from the Supra mentioned episode i.e. the order of District police officer Khyber, Appellant Approached for departmentally appeal to CCPO,IGP, to reinstate the appellant but no response received to the appellant to dig out the real facts of the case, Justice, and reinstate the appellant.(departmental appeals with post office documents are attached as annexure C)
- 19. That, the appellant has been deprived from his bread and butter to himself and his family, which is against the provisions of Constitution of Islamic republic of Pakistan 1973.

GROUND:

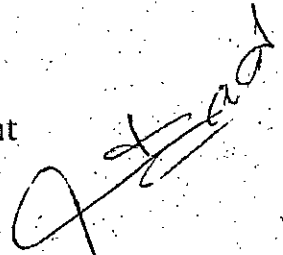
- A. That the appellant has not been treated in accordance with law hence rights Secured & guaranteed under the law badly violated.
- B. That that the competent authority has passed the impugned order in Mechanical manner & the same is perfunctory as well as non-speaking & also against the basic principle of administration of justice, therefore, the impugned order is not tenable under the law.
- C. That the impugned order is suffering from legal infirmities & as such the same is bad in law.
- D. That the appellant is jobless since the imposition of illegal penalty of remove of service.
- E. That the appellant seeks the permission of this Honorable tribunal to rely on additional grounds at the hearing of this appeal.

PRAYER:-

It is therefore humbly prayed that on acceptance of this appeal the impugned order date 20/10/2021 may be set aside & the appellant may kindly be reinstated into service with all back benefits.

Dated: / /2023

Appellant

Through 
 Malik Noor Muhammad Khan
 Advocate, Peshawar.

ATTSTED

Appeal No. 564/2023
Bilal Ahmad vs Govt



02.05.2023

Learned counsel for the appellant present and requested for adjournment on the ground that he has not preparation for arguments.

Adjourned. To come up for preliminary hearing on 07.06.2023 before S.B. Parcha Peshi given to learned counsel for the appellant.

CANNED
K-3T
Peshawar

(Muhammad Akbar Khan)
Member (E)

Kasranallah

07th June, 2023

01. Counsel for the appellant present.
02. Learned counsel for the appellant submitted an application for withdrawal of the appeal. Application is placed on file. The appeal is dismissed as withdrawn. Consign.
03. *Pronounced in open at Peshawar and given under my hand and the seal of the Tribunal this 07th June, 2023.*

Certified to be true copy

[Signature]
EXAMINER
Khyber Pakhtunkhwa
Service Tribunal
Peshawar

Fazle Subhan, P.S

[Signature]
(FAREHA PAUL)
Member(E)

Date of Presentation of Application 24-10-23
 Number of Writs Page 2
 Copying Fee 10/-
 Urgent 5/-
 Total 15/-
 Name of Copyist _____
 Date of Completion 24-10-23
 Date of Delivery 24-10-23

ANNEXURE

6

27

1



BEFORE THE SERVICE TRIBUNAL KPK PESHAWAR

C. M. No _____/2023

In *Restoration Appli. No. 491/2023*

Khyber Pakhtunkhwa
Service Tribunal

Diary No. *6463*

Service Appeal No 564/2023

Dated *13/07/23*

Bilal Ahmad S/O Said Alam R/O Sohbat Dhand Shalobar Road Bara
District Khyber

.....Appellant

Verses

1. District Police Officer, Khyber
2. Capital City Police Officer *Pesh*
3. Inspector General of Police Khyber Pakhtunkhwa Peshawar

.....Respondents

APPLICATION FOR THE RESTORATION OF TITLED APPEAL

Respectfully Submitted:-

1. That the above titled Appeal has been filed by appellant in this Hon'ble Tribunal.
2. That the above noted appeal has been withdrawn with the permission of the Court on dated 07-JUN-2023 due to deficiency of some necessary documents. **(attested copy of the order is attached)**

Certified to be true copy
24/10/23
E. MINER
Khyber Pakhtunkhwa
Service Tribunal
Peshawar

That the appellant found those necessary documents though which the nature of the case will be changed and well as the right of the appellant will also be secured. Documents include training list, attendants sheet, medical reports, and appointment letter. Hence the present application

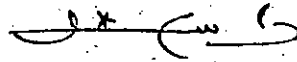
(2)

(28)

for the restoration of the above noted appeal. (documents are attached).

4. That the law as well as the superior Courts also favors decisions of cases on merit instead of technicalities.
5. That instant application is well within time and the valuable rights of the appellant are involved besides there is no bar on restoration of titled appeal.

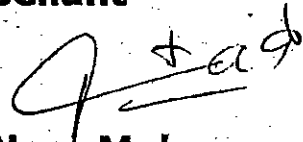
It is therefore prayed, that on acceptance of this application, the mentioned appeal may kindly be ordered to be restored.



Dated:--10-07-2023

Appellant

Through

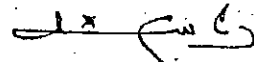


Malik Noor Muhammad

Advocate Peshawar.

A F F I D A V I T :-

I, Bilal Ahmad S/O Said Alam R/O Sohbat Dhand Shalobar Road Bara District Khyber, do hereby solemnly affirm and declare on oath that the contents of this **Application** are true and correct to the best of my knowledge and belief and that nothing has been concealed from this honorable Tribunal.



Identified by 
Malik Noor Muhammad
Advocate Peshawar

DEPONENT

CNIC: 21201-0741717-1

CELL: 0333-9000088

ATTESTED

Restoration Application No.491/2023 titled "Bilal Ahmad Vs. District Police Officer, Khyber, and others"

ORDER

11th Oct. 2023



1. Learned counsel for the petitioner present. Mr. Asad Ali Khan, Assistant Advocate General for the respondents present.

2. Learned counsel for the petitioner stated that the petitioner had submitted an application for withdrawal of the appeal with permission to file fresh appeal but the Tribunal had not considered the request and had dismissed the appeal as withdrawn vide order dated 07.06.2023. The learned counsel explained that during the course of arguments before the Tribunal, at that time, the status of the petitioner could not be ascertained as to whether he was or not a civil servant. He stated that the petitioner has now found the record and claims that he was civil servant. Be that as it may, the appeal was dismissed as withdrawn simplicitor and could not be restored by making an application as has been done by the petitioner, therefore, while disposing of this petition holding it to be not maintainable, it is observed that the petitioner is at liberty to seek redressal of the grievance under the law, if any, and if such matter is filed before the Tribunal, that has to be decided in accordance with its own merits and limitation etc. Consign.

3. *Pronounced in open Court at Peshawar and given under my hand and seal of the Tribunal on this 11th day of October, 2023.*

Certified to be true copy

EXAMINER
Khyber Pakhtunkhwa
Service Tribunal
Peshawar

(Kalim Arshad Khan)
Chairman

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POWER OF ATTORNEY/VAKALATNAMA

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,
PESHAWAR

BILAL AHMAD

VERSUS

POLICE DEPTT:

In Appeal No. _____ -P/2023

On behalf of Petitioner/Appellant No.

I/ we the petitioners/appellant hereby appoint **Mr. MALIK NOOR MUHAMMAD KHAN** Advocate in the above-mentioned case, to do all or any of the following acts, deeds things.

1. To appear, act, sign, record Statement and plead for me/us in the above-mentioned case in this court /Tribunal or any other Court /Tribunal in which the same may be tried or heard, and other proceedings arising out of or connected therewith.
2. To sign, verify compromise and file or withdraw all proceedings, petitions, appeals, affidavits, and any other documents, as may be deemed necessary or advisable by them for the conduct, prosecution or defense of the said case at its stages.
3. To receive payments of, and issue receipts for, all money that may be or become due and payable to us during the course or on the conclusion of the proceedings.
4. To do all other acts and things which may be deemed necessary or advisable during the proceedings.

AND HEREBY AGREE:

- a. To ratify whatever the said advocate may do in the proceedings.
- b. Not to hold the Advocate responsible if the said case be proceeded ex-parte or dismissed in default in consequence of absence from the Court/Tribunal when it is called for hearing.
- c. That the Advocate shall be entitled to withdraw from the prosecution of the said case if the whole or any part of the agreed fees remains unpaid.

In witness whereof, I/We have signed this power of Attorney/ Vakalatnama hereunder, the contents of which have been read/ explained to me/us and fully understood by me/us.

[Handwritten Signature]

Terms Accepted

Signatures

Accepted & Attested

Malik Noor Muhammad Khan

Advocate Peshawar High Court, Peshawar.

KHUDRAZI LAW CHAMBERE

OPPOSITE TEHSIL NOWSHERA

BC-18-1149

CNIC-17201-1312679-1

EMAIL-advocatemaliknoor@gmail.com

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