

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR.

Appeal No. 589/2016

Date of Institution ... 06.05.2016

Date of Decision ... 25.07.2017

Muhammad Ali, Ex-Constable Bearing belt No. 1203,
S/o Muhammad Alam Khan,
R/O Village Samkot, Post Office Ushera,ai,
Tehsil Dir District Dir Upper. ... (Appellant)

VERSUS

1. Govt: of Khyber Pakhtunkhwa through Chief Secretary,
Civil Secretariat Peshawar and 6 others. ... (Respondents)

MR. JALAL UD DIN,
Advocate --- For appellant.

MR. KABIR ULLAH KHATTAK,
Additional Advocate General ... For respondents.

MR. AHMAD HASSAN, ... MEMBER(Executive)
MR. MUHAMMAD HAMID MUGHAL ... MEMBER(Judicial)

JUDGMENT

AHMAD HASSAN, MEMBER.- Arguments of the learned counsel for the
parties heard and record perused.

FACTS

2. The brief facts are that the present appeal has been filed against the impugned
order dated 03.02.2016 issued by respondent no.5, whereby the appellant was
dismissed from service without observing codal formalities, hence the order was not
sustainable in the eyes of law.

ARGUMENTS

3. Learned counsel for the appellant argued that the appellant joined the police department as constable on 12/2/2014. He was deputed for basic recruit course on 3/4/2015. On the basis of a written complaint of Commandant Police Training College Hangu dated 16/9/2015, disciplinary proceedings were initiated against the appellant. The enquiry officer conducted enquiry and upon conclusion of the proceedings major penalty of dismissal from service was imposed on him vide impugned order dated 3/2/2016. The appellant was not associated with the enquiry proceedings. As such the appellant was condemned unheard and also denied the opportunity of fair trial. Though show cause notice was served on him prior to imposition of major penalty of dismissal from service but copy of enquiry report was not attached with it which amounts to violation of procedure for conducting enquiry in the prescribed rules. Reliance was placed on 1997 SCMR 1543, 2011 SCMR 1504, 2003 SCMR 830, 2015 SCMR 77.

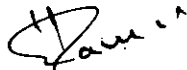
4. On the other hand learned Assistant Advocate General in his rebuttal stated that on account of absence from duty for 13 days from police line after repatriation to parent district, moreover due to involvement of the appellant in cheating in examination, at Police Training Center major penalty of dismissal of service was imposed on him and all the codal formalities were observed before the imposition of penalty on the appellant.

CONCLUSION.

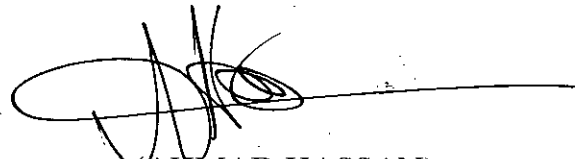
5. The appellant was served with the charge sheet coupled with statement of allegations. Inquiry officer was also associated the appellant with the inquiry. Show cause notice issued to the appellant was also replied by him, as such codal formalities were observed. However in the inquiry report the inquiry officer has not given any findings against the appellant with regard to his committing any cheating

in the examination. Hence the major penalty of dismissal of service does not commensurate with the lapse on the part of the appellant. It is also admitted fact that during Basic recruitment course punishment was also awarded to the appellant as per details contains in the letter of Commandant Police Training College Hangu dated 16.09.2015.

6. In view of the foregoing, we are constrained to partially accept the instant appeal and modify/convert the major penalty of dismissal from service into stoppage of two annual increments. The intervening period may be treated as leave of the kind due. Parties are left to bear their own cost. File be consigned to the record room.



(MUHAMMAD HAMID MUGHAL)
MEMBER



(AHMAD HASSAN)
MEMBER

ANNOUNCED
25.07.2017

15.06.2017

Appellant alongwith his counsel present. Mr. Muhammad Adeel Butt, Additional AG for the respondents also present. Learned counsel for the appellant requested for adjournment. Adjourned. To come up for arguments on 25.07.2017 before D.B.

(GUL ZEB KHAN)
MEMBER

(MUHAMMAD AMIN KHAN KUNDI)
MEMBER

Order

25.07.2017

Learned counsel for the appellant, Asst: AG for official respondents and counsel for respondent no.4 present.

Vide separate judgment of today of this Tribunal placed on file, the present appeal in hand is partially accepted by modifying/convert the major penalty of dismissal from service into stoppage of two annual increments. ~~with circulative effect~~. The intervening period may be treated as leave of the kind due. No order as to cost. File be consigned to the record room.

Announced:
25.07.2017

(Muhammad Hamid Mughal)
Member

(Ahmad Hassan)
Member

21.12.2016

Counsel for the appellant and Mr. Umer Khitab, HC alongwith Addl. AG for respondents present. Written reply submitted. The appeal is assigned to D.B for rejoinder and final hearing on 14.02.2017.


(MUHAMMAD AMIR NAZIR)
MEMBER

14.02.2017


Counsel for the appellant and Mr. Shah Zameen, ASI alongwith Addl. AG for respondents present. Rejoinder submitted which is placed on file. To come up for arguments on 08.05.2017 before D.B.

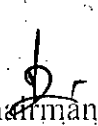

(AHMAD HASSAN)
MEMBER


(ASHFAQUE TAJ)
MEMBER

8.05.2017

Appellant in person and Addl. AG for the respondents present. Due to strike of the bar counsel for the appellant is not available. To come up for final hearing for 15.06.2017 before D.B.

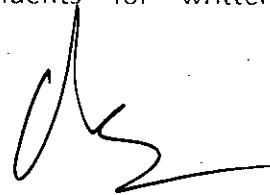

Member


Chairman

7.6.2016

Counsel for the appellant present. Preliminary arguments heard and case file perused. Through the instant appeal, appellant has impugned order dated 3.2.2016 vide which the appellant was awarded major penalty of dismissal from service. Against the impugned order the appellant filed departmental appeal on 1.3.2016 which was not responded within statutory period hence, the present service appeal.

Since the instant appeal is within time and matter requires further consideration of this Tribunal-therefore, the same is admitted for regular hearing, subject to deposit of security and process fee within 10 days. Notices be issued to the respondents for written reply/comments for 26.8.2016 before S.B.



Member

Appellant Deposited
Security & Process Fee

26.08.2016

Appellant in person M/S Ibrahim Azar for respondents No. 2, 4, 6, and 7 and Umer Khitab for respondent No. 5 alongwith Addl. AG for respondents. Requested for adjournment. To come up for written reply/comments on 2.11.2016 before S.B.



Chairman

02.11.2016

Counsel for the appellant and Mr. Amjad Ali, ASI alongwith Assistant AG for respondents present. Written reply not submitted. Requested for adjournment. To come up for written reply/comments on 21.12.2016 before S.B.


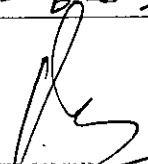


Chairman

Form- A
FORM OF ORDER SHEET

Court of _____

Case No. 589/2016

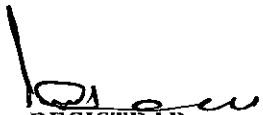
S.No.	Date of order Proceedings	Order or other proceedings with signature of judge or Magistrate
1	2	3
1	03/06/2016	<p>The appeal of Mr. Muhammad Ali resubmitted today by Mr. Jalal-ud-Din Advocate, may be entered in the Institution register and put up to the learned Member for proper order please.</p> <p> REGISTRAR</p>
2	6-6-16	<p>This case is entrusted to learned Member/S. Bench for preliminary hearing to be put up there on <u>7-6-2016</u></p> <p> MEMBER</p>

The appeal of Mr. Muhammad Ali Ex-Constable No. 1203 Dir Upper received to-day i.e. on 06.05.2016 is incomplete on the following score which is returned to the counsel for the appellant for completion and resubmission within 15 days.

1- Departmental appeal having no date be dated.

No. 732/S.T,

Dt. 9/5/2016


REGISTRAR -
SERVICE TRIBUNAL
KHYBER PAKHTUNKHWA
PESHAWAR.

Mr. Jalal-ud-Din Ad. Pesh.

Sir The time of the departmental appeal is expired and as per directions, the appeal is re-submitted for hearing. However the postal receipts annexed with the Deptd. Appeal is properly dated: i.e. 01/3/16. Jalal-ud-Din

JALAL-UD-DIN ADVOCATE
High Court Peshawar
Room No. S5 Jabbar Plaza Town Chowk
Main University Road, Peshawar
Cell: 0333-9216527

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Approved by
Vedavudhan
(Chairman)



28/02/2017 : 22/03/2011

533209 : 15701-9032944-1



01/01/1987

15701-9032944-1



15701-9032944-1

BEFORE THE KHYBER PUKHTOON KHWA SERVICE TRIBUNAL

PESHAWAR.

Service Appeal No- 589 /2016

Muhammad Ali.....VS Government & Others

I N D E X

S.No	Documents	Annexure	Pages
1.	Grounds of Appeal along with affidavit		1-5
2	Addresses of parties		6
3	Copy of letter dated 16.09.2016	A	7-9
4.	Copy of Inquiry Report & Impugned order of dismissal dated 03.02.2016	B & C	10-11
5	Copy of departmental Appeal & receipts	D & E	12-17
6.	Copy of reply	F	18-19
7.	Copy of affidavit of other colleagues	G	20
8.	Wakalatnama		21

THROUGH

A P P E L L A N T

Jalaluddin
JALALUDDIN
ADVOCATES, PESHAWAR
&

M.A.K. Bettani
Muhammad Arif Khan Bettani
Advocate Peshawar

BEFORE THE KHYBER PUKHTOON KHWA SERVICE TRIBUNAL

PESHAWAR.

Service Appeal No 589/2016

①

Muhammad Ali (Ex-Constable Bearing belt No1203),
Son of Muhammad Alam Khan,
R/O Village Samkot, Post Office Usherai,
Tehsel Dir District Dir Upper.....APPELLANT.

V E R S U S

N.W.F Province
Service Tribunal
Diary No 456
Dated 06-5-2016

1. Govt of Khyber Pukhtoon Khwa
through Chief Secretary, Civil Secretariat
Khyber Pukhtoon Khwa Tehsil & District Peshawar.
2. Inspector General Police Khyber Pukhtoon Khwa office at Peshawar.
3. Additional I.G Head quarter CPO Peshawar.
4. DIG Training CPO Peshawar
5. District Police Officer Dir Upper.
6. Principal, Recruitment training wings (RTW),
Kohat, College Town Pindi Road, Kohat.
7. Commandant Police Training College Hangu.....RESPONDENTS.

APPEAL UNDER SECTION 4 OF THE SERVICES TRIBUNAL ACT, 1974
AGAINST THE IMPUGNED ORDER BEARING ORDER BOOK NO.56
DATED 03.02.2016 ISSUED BY RESPONDENT NO.5, WHEREBY THE
SERVICE OF THE APPELLANT HAS BEEN DISMISSED WHICH IS
ILLEGAL AND IN EFFECTIVE UPON THE RIGHT OF THE APPELLANT
AND THE IMPUGNED OFFICE ORDER OF DISMISSAL MAY PLEASE BE
DECLARED NILL AND VOID AND MAY PLEASE BE CANCELLED AND
APPELLANT MAY BE REINSTATED INTO SERVICE WITH THE ALL BACK
BENEFITS.

PRAYER IN APPEAL: On acceptance of this service appeal, the appellant may graciously be reinstated into service with all back benefits by set aside the impugned order of dismissal dated 03.02.2016.

Re-submitted to-day
6/5/16

Re-submitted to-day
and filed.
Registrar

Respectfully Sheweth.

1. That the appellant was initially appointed as constable in the District Police Dir Upper vide appointment letter dated 12.02.2014 and rendered spotless services according to the satisfaction of Higher Ups and without any objection from any Quarter, received the monthly salaries from the respondents regularly.
2. That thereafter, the appellant was sent for the basic recruitment course / training at Recruitment training wing (RTW) Kohat vide office order dated 03.04.2015.
3. That the appellant almost complete their training period of 06 months according to the satisfaction of the High ups without any complaint or objection from any quarter and was appreciated by the principal RTW kohat which period of training was ended on 20.09.2015.
4. That the appellant performed and remained in training hours devoted and no complaint, allegations has been raised against him.
5. That the commandant, Police Training Center Hangu / respondent No. 7 allegedly mark the absentee of the appellant (while the appellant never remained absent as per record) and issued an order dated 16.09.2015 wherein the appellant was repatriated to parent District. (Copy of the letter dated 16.09.2015 is annexed as A).
6. That on the strength of the alleged office order dated 16.09.2015, the respondent initiated inquiry proceedings wherein the un-authorized inquiry Officer conducted inquiry on the back of the appellant while the inquiry officer has got no power to do so.

7. That the un-authorized inquiry Officer malafidely recommended the appellant for dismissal and the respondent No.5 without any rhymes and reasons dismissed the appellant from services vide Order Book No.56 dated 03.02.2016. (Copy of the Inquiry and Impugned Office Order dated 03.02.2016 is annexed as **B & C**).
8. That it was also mentioned here that the appellant was called for the inquiry and the appellant was repeatedly visit the office of the respondents but they informed the appellant that the Respondent No.7 has already terminated him and during the inquiry which was conducted in the back of the appellant was order to wait for the result of ongoing inquiry.
9. That when the appellant got the Knowledge about his dismissal through some Official of the concerned office, the appellant file an application for getting the impugned office order of termination dated 03.02.2016.
10. That against the impugned office order of dismissal, the Appellant preferred Departmental Appeal, which after expired of statutory, impliedly refused the Departmental appeal by the Respondents. (Copy of Departmental Appeal & and receipts annexed **D & E**).
11. That the Appellant being aggrieved from the impugned dismissal order dated 03.02.2016 as well as from the refusal of the departmental appeal has approached this Hon' able Tribunal on the following ground inter alia.

GROUND S :-

- a. That the order of dismissal of the appellant from services of the respondent No.5 dated 03.02.2016, is void, arbitrary, without jurisdiction, Coram-non- judice, Illegal and without any lawful authority hence liable to set aside.

- 9
- b. That the contents narrated in the impugned order is baseless and the appellant was never committed any misbehave, nor shown any disrespect to his seniors, so the major penalty imposed by the respondent No.5, is highly harsh and not sustainable in the eyes of law.
- c. That the appellant condemn unheard furthermore the reply filed by the appellant was not considered by the inquiry officer, so on this grounds too the order dated 03.02.2016 is premature and be liable set aside because the impugned office order of dismissal is against the police rules and premature. (Copy of reply annexed as F).
- d. That Appellant never ever absent from the duty and his attendance and the appellant has been dismissed without serving any notice.
- e. That the Appellant has been proceeded against without any show cause notice, final show cause and without providing any opportunity of personal hearing and a chance of defense and thus the impugned order is against the rule of natural justice and fair play and propriety.
- f. That impugned order of dismissal of the appellant has been issued without taking into consideration of the affidavit issued by the other colleagues who were in training with the appellant by the inquiry officer which shows the attendance of the appellant during the training session. (Copy of the affidavit is annexed as G).
- g. That the appellant has not committed any immoral crimes and does not come under the moral turpitude.
- h. That no Charge sheet was issued to the appellant nor any explanation notice served upon neither proper procedure of law has been adopted by the inquiry officer, but the appellant has been dismissed vide impugned order dated 03.02.2016 on the grounds of absentia etc which is against the natural justice, fair play and equity.
- i. That the competent authority has wrongly declined to agreed with the recommendation of the inquiry officer and has disagreed without any rhyme and reasons which is miscarriage of Justice

j. That the appellant has got an utmost interest with police service to serve the nation and police and since his dismissal, the appellant is jobless person.

k. That any other ground would be adduced by Appellant during arguments on the instant appeal with the permission of this Hon' able Tribunal.

It is, therefore, most humbly prayed that on acceptance of this service appeal, the impugned office order of dismissal of the appellant dated 03/02/2016 may please be set aside and the appellant may graciously be reinstated into service with all back benefits which was retained during the training session. Any other relief not specifically asked by the Appellant may be pleased be granted to the Appellant in the circumstances.

Ali

APPELLANT

THROUGH

Jalaluddin

JALALUDDIN
ADVOCATES, PESHAWAR
&

Muhammad Arif Khan Bettani

Muhammad Arif Khan Bettani
Advocate Peshawar

AFFIDAVIT:-

I, Muhammad Ali (Ex-Constable Bearing belt No1203), Son of Muhammad Alam Khan, R/O Village Samkot, Post Office Usherai, Tehsel Dir District Dir Upper do hereby solemnly affirm and declare on Oath that the contents of the above Appeal are true and correct to the best of my knowledge and belief and nothing has been kept secret from this Hon' able Tribunal.

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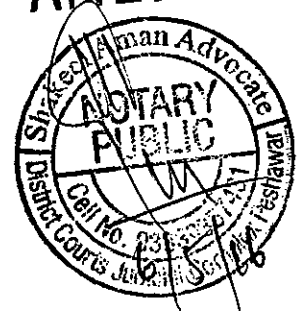
Jalaluddin

JALAL-UD-DIN
Advocate

Ali

DEPONENT

ATTESTED



(6)

BEFORE THE KHYBER PUKHTOON KHWA SERVICE TRIBUNAL

PESHAWAR.

Service Appeal No-----/2016

Muhammad Ali.....VS Government & Others

MEMO OF ADDRESSES OF PARTIES

A P P E L L A N T.

Muhammad Ali (Ex-Constable Bearing belt No1203),
Son of Muhammad Alam Khan,
R/O Village Samkot, Post Office Usherai, Tehsel Dir District Dir
Upper.

R E S P O N D E N T S.

1. Govt of Khyber Pukhtoon Khwa
through Chief Secretary, Civil Secretariat
Khyber Pukhtoon Khwa Tehsil & District Peshawar.
2. Inspector General Police Khyber Pukhtoon Khwa office at Peshawar.
3. Additional I.G Head quarter CPO Peshawar.
4. DIG Training CPO Peshawar
5. District Police Officer Dir Upper.
6. Principal, Recruitment training wings (RTW),
Kohat, College Town Pindi Road, Kohat.
7. Commandant Police Training College Hangu.

THROUGH

A P P E L L A N T

**JALALUDDIN
ADVOCATES, PESHAWAR
&**

**Muhammad Amir Khan Bettani
Advocate Peshawar**

7

1356
18/9/15

ORDER.

Amended - A

Senior Recruit Muhammad Ali No.1203 of District Dir Upper currently undergoing basic recruit course at this wing has remained out of program for the days as noted below.

S No	Leave	Rest	Absence	Total
1	06 days	07 Days	08 Days 04 Hours & 50 Minutes	21 Days 04 Hours & 50 Minutes

Being out of program for long time and according to PTC Manual he is hereby reverted for further 03 months.

(MUHAMMAD JAMIL AKHTAR)
Principal
Recruits Training Wing
Kohat

No. 529-30 / Dated Kohat the 9.9./2015

Copy of above is submitted for favour of information to :-

1. The Commandant, Police Training College Hangu.
2. ✓ The District Police Officer, Dir Upper.

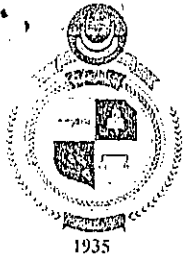
Attested by
Jalal-ud-din
Council

(MUHAMMAD JAMIL AKHTAR)
Principal
Recruits Training Wing
Kohat

OB-124
9.9.15

OAS
For information

sp. a. dir. (A),
18/9/15



Ph # 0925-621886
Fax # 0925-620885

OFFICE OF THE COMMANDANT POLICE TRAINING COLLEGE HANGU

4381
By No. 2119/15
Date 21/9/15

ORDER

Constable Muhammad Ali No. 1203 of District Dir Upper has reported arrival for basic Recruit course (term ending 20.09.2015) at RTW Kohat on 03.04.2015. He is being repatriated to his parent Distt as unqualified as per PTC Manual. Rule. No. 81 and with the recommendation to be discharged from police service under police rules – 12/21 on the following charges:-

i. He has remained out of program; details depicted / shown in below chart.

Leave (From / To)	Absence (From / To)	Medical Rest Taken (From / To)	Punishments Awarded
1) 09.05.2015 to 12.05.2015 (03 days)	1) 12.05.2015 to 14.05.2015 (02 days)	1) On 11.04.2015 (01 day)	1) 01 day extra drill due to one day absence vide OB No. 86 of 11.06.2015.
2) 20.08.2015 to 23.08.2015 (03 days)	2) 04.06.2015 to 05.06.2015 (01 day)	2) 15.04.2015 to 17.04.2015 (03 days)	2) On absence, be in uniform for 02 days during Roll Call and one day detained during monthly recess vide OB No. 113 of 12.08.2015.
	3) On 09.06.2015 (for 1 Hr & 20 Min)	3) On 23.04.2015 (01 day)	3) 04 days reverted vide OB No. 122 of 01.09.2015.
	4) On 15.06.2015 (for 1 Hr & 55 Min)	4) 07.05.2015 to 08.05.2015 (02 days)	4) Reverted for 03 months due to out of program for 21 days absence vide OB No. 124 of 09.09.2015.
	5) 02.07.2015 to 03.07.2015 (02 days)		
	6) 22.08.2015 to 24.08.2015 (02 days)		
	7) 02.09.2015 to 04.09.2015 (02 days)		
Total leave= 06 days	Total absence= 08 days, 04 Hrs & 50 Min which comes to about 25 days @ of 1 day absence equal to 03 days C/L.	Total rest= 07 days	

PA issued S.C. Notice
DPO Dir Upper
21-9-15

- ii. During final law exam on 09.09.2015, he was caught red handed while cheating in PR / PP paper.
- iii. His behavior with colleagues / fellow trainees remained below mark and he has shown continuous disrespect to his seniors / RTW staff.
- iv. He was a habitual dogger who used to break chain of command on occasions and send SMS complaints to higher echelon for keeping the RTW staff under pressure to extract personal benefits.

DASI
Far n/01

21/9/15

Attested
by Talalud
counsel

- v. The unruly behavior shown by him is least desirable for a disciplined force like police and if left unnoticed is likely to adversely affect other trainees.
- vi. The RTW staff / faculty is least hopeful for his future improvement.

OB. No. 693
 dt : 16/09/2015

(Signature)
 (Muhammad Ashraf Noor), PSP
 Commandant,
 Police Training College Hangu.

No. 2948-54 GC dated Hangu, the 16/09/2015.

Copy for info & further n/a to the:-

- i. Addl: IG / Hqrs, CPO Peshawar.
- ii. DIG / Training, CPO Peshawar w/r to our tele discussion on the subject.
- iii. PSO to the W/IGP, KPK Peshawar
- iv. DPO Dir Upper for his discharge as per PR 12/21.
- v. Principal, RTW Kohat w/r to his order No. 529-30/ dated 09.09.2015 and Endorsement No. 550/HC & No. 544/HC, dated 14.09.2015.
- vi. Recruit Muhammad Ali No. 1203.

my Attest
Talab-ud-din
 Counsel

﴿فائنڈنگ رپورٹ﴾

بحوالہ انکوائری اذان کنشیل محمد علی نمبر 1203 معروض خدمت ہوں۔ کہ مذکورہ کنشیل ریکروٹ دوران ریکروٹی کورس
 رخصت اور 8 دن چار گھنٹے 50 منٹ غیر سمیت 7 دن میڈیکل ریٹ حاصل کر کے آڈٹ اف پروگرام رہنے پر مذکورہ کنشیل کو
 RTW کوہاٹ میں بالترتیب غیر حاضری پر بحوالہ OB 186 ایک یوم ED اور OB نمبر 113 ایک دن ماہانہ ریسیس سے ڈیٹین کیا
 جا کر بحوالہ OB نمبر 124 21 یوم آڈٹ پروگرام رہنے پر تین ماہ کیلئے ریورڈ کیا جا کر کنشیل مذکورہ کے خلاف ریکروٹی امتحان میں
 نقل کرنے پر اور ساتھیوں اور سنیر آفسران کے ساتھ بداخلاقی کرنے اور چین آف گمان کو تھوڑ کر سنیر آفسران کے خلاف sms شکایت
 کرنے جس سے دیگر ریکروٹ پر بُرے اثرات مرتب ہونے پر RTW شاف نے مذکورہ ریکروٹ کنشیل کے خلاف کمانڈنٹ
 PTC ہنگو کو کاروائی کرنے کی سفارش تحریر کر کے جس پر کاروائی کرتے ہوئے جناب کمانڈنٹ PTC ہنگو نے لیٹر نمبری
 2449-55/GC مورخہ 16-9-2015 پر ریکروٹ کنشیل کو ڈیس کو ایفائی کر کے ضلع واپسی کا حکم جاری کر کے اسی لیٹر میں کنشیل
 مذکورہ کو پولیس رولز 12-21 کے تحت ڈس کرنے کا حکم صادر فرمایا ہے۔ جبکہ ضلع واپسی پر بروقت پولیس لائن دیر بالا میں
 کرنے کی بجائے کنشیل مذکورہ مزید 13 یوم غیر حاضر ہو کر اپنی حاضری کی رپورٹ کرنے پر کنشیل مذکورہ کے خلاف مذکورہ بالا الزامات و
 غیر حاضری پر جارج شیٹ نمبری 3357-88/SB مورخہ 12-11-2015 جاری ہو کر انکوائری من RI کو مارک ہو کر مذکورہ
 ریکروٹ نے اپنی تحریری بیان میں لاء شاف RTW کی طرف سے اُن کے ساتھ نا انصافی ہونے کا ذکر کرتے ان کے خلاف sms
 شکایت کرنا بھی تسلیم کیا۔ جہاں تک کنشیل مذکورہ کے بیان کا تعلق ہے۔ تو اپنے بیان میں کنشیل نے اپنے اوپر لگائے گئے الزامات کو
 حقیقت کے برعکس قرار دیا۔ جبکہ ضلع ہذا میں 13 یوم غیر حاضری کے متعلق کوئی واضح جواب / عذر پیش نہ کر سکا۔ جو کنشیل کی غفلت ظاہر
 کرتی ہے۔ علاوہ ازیں چونکہ کمانڈنٹ PTC ہنگو نے کنشیل مذکورہ کو باپ 12-21 کے تحت ملازمت سے فارغ کرنے کا حکم صادر
 فرمائیں ہے۔ بدیں وجوہات سفارش کیجاتی ہے۔ کنشیل مذکورہ کو باپ 12-21 کے تحت مندرجہ بالا الزامات اور RTW کوہاٹ سے
 روانہ ہونے کے بعد پولیس لائن میں بروقت حاضری نہ کرنے اور 13 یوم غیر حاضری پر ملازمت سے ڈس کرنے کی سفارش کیجاتی ہے۔
 فائنڈنگ رپورٹ عرض ہے۔

محمد الدین

ریزرو انسپکٹر پولیس لائن دیر بالا

67

نمبر
مورخہ 015-12-1

Attested
by Talabul
Counsel

Amended - C (11)

OFFICE OF THE
DISTRICT POLICE OFFICER,
UPPER DIR

ORDER

This order is passed on the Departmental Enquiry conducted against Recruit Constable Mohammad Ali No. 1203 while he was sent for basic recruit course on 03.04.2015 and repatriated to parent district as unqualified. Also remained absent for 13 days from Police Lines. During final law examination on 09.09.2015; he was also caught red handed while cheating in PR/PP paper, in this regard a proper letter was received from Commandant PTC Hungu vide Memo: No. 2949-56/GB, dated 16/09/2015. Charge Sheet coupled with Statement of allegation was served upon him and Mr. Mohy-ud-Din Reserve Inspector was appointed as Enquiry Officer. During the course of Enquiry the Enquiry Officer recorded the statements of all concerned, called the defaulter official and recorded his statement. The Enquiry Officer in its finding report stated that the defaulter recruit constable is liable/ guilty and recommended him for **Major punishment**.

On the receipt of the finding report and other connected papers the same was perused, he was served Final Show Cause notice vide this office Endst: No. 88/SB, dated 07/01/2016, on the receipt of the reply. The above named defaulter Officer was called and heard in person in Orderly Room, but he could not defend himself. The enquiry papers were perused and his guilty has been proved beyond any shadow of doubt.

Keeping in view the recommendations of the Enquiry Officer **Recruit Constable Mohammad Ali No. 1203 is hereby dismissed**; his absence period treated as leave without pay.

Order announced:

OB No. 56

Dated: 3-2- /2016.

District Police Officer
Dir Upper.

/2016.

No. /SB, dated Upper Dir the
Copies to:

1. The Commandant, PTC Hungu with reference to Letter No. 2949-56/GB, dated 16/09/2016.
2. The Regional Police Officer, Malakand at Saidu Sharif, Swat.

District Police Officer
Dir Upper.

Attested by
Talabud
Counsel

12

BEFORE THE INSPECTOR GENERAL OF POLICE KPK

Amered "D"

Muhammad Ali (Ex-constable No. 1203)

Son of Muhammad Alam Khan

Resident of Samkot, P.O Usherai, Tehsil Dir,

District Dir Upper.

..... Petitioner/ Appellant

VERSUS

District Police Officer dir Upper, at Dir

..... Respondent

Appeal against the order of
Dismissal of the appellant dated
03.02.2016 OB No. 56.

Prayer:-

One acceptance of this appeal the
appellant may kindly be restored to
the police service along with the
payment of all previous / back
benefits.

Assisted by
Talib ul
Council

Respectfully Sheweth,

That the appellant submits as under:-

- 1) That the appellant appointed as constable on 12-02-2014 in the District Police Dir Upper.
- 2) That after the appellant was sent for basic recruit course at R.T.W (Recruit Training Wing) Kohat on 03-04-2015.
- 3) That the appellant almost complete their training period which ending on 20-09-2015 i.e., as training period of 06 months.
- 4) That the appellant perform and remained in training hours devoted, and no complaint / allegations has been raised against him.
- 5) That the Commandant Police Training Centre Hangu allegedly mark the absentee of appellant, (while the appellant never remained absent as per record), and issue an order dated 16-09-2015 wherein appellant was repatriated to his parent district. (Copy of the order dated 16-09-2015 is attached may be considered part of this appeal)
- 6) That on the strength of alleged order above dated 16-09-2015, Respondent initiated inquiry proceedings wherein

*Attested by
Talabud
Counsel*

the un-authorized inquiry officer conducted inquiry while he has no power to do so...?

7) That the un-authorized inquiry officer malafidely recommended the appellant for dismissal and the Respondent without any reasons, justification dismissed the appellant vide order book No. 56 dated 03-02-2016. (Copies of inquiry & order dated 03-02-2016 is attached)

8) That during the inquiry the appellant repeatedly visit the office of Respondent, who told him that the Commandant Police Training College Hangu has terminated the appellant, and during inquiry proceedings the appellant was order to wait for the result of ongoing inquiry.

9) That when the appellant got knowledge about their dismissal through some official of the concerned office, the appellant file an application for getting the impugned order above.

10) That the appellant have no other remedy except to file the instant Departmental Appeal on the following grounds.

*Attested
Talabul
Council*

GROUNDS:-

- i) That the order of Respondent dated 03-02-2016 is illegal, against the law, police rules, policy hence liable to be set aside.

- ii) That the contents narrated in the order above is baseless, and the appellant never committed any misbehavior, nor shown any disrespect to his senior, so the major penalty imposed by the Respondent is highly harsh and not sustainable in the eyes of law.
- iii) That the appellant condemn unheard, furthermore the reply filed by the appellant is not been considered by the inquiry officer, so on this ground too the order dated 03-02-2016 is liable to be set at naught.
- iv) That the order dated 03-02-2016 is against the law, police rules, and premature, hence not tenable.
- v) That the appellant has been dismissed without serving any notice upon the appellant.
- vi) That no chance of defense was given to the appellant.
- vii) That the appellant has not committed any immoral crimes and does not come under moral turpitude.

*Attested by
Jalaluddin
counsel*

viii) That the appellant has got an utmost interest with police service to serve the nation & public.

It is therefore that on acceptance this appeal the appellant may kindly be restored to the police service along with the payment of all previous / back benefits.

Appellant

Muhammad Ali

(ex-constable No. 1203)

District Police Office Dir Upper.

AFFIDAVIT

01-03-2016

I, Muhammad Ali (Ex-constable No. 1203) son of Muhammad Alam Khan Resident of Samkot, P.O Ushera, Tehsil Dir, District Dir Upper, do hereby solemnly affirm and declare on oath that the contents of the above titled writ petition is true and correct to the best of my knowledge and belief.

DEPONENT

Attested by
Tajabuddin
Cowan

(17)

Amused - E

Call: 111 123 456		Sales Tax Invoice			
GST NO. 12-00-9808-002-73					
Consignment:		Origin	Dest	Pieces	Weight
Note No.: 708	448019				
From (Shipper)	To (Consignee)			Rs. _____	
				Packed Contains IBC / OBC	
BNK CODE	BNK CODE	Tel No	Bank Stamp and authorised Signature		
<small>This is a non-refundable consignment as per standard terms and conditions.</small>					
I warrant that all details given herein are true and correct			Collected By TCS-name Date		
Shipper's Signature			Date / / Time		
			3/16 a.m. p.m.		

Attested by
Tatalud-aw
Counsel

بخدمت جناب سپرنٹنڈنٹ صاحب پولیس دیر بالا

سائل ذیل عرض گزار ہے۔

جناب عالی!

یہ کہ جب سے میں نے پولیس فورس جان کی ہے اس وقت سے لیکر آج تک میں نے ڈسپلن کا باقاعدہ خیال رکھا ہے اور آئیندہ بھی پولیس فورس میں رہتے ہوئے اپنے سینئر آفیسر اور پولیس روز پر عمل کرتے ہوئے ڈسپلن کا خاص خیال رکھوں گا۔

جناب عالی!

میں جو کچھ بھی کہوں گا سچ کہوں گا سچ کے علاوہ کچھ بھی نہیں کہوں گا۔ حقیقت یہ ہے کہ کوہاٹ سنٹر میں میرے ساتھ آنے والا واقعہ انتہائی افسوس ناک لمحہ نکریہ اور نا انصافی پر مبنی ہے۔ ٹریننگ کے آغاز میں CDI صاحب نے مجھے ڈنڈے سے بے دردی سے مار کر انتہائی سخت زخمی کر دیا۔ جس سے میرے انگلی بھی ٹوٹ گئی اور میرے پوری بازو نے بھی کام چھوڑ دیا جس پر کمپنی کمانڈر میر حمزہ اور موجودہ قائم مقام پرنسپل جو کہ CL تھے اور لاشاف نے مجھے روز ناپے میں بلایا اور خود لاشاف نے کمانڈنٹ PTC، منکو کو اطلاع دیکر میٹج کے ذریعے میرے زخمی ہونے سے آگاہ کیا گیا۔ جہاں مجھے CDI صاحب پر FIR درج کرنے کا حکم ملا جو کہ یہ کوہاٹ لاشاف کا حکم تھا لیکن میں نے یہاں پر لاشاف اپنے سینئر آفیسر CDI صاحب اور ڈسپلن کا خیال رکھتے ہوئے اپنی تکلیف برداشت کی۔ لیکن FIR درج کرنے سے انکار کیا۔ اور اس زخمی حالات میں مجھے FIR درج نہ کرنے پر کوارٹر گارڈ میں ڈال دیا گیا۔ جو کہ میرے لئے بہت سخت اور مشکل نام تھا۔ جو ہسپتال کے بجائے میں نے کوارٹر گارڈ میں سخت تکلیف میں گزار دیا۔ جب میں کوارٹر گارڈ میں بے ہوش ہوا تو کوارٹر گارڈ سے نکال کر ہسپتال بھیج دیا گیا۔ اور یہ نا انصافی جو میرے ساتھ ہو رہی تھی جناب یہ لاشاف اور ڈریل سٹاف کے آپس کے مخالفت کی وجہ سے میرے ساتھ پیش آیا اور تمام سٹاف کو مجھے لاشاف کے وجہ سے ٹارگٹ کیا گیا اور اس کے بعد کوہاٹ سنٹر میں نے جو وقت گزارا ہے وہ میرے لئے عذاب سے کم نہ تھا۔ اور CDI صاحب پر FIR درج نہ کرنے پر لاشاف نے میرے لئے بہت سے مسائل پیدا کئے۔ اور کوہاٹ سنٹر میں نے بہت سے مشکلات برداشت کئے اور مشکلات سے نکلنے کیلئے سٹاف کو بہت سے درخواستیں لکھیں لیکن کمپنی کمانڈر نے اسے پھاڑ کر پھینک دئے اور مجھے سنٹر کے اندر بالکل تید میں رکھا گیا۔ جو کہ میرے لئے بہت مشکل تھا اور چھ مہینوں میں میرے ٹریننگ کے کچھ ہی دن باقی تھے کہ سٹاف کے آفیسرز جو کہ کمپنی کمانڈر CLI اور لاشاف کے کچھ ٹیچرز نے میرے لئے بہت سے مسائل پیدا کئے۔ دوران امتحان میں میرے اوپر نقل کا الزام لگا کر میرے پیپر خراب کئے گئے جو کہ میرے آس پاس بیٹھے ہوئے لڑکے میں اپنے بے گناہی میں پیش کر سکتا ہوں۔ اور یہ مجھ پر ایک جھوٹا الزام تھا۔

جناب عالی!

مجھ پر غیر ڈسپلن کا الزام لگا کر انتہائی نا انصافی کی گئی میرے پیپر خراب کئے گئے۔ مجھ پر ڈیوٹی بے بنیاد الزامات لگا کر میرے کیریئر کو تباہ کیا گیا۔ لیکن مجھے کوئی انصاف نہ دے سکا مجھے جھوٹے الزامات پر سنٹر سے آن کو الفائیڈ کر کے ضلع واپس کر دیا گیا۔ ان بے بنیاد الزامات میں شراب نوشی، غیر ڈسپلن، غنڈہ گردی اور روز ناپے میں بغیر کسی ثبوت کے میرے پیچھے غیر حاضریاں، ریٹ اور دیگر الزامات درج کی گئی جس پر میرے کوئی Attendance موجود نہیں ہے۔ اور نہ میں نے کسی غیر حاضری یا ریٹ کو دستخط کی ہے۔ یہ ایک اور بے بنیاد الزام ہے۔ جب میں کوہاٹ سنٹر سے نکل کر ضلع واپس ہوا تو اسی دوران کمپنی کمانڈر نے میرے اوپر غنڈہ گردی کا جھوٹا الزام لگا کر کہ محمد علی 1203 با مسلح گاڑیوں میں میرے قتل کرنے کو ہات آئے ہیں اور یہ درخواست مجھ پر صدر تھانہ کوہاٹ میں دائر کی گئی۔ جس پر میں صدر تھانہ کوہاٹ پہنچ کر اپنے صفائی کی درخواست کی اور میرے موبائل نمبر ٹریس کئے گئے۔

----- جاری بر صفحہ دوم -----

Attested by
Tajalud-din
Counsel

-----صفر دوم-----

اور نمبر ٹریس کرنے سے یہ پتہ چلا کہ سائل پر دی گئی یا لگائے گئے الزامات جھوٹے اور بے بنیاد ہے۔ اور مجھ پر جتنے بھی الزامات لگائے گئے ہے وہ جھوٹے اور بے بنیاد ہے جس پر میرے ساتھ پولیس ٹرینینگز جو کوہاٹ سنٹر میں میرے ساتھ موجود تھے میرے بے گناہی ثابت کرنے میں ایک حلفیہ بیان انکوآزری آفیسر صاحب کو بھی دی گئی ہے۔

جناب عالی! تمام الزامات کو مد نظر رکھتے ہوئے من سائیل کے ساتھ انصاف کر کے مذکورہ انکوآزری کو فائل اختتم کرنے کے احکامات صادر فرمایا جائے۔

تو سائیل تاحیات دعا گو رہے گا۔

نقطہ زیادہ ادب

العارض!

محمد علی پولیس نمبر 1203 ضلع دیر بالا۔

Attested by
Tahalud-stw
Council

Mr. [unclear]
[unclear]
[unclear]

~~U.S. Dept. of Justice~~

~~9333-9388370~~

~~U.S. District Court~~

بخدمت جناب انکوائری کمیٹی آفیسر صاحب دیر بالا

Annexed - 6

جناب عالی! مودبانہ گزارش کی جاتی ہے کہ کنسٹیبل محمد علی 1203 جو 03/04/2015 سے ہمارے ساتھ کوہاٹ ٹریننگ سنٹر میں اپنی سرگرمیاں سرانجام دیتے تھے۔ لیکن بد قسمتی اور سٹاف کے بے انصافی اور جھوٹی الزامات کی وجہ سے ضلع واپس ہو گئے اور اپنی ٹریننگ مکمل کرنے اور الزامات سے بچنے کی طرح طرح کی کوششیں کی۔ لیکن کنسٹیبل محمد علی 1203 کو کوئی انصاف نہ مل سکا۔ لہذا ہم متفقہ طور پر بیان حلفی دینے کو تیار ہیں کہ محمد علی 1203 پر لگائے گئے تمام الزامات بے بنیاد اور من گھڑت ہیں۔ حالانکہ محمد علی 1203 کا رویہ اور اخلاق ہمارے اور جملہ سٹاف کے ساتھ بالکل درست اور صحیح تھا۔ لہذا ہم آفسران بالا سے درخواست کرتے ہیں کہ محمد علی 1203 کو بھرپور انصاف دلا جائے۔

شہاہ جہاں 522

اکرام اللہ 429

آصف علی 848

ناہر علی 855

مرال 539

707

نور آریز 235

Attested by
[Signature]

نو شیردان

اصیل زادہ

تاج دار اللہ

محمد داؤد 991

محمد ریاض 113

فاروق

بخت ظاہر

سلیمان خان 1329

اختر واحد 440

ضیاء الرحمان

فضل بادشاہ

Attested by
[Signature]
consul

10 سہ ماہی

Jalalud Din

ایڈووکیٹ اور محتفل

ہائیکورٹ ابادا ایسوسی ایشن پشاور

bc-09-0287

0333-9216527

رابطہ نمبر:

PESHAWAR BAR ASSOCIATION

PBA

پشاور بار ایسوسی ایشن، خیبر پختونخواہ

49940

بعدالت جناب: جسٹس سروس ٹریبونل پشاور

منجانب: ایڈووکیٹ

Service Appeal

دعویٰ

محلہ نمبر

مورخہ

جرم

تھانہ

محکمہ عدلیہ

پشاور

بامستحیرانکہ

مقدمہ مندرجہ عنوان بالا میں اپنی طرف سے واسطے پر دی و جواب دہی کاروائی متعلقہ

آن مقام پشاور

کر کے اقرار کیا جاتا ہے کہ صاحب موصوف کو مقدمہ کی کل کاروائی کا کامل اختیار ہوگا۔ نیز وکیل صاحب کو

راضی نامہ کرنے و تقریرات و فیصلہ برطاعت دینے جواب دعویٰ اقبال دعویٰ اور درخواست ازہر قسم کی تصدیق

زریں مدد تخط کرنے کا اختیار ہوگا، نیز ضرورت ہوتی ہو تو پشاور یا اسلام آباد یا اہل بل کی برآمدگی اور منسوخی، نیز

دائر کرنے اہل بل گرائی و پشور کی برآمدگی کا اختیار ہوگا اور ضرورت ہوتی ہو تو مقدمہ مذکورہ کے کل یا جزوی

کاروائی کے واسطے اور وکیل یا مختار قانونی کو اپنے ہمراہ یا اپنے مجھے تقرر کا اختیار ہو گا اور صاحب

مقرر شدہ کو بھی وہی جملہ مذکورہ اختیارات حاصل ہوں گے اور اس کا ساتھ ہی درخواست منظور و قبول ہوگا اور ان مقدمہ

میں جو خرچہ ہر جان التوائے مقدمہ کے سب سے ہوگا وہ وکیل موصوف کو قبول کرنے کا اختیار ہوگا کوئی تاریخ پیشی مقام

دورہ یا حد سے باہر ہو تو وکیل صاحب پابند نہ ہوں گے کہ پشور کی برآمدگی کریں۔ لہذا وکالت نامہ لکھ دیا تاکہ مندر ہے۔

المرقوم: 5/5/2016

Attested & Accepted by

الع بد الع بد واہ شد

Jalalud Din

Muhammad Arif Botton Advocate Peshawar

محمد علی ولد محمد ساجد خان

JALAL-UD-DIN ADVOCATE
High Court Peshawar
Room No.S5 Jabbar Plaza Town Chowk
Main University Road, Peshawar
Cell: 0333-9216527

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR.

Service Appeal No. 589/2016.

Ex Constable Muhammad Ali No. 1203 r/o Dir Upper ...Appellant.

VERSUS

- 1) Inspector General of Police Khyber Pakhtunkhwa Peshawar.
- 2) Additional Inspector General of Police HQr CPO Peshawar.
- 3) Deputy Inspector General of Police Training CPO Peshawar.
- 4) District Police Officer, Dir Upper.
- 5) Principal, Recruitment Training Wings (RTW) Kohat.
- 6) Commandant Police Training Collage Hangu.....Respondents.

PARA WISE REPLY ON BEHALF OF RESPONDENTS.

Respectfully Sheweth:

PRELIMINARY OBJECTIONS.

- 1) That the present service appeal is not maintainable in its form.
- 2) That the appellant has not come to this August Tribunal with clean hands.
- 3) That the present appeal is badly time barred.
- 4) That this Honorable Service Tribunal has no jurisdiction to entertain the present service Appeal.
- 5) That the appellant has got no cause of action.
- 6) That the appellant has suppressed the material facts from this Honorable Tribunal.

ON FACTS:

1. Pertains to record and needs no comments.
2. Pertains to record and needs no comments.
3. Incorrect, the short Training history of appellant is full of blemish record, as he remained absent during basic recruit training.
4. Incorrect, the appellant absented himself from basic recruit Training and also caught red handed while cheating in PR/PP Papers.

5. *Incorrect, the appellant remained out of program and also caught red handed while cheating in papers. Therefore repatriated to home district as un-qualified, as well as recommended by high ups for discharge from Service under PR 12-21. (Copy attached as annexure-A)*
6. *Incorrect, he was issued charge sheet and proper departmental inquiry has been initiated and all the proceedings have been carried out in accordance with law and rules. (Copy of charge sheet and inquiry report is attached as annexure- B and C)*
7. *Incorrect, the competent authority recommended that the appellant be discharge from Service vide PR-12-21 for the reason that he remained out of program during basic recruit Training and also made cheating in papers. Therefore in compliance proper enquiry was initiated and the respondent rightly discharge the appellant from service.*
8. *Incorrect, he was called by the inquiry officer, but he failed to produce any cogent reason in his self defence, therefore he was dismissed from service after fulfilling all the codel formalities..*
9. *Needs no comments. However the impugned order has been communicated well within time.*
10. *Pertains to record and needs no comments.*
11. *Needs no comments. Detail reply on the grounds are as under.*

ON GROUND

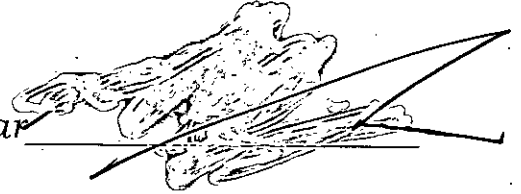
- (A). *Incorrect, the impugned order of the respondents is based on facts and lawful grounds according to Law/rules.*
- (B). *Incorrect, the appellant was discharged from service for the reason, that he remained out of program during basic recruit Training, Cheating in papers and absence from duty at police Line Dir Upper.*
- (C). *Incorrect, the appellant was called and heard in Person, but he did not produce any cogent reason in his self defence. Moreover the proceedings has been completed according to Police rules.*

- (D). *Incorrect, the appellant remained absent during basic recruit Training and also made cheating in papers, therefore he was discharged from service under PR-12-21.*
- (E). *Incorrect, he was issued charge sheet and statement of allegation coupled with final show cause notice and opportunity of personal hearing was given to him, but he did not produce any cogent reasons. Therefore, he was dismissed from service according to law and rules.(Copy of show cause notice is attached as annexure-D)*
- (F) *Incorrect, the record is quite clear about his short Service history at RTW Kohat.*
- (g) *Incorrect, the appellant, was caught red handed while cheating in paper, breaking the chain of Command and discipline habitual dogger, therefore, he was returned as un-qualified to the home District.*
- (H) *In correct, he was issued charge sheet + statement of allegations and final show cause notice and thus all the codal Formalities have been fulfilled according to law.*
- (I) *In correct, the competent authority has acted in legal manner and no miscarriage of Justice has been done by the respondents.*
- (J) *Need no comments.*
- (K) *The respondents also seek leave of this Honorable Tribunal to rely on additional grounds at the time of arguments/ hearing.*

PRAYER:

It is therefore humbly prayed that on acceptance of this Para-wise reply the service appeal may graciously be dismissed along with costs.

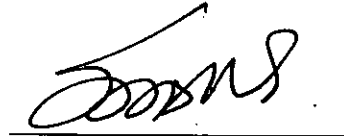
- 1) **Inspector General of Police,**
Khyber Pakhtunkhwa Peshawar



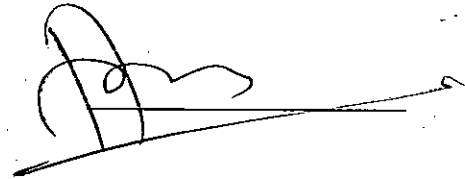
- 2) **Additional Inspector General**
of Police, HQr CPO Peshawar



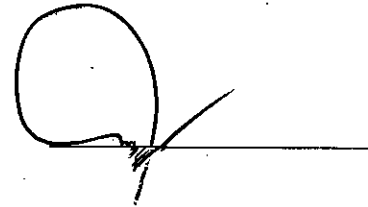
- 3) **Deputy Inspector General of Police,**
Training CPO Peshawar



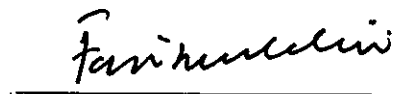
- 4) **District Police Officer,**
Dir Upper



- 5) **Principal, Recruitment Training**
Wings(RTW) Kohat,



- 6) **Commandant Police ,**
Training Collage Hangu



BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR.

Service Appeal No. 589/2016.

Ex-Constable Muhammad Ali No.1203 r/o Dir Upper.....Appellant.
VERSUS

- 1)Provincial Police Officer, Khyber Pakhtunkhwa Peshawar.
- 2)Additional Inspector General of Police HQ CPO Peshawar.
- 3)Deputy Inspector General of Police Training CPO Peshawar.
- 4)District Police Officer Dir Upper
- 5)Principal RTW Kohat.
- 6)Commandant PTC Hangu.....Respondents.

AFFIDAVIT

We the following respondents , do hereby solemnly affirm and declare on oath that the contents of Para-wise comments are true and correct to the best of our knowledge and belief and that nothing has been concealed from this Honorable Tribunal.

Provincial Police Officer,
Khyber Pakhtunkhwa Peshawar.



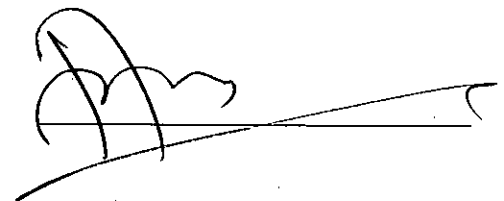
Additional Inspector General of Police,
Headquarter CPO Peshawar.



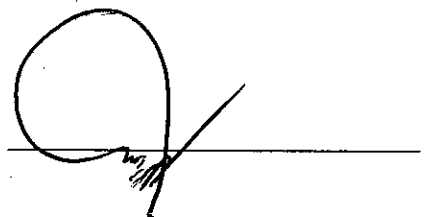
Deputy Inspector General of Police,
Training CPO Peshawar.



District Police Officer,
Dir Upper.



Principal RTW Kohat.



Commandant PTC Hangu.



BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR.

Service Appeal No. 589/2016.

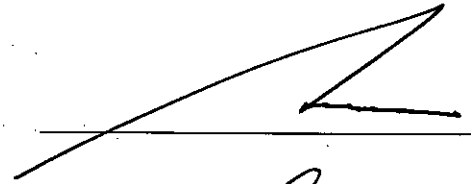
Ex-Constable Muhammad Ali No.1203 r/o Dir Upper.....Appellant.
VERSUS

- 1)Provincial Police Officer, Khyber Pakhtunkhwa Peshawar.
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- 5)Principal RTW Kohat.
- 6)Commandant PTC Hangu.....Respondents.

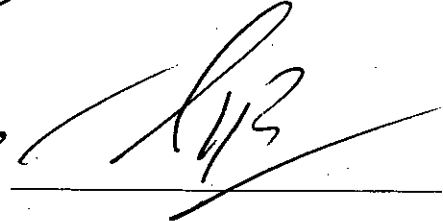
POWER OF ATTORNEY

We the following respondents do hereby appoint Mr. Amjad Khan ASI Legal Dir Upper to file Para-wise reply in the above mentioned case and pursue the case on each and every date. He is also authorized to file the relevant documents in connection with the subject case.

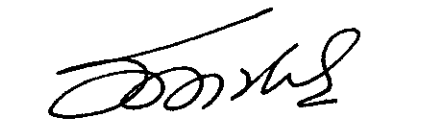
Provincial Police Officer,
Khyber Pakhtunkhwa Peshawar.



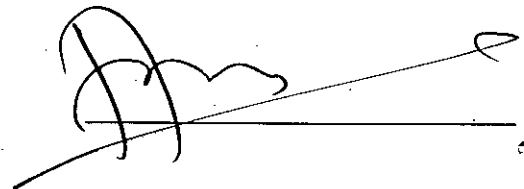
Additional Inspector General of Police,
Headquarter CPO Peshawar.



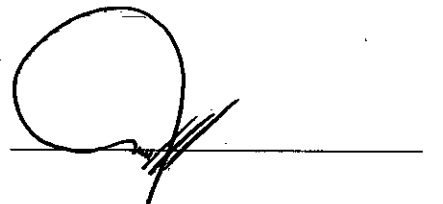
Deputy Inspector General of Police,
Training CPO Peshawar.



District Police Officer,
Dir Upper.



Principal RTW Kohat.



Commandant PTC Hangu.



Service Appeal No-----/2016

Muhammad AliAPPELLANT.

V E R S U S

Govt of Khyber Pukhtoon Khwa & others.....RESPONDENTS.

REJOINDER ON BEHALF OF THE APPELLANT
TO THE REPLY OF THE RESPONDENTS.

Respectfully Sheweth.

Preliminary objections

1-6 That the preliminary objections raised by the respondents are incorrect, baseless, vague and not attracted in the circumstances of the main petition, rather the respondents are estopped to raise any objection due to their own conduct. The main petition is maintainable under the law and well within time and the Hon' able Tribunal has got the jurisdiction to entertain the main appeal under the law.

FACTS:

1-2. Para No. 1 and 2 of the appeal were admitted correct by the respondents hence no comments.

3-4 Para No.3 and 4 are incorrect, while the contents of the Para No.3 and 4 of the main appeal are correct.

5-9. Incorrect. While the contents of the Para No.5 to 9m of the main appeal are correct. Furthermore it is evident from the impugned order of termination that the appellant has been terminated from services on the recommendations of the inquiry officer and no other legal procedure had not been adopted by the respondents neither any kinds of documents have been annexed with the written reply by the respondents and categorically the respondents admits this facts. More-so the appellant has utmost interest in the services of the police department to serve the nation and police therefore the appellant approached this Hon'able Tribunal for his reinstatement into services with all back benefits.

10-11. Para No.10 to 11 of the reply needs no comments and the same has admitted by the respondents and the contents of the para No.10 and 11 of the main appeal are correct as the appellant has filed departmental appeal within time and this Hon'able Tribunal has got the jurisdiction to entertained the appeal.

GROUND S :-

A-K. Para No. A to K of the reply are Incorrect. While contents of the Para No. A to K of the main appeal is correct. Further in light of the judgment of this Hon' able Tribunal and Superior Courts the respondents has not adopted the proper procedure under the law and dismissed from services only on the recommendations of the inquiry officer which is evident from the inquiry report as well as from the impugned dismissal order dated 03.02.2016. however the detail reply is given in above para's. further the appellant has got an utmost interest with police service to serve the nation and police and since his dismissal, the appellant is jobless person.

It is, therefore, most humbly prayed that on acceptance of this rejoinder to the written reply of the respondents, the main appeal of the appellant may kindly be accepted as prayer for.

APPELLANT *M. Ali*
THROUGH *Jalal-ud-Din*
JALAL-UD-DIN
ADVOCATES, PESHAWAR

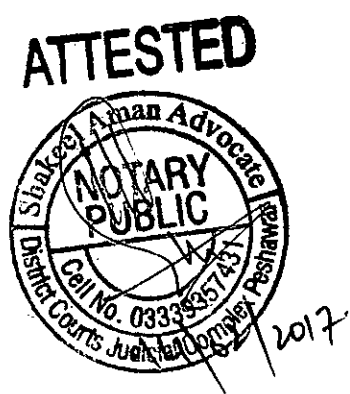
AFFIDAVIT:-

I, Muhammad Ali (Ex-Constable Bearing belt No1203), Son of Muhammad Alam Khan, R/O Village Samkot, Post Office Ushera, Tehsel Dir District Dir Upper do hereby solemnly affirm and declare on Oath that the contents of the above Appeal are true and correct to the best of my knowledge and belief and nothing has been kept secret from this Hon' able Tribunal.

M. Ali
DEPONENT

Identify by

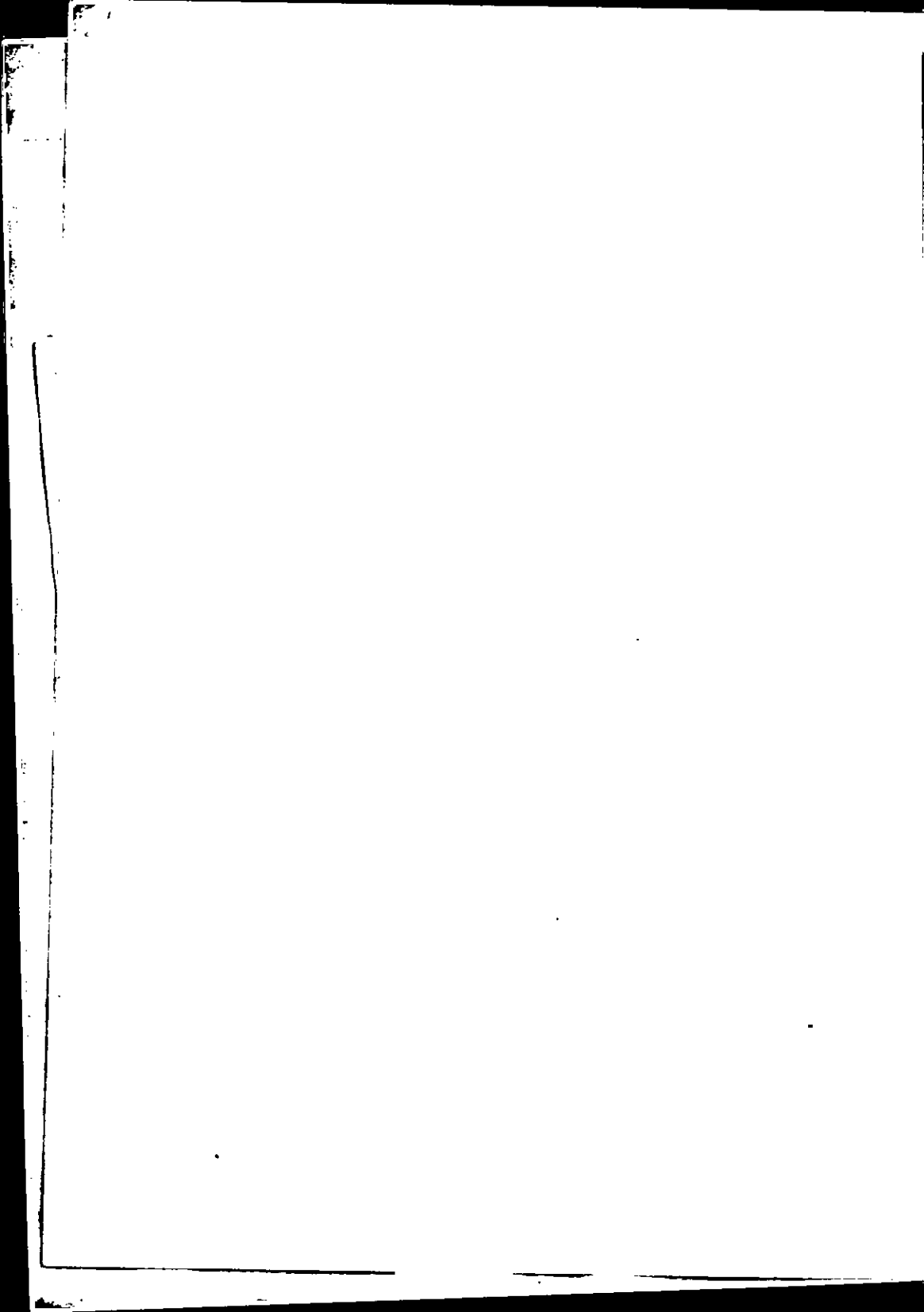
Jalal-ud-Din
JALAL-UD-DIN
Advocate





LETTER

1912



طریقہ 3440588

انڈیا دفتر ANS1 دیوبند

خدمت SHD تمامہ گندریاں

بکار سارا کر پور صیقلی ~~میں~~ ^{میں} علی ^{کریل} × ولا در عالم خان سلمہ سکول
کو مطلع کریں۔ ایک بجورنہ 14.7.016 کو AIG اسٹیبلشمنٹ ڈ
کو پستی ہوگی۔ صبح 8:00AM بجے دفتر AIG میں حاضر
کریں۔

ذریعہ DFC مطلع کریں، انورجے۔
ANS1 DFC
13.7.016

1
13-7-016

OFFICE OF THE
DISTRICT POLICE OFFICER,
UPPER DIR

ORDER

This order is passed on the Departmental Enquiry conducted against Recruit Constable Mohammad Ali No. 1203 while he was sent for basic recruit course on 03.04.2015 and repatriated to parent district as unqualified. Also remained absent for 13 days from Police Lines. During final law examination on 09.09.2015; he was also caught red handed while cheating in PR/PP paper, in this regard a proper letter was received from Commandant PTC Hungu vide Memo: No. 2949-56/GB, dated 16/09/2015. Charge Sheet coupled with Statement of allegation was served upon him and Mr. Mohy-ud-Din Reserve Inspector was appointed as Enquiry Officer. During the course of Enquiry the Enquiry Officer recorded the statements of all concerned, called the defaulter official and recorded his statement. The Enquiry Officer in its finding report stated that the defaulter recruit constable is liable/ guilty and recommended him for **Major punishment**.


On the receipt of the finding report and other connected papers the same was perused, he was served Final Show Cause notice vide this office Endst: No. 88/SB, dated 07/01/2016, on the receipt of the reply. The above named defaulter Officer was called and heard in person in Orderly Room, but he could not defend himself. The enquiry papers were perused and his guilty has been proved beyond any shadow of doubt.

Keeping in view the recommendations of the Enquiry Officer **Recruit Constable Mohammad Ali No. 1203 is hereby dismissed**; his absence period treated as leave without pay.

Order announced.

OB No. 56

Dated: 3-2- /2016.

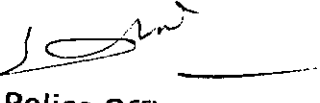

District Police Officer
Dir Upper.

/2016.

No.

/SB, dated Upper Dir the
Copies to:


1. The Commandant, PTC Hungu with reference to Letter No. 2949-56/GB, dated 16/09/2016.
2. The Regional Police Officer, Malakand at Saidu Sharif, Swat.


District Police Officer
Dir Upper.

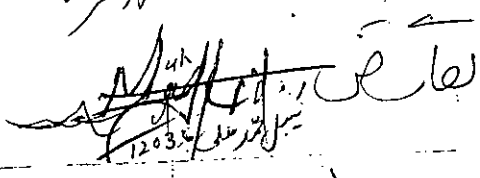
FINAL SHOW CAUSE NOTICE.

1. **WHERE AS,** you recruit constable Muhammad Ali No. 1203 while posted at Police Lines committed gross misconduct as defined in section of Khyber Pakhtunkhwa Removal from Service (Special power) Ordinance (2000), resultantly your Charge Sheet/Statement of Allegation were issued and Mr. Mahy Ud Din Khan RI Police Lines was appointed as Enquiry Officer to conduct proper departmental enquiry.
2. **WHERE AS,** The Enquiry Officer finalized the Enquiry proceeding given you full opportunities of defence. The Enquiry Officer held you guilty of the charge leveled against you as per charge sheet.
3. **AND WHERE AS,** Ongoing through the finding and recommendation of Enquiry Officer. The material placed on record and other connected papers including your defence before the said Enquiry Officer. I am satisfied you have committed the misconduct and are guilty of the charge leveled against you as per statement allegation conveyed to you vide this Office Endst: 3387-88/SB, dated 12.11.2015. Which stand proved and render you liable to be awarded punishment under section 3 of the said Ordinance.
4. **NOW THEREFORE, I SAYED ISRAR UD DIN DISTRICT POLICE OFFICER DIR UPPER,** as competent authority have tentatively decided to impose upon you, any one or More penalties, including the penalty of Dismissal form service under section 3 of the said Ordinance.

You are therefore, required to show cause within seven days of the receipt of this notice, as to why the aforesaid penalty should not be imposed upon you, failing it shall be presumed that you have no defence to offer and ex- parte action shall be taken against you. Meanwhile also intimate whether you desired to be heard in person or otherwise.


District Police Officer,
Dir Upper. *Am*


No. *08* /SB, Dated Dir Upper the *7/11/2016*.

دستور العمل کے مطابق
2.1.5
ب 66

1203

﴿ فائنڈنگ رپورٹ ﴾

بحوالہ انکوائری اذان کنسٹیبل محمد علی نمبر 1203 معروض خدمت ہوں۔ کہ مذکورہ کنسٹیبل ریکروٹ دوران ریکروٹی کورس 6 دن رخصت اور 8 دن چار گھنٹے 50 منٹ غیر سمیت 7 دن میڈیکل ریٹ حاصل کر کے آٹ آف پروگرام رہنے پر مذکورہ کنسٹیبل کو RTW کوہاٹ میں بالترتیب غیر حاضری پر بحوالہ OB 186 ایک یوم ED اور OB نمبر 113 ایک دن ماہانہ ریسیس سے ڈیٹین کیا جا کر بحوالہ OB نمبر 124 21 یوم آٹ پروگرام رہنے پر تین ماہ کیلئے ریورڈ کیا جا کر کنسٹیبل مذکورہ کے خلاف ریکروٹی امتحان میں نقل کرنے پر اور ساتھیوں اور سنئیر آفسران کے ساتھ بد اخلاقی کرنے اور چین آف گمان کو تھوڑ کر سنئیر آفسران کے خلاف sms شکایت کرنے جس سے دیگر ریکروٹ پر بڑے اثرات مرتب ہونے پر RTW سٹاف نے مذکورہ ریکروٹ کنسٹیبل کے خلاف کمانڈنٹ PTC ہنگو کو کاروائی کرنے کی سفارش تحریر کر کے جس پر کاروائی کرتے ہوئے جناب کمانڈنٹ PTC ہنگو نے لیٹر نمبری 2449-55/GC مورخہ 16-9-2015 پر ریکروٹ کنسٹیبل کو ڈیس کو ایفائی کر کے ضلع واپسی کا حکم جاری کر کے اسی لیٹر میں کنسٹیبل مذکورہ کو پولیس رولز 12-21 کے تحت ڈس مس کرنے کا حکم صادر فرمایا ہے۔ جبکہ ضلع واپسی پر بروقت پولیس لائن دیر بالا میں حاضری کرنے کی بجائے کنسٹیبل مذکورہ مزید 13 یوم غیر حاضر ہو کر اپنی حاضری کی رپورٹ کرنے پر کنسٹیبل مذکورہ کے خلاف مذکورہ بالا الزامات و غیر حاضری پر جارج شیٹ نمبری 3357-88/SB مورخہ 12-11-2015 جاری ہو کر انکوائری من RI کو مارک ہو کر مذکورہ ریکروٹ نے اپنی تحریری بیان میں لاء سٹاف RTW کی طرف سے اُن کے ساتھ نا انصافی ہونے کا ذکر کرتے ان کے خلاف sms شکایت کرنا بھی تسلیم کیا۔ جہاں تک کنسٹیبل مذکورہ کے بیان کا تعلق ہے۔ تو اپنے بیان میں کنسٹیبل نے اپنے اوپر لگائے گئے الزامات کو حقیقت کے برعکس قرار دیا۔ جبکہ ضلع ہذا میں 13 یوم غیر حاضری کے متعلق کوئی واضح جواب / عذر پیش نہ کر سکا۔ جو کنسٹیبل کی غفلت ظاہر کرتی ہے۔ علاوہ ازیں چونکہ کمانڈنٹ PTC ہنگو نے کنسٹیبل مذکورہ کو باپ 12-21 کے تحت ملازمت سے فارغ کرنے کا حکم صادر فرمائیں ہے۔ بدیں وجوہات سفارش کی جاتی ہے۔ کنسٹیبل مذکورہ کو باپ 12-21 کے تحت مندرجہ بالا الزامات اور RTW کوہاٹ سے روانہ ہونے کے بعد پولیس لائن میں بروقت حاضری نہ کرنے اور 13 یوم غیر حاضری پر ملازمت سے ڈس مس کرنے کی سفارش کی جاتی ہے۔

فائنڈنگ رپورٹ عرض ہے۔


 محی الدین
 ریڑرو انسپکٹر پولیس لائن دیر بالا

نمبر 67
 مورخہ 015-12-1

Handwritten signature and date at the top right corner.

1303

Handwritten signature in the middle of the page.

Handwritten signature on the left side of the page.

Main body of handwritten text, appearing to be a list or detailed notes, written in Urdu script.

CHARGE SHEET.

I, **SYED ISRAR UD-DIN DISTRICT POLICE OFFICER, DIR UPPER.** As competent authority, hereby charged you *recruit constable Muhammad Ali No. 1203 while posted at Police Lines and Basic Recruit Course* as follows:-

You Recruit Constable Mohammad Ali No. 1203 was send for basic recruit course on 03.04.2015 and repatriated to parent district as unqualified. Also remained 13 days absented from Police Lines after repatriation as well as several times during Basic Recruit Course and awarded punishment. During final law exam on 09.09.2015, you was caught handed while cheating in PR/PP paper and in this regard a proper letter was received from Commandant PTC Hangu vide Memo: No. 2949-56/GC, dated 16/09/2015, so this amounts a gross negligence on your part.

2. By reason of the above, you appear to be guilty of criminal act and have rendered yourself liable to all or any of the penalties specified in Rule-4 of the Disciplinary Rules 1975

3. You are therefore required to submit your written reply within 07 days of the receipt of this charge sheet to the enquiry Officer.

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

Intimate as to whether you desire to be heard in person or not?

6. Statement of allegation is enclosed.

(enclosed 7)


District Police Officer,
Dir Upper. 

No. 3387-88 /SB, Dated Dir Upper the 12/11/2015.

Copy to *Constable Mohammad Ali No. 1203/RC* submit while posted at Police Lines your reply to the Charge Sheet with stipulated period.

DISCIPLINARY ACTION.

I, **SYED ISRAR UD-DIN DISTRICT POLICE OFFICER, DIR UPPER.** As competent authority, is of the opinion that you **Constable Muhammad Ali no. 1203 while posted at Police Lines,** have rendered yourself liable to be proceeded against departmentally as you have committed the following acts/omission as defined in Rule-2 (iii) of Police Rule, 1975.

STATEMENT OF ALLEGATION.


Whereas Recruit Constable Mohammad Ali No. 1203 was send for basic recruit course on 03.04.2015 and repatriated to parent district as unqualified. Also remained 13 days absented from Police Lines after repatriation as well as several times during Basic Recruit Course and awarded punishment. During final law exam on 09.09.2015, you was caught handed while cheating in PR/PP paper and in this regard a proper letter was received from Commandant PTC Hangu vide Memo: No. 2949-56/GC, dated 16/09/2015, so this amounts a gross negligence on your part

2. For the purpose of scrutinizing of the said accused with reference e to the above allegations, **Mr. Mahe Ud Din Khan RI Police Lines** is appointed as the Enquiry Officer under the said Rules.

3. The Enquiry Officer shall conduct proceeding in accordance with provision of Police Rule 1975 and shall provide reasonable opportunity of defence and hearing to the accused official, record its findings and make within twenty five (25) days of the receipt of this order, recommendation as to punishment or other appropriate action against the accused official.

4. The accused official shall join the proceeding on the date, time and place fixed by the Enquiry Officer.

(enclosed 7)


District Police Officer,
Dir Upper.

No. 3387-88 /SO, Dated Dir Upper the 12/11/2015.

Copy of the above is forwarded to:-

1. The Enquiry Officer for initiating proceeding against the accused official under Police Rule, 1975.
2. Concerned defaulter official.

R. Du (U) 5.10.15

forwarded
Sir,

4-10-05
mm line Dir.

میں نے اس کے بارے میں
میں نے اس کے بارے میں

DSP H 10-10-15

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mm line Dir.

4-10-05

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140-20
PL AN 05 9
میں نے اس کے بارے میں

میں نے اس کے بارے میں

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1203

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اور نمبر ٹریس کرنے سے یہ پتہ چلا کہ سائل پر دی گئی یا لگائے گئے الزامات جھوٹے اور بے بنیاد ہے۔ اور مجھ پر جتنے بھی الزامات لگائے گئے ہیں وہ جھوٹے اور بے بنیاد ہے جس پر میرے ساتھ پولیس ٹرینیز جو کوہاٹ سنٹر میں میرے ساتھ موجود تھے میرے بے گناہی ثابت کرنے میں ایک حلفیہ بیان انکوائری آفیسر صاحب کو بھی دی گئی ہے۔

جناب عالی! تمام الزامات کو مد نظر رکھتے ہوئے من سائل کے ساتھ انصاف کر کے مذکورہ انکوائری کو فائل اختتام کرنے کے احکامات صادر فرمایا جائے۔

تو سائل تاحیات دُعا گو رہے گا۔

فقط زیادہ ادب

العارض!

محمد علی پولیس نمبر 1203 ضلع دیر بالا۔



Ph # 0925-62

Fax # 0925-62

Office Of The Commandant Police Training College H.

MARKS SHEET

Q.No	1	2	3	4	5	6	7	8	9
Marks obtd									
Q.No	11	12	13	14	15	16	17	18	19
Marks obtd									
Q.No	21	22	23	24	25	26	27	28	29
Marks obtd									

Total obtained Marks _____ Sign: of Counting Officer: _____

Sign: of Re-checking Officer: _____

نام	PR - 1203	
صوبہ	R = 19848	
دوران	پرنٹ	
1203		
اسٹیشن	11/11	پرنٹ
جو جی آر	11/11	پرنٹ
PR/PP	11/11	پرنٹ
1203	9 - 2015	پرنٹ
1203	20 - 9 - 2015	پرنٹ
1203	PR/PP	پرنٹ
1203	0302 2440588	پرنٹ

دوران، صوبہ، نام اور اسٹیشن
 اسٹیشن، جو جی آر، جو جی آر
 جو جی آر، جو جی آر

Controlled
 PR/PP
 1203



وزیر تعلیم، حکومت پاکستان

سرٹیفکٹ پر جوابات تحریر کرتے ہوئے صرف نیلے بال پوائنٹ کا استعمال کریں

جو کسی قسم کا مارکر، پوائنٹر، یا ہائی لائٹر کے استعمال سے قطعاً گریز کریں

محلہ کسی قسم کا نشان، مثلاً اسم اللہ، اختتام پر ختم شد وغیرہ یا دیگر کوئی امتیازی نشان نہ لگائیں

21- تحفہ جات: ذکر کیا جا رہا ہے

اصول شد کردہ قاعدہ نمبر 14-26 کی رو سے افسران پولیس کے لئے اپنے ماتحان سے کسی قسم کے بھی تحفہ جات قبول کرنا منع ہے۔
پولیس کے لئے تحائف کے لینے اور دینے کی قطعی ممانعت ہے۔ گورنمنٹ پنجاب کے احکام تحائف کے متعلق گورنمنٹ پنجاب کے خصوصی
نہم نامہ نمبر کے فقرات نمبر 11 میں جیسا کہ یکم مارچ 1928ء تک ترمیم ہو چکا ہے دیئے گئے ہیں۔ قواعد متعلقہ طرز عمل ملازمان سرکاری کے
برہ کی رو سے پولیس افسران یا ان کے کنبہ کے افراد کے لئے غیر سرکاری اشخاص سے تحفہ جات یا ذالیوں کا قبول کرنا منع ہے۔ جمان زمان
کوئی سرکاری ملازم کسی پاکستانی سے پھولوں یا پھولوں یا اسی قسم کی کم قیمت اشیاء کا اعزازی تحفہ قبول کر سکتا ہے۔ مگر تمام ملازمان سرکاری
ترین کوششوں سے اس قسم کے تحفہ جات کے دینے کی خواہش کو روکیں گے۔ ماسوائے قریب ترین وطنی مسایوں اور رشتہ داران کے پولیس
ن کے لئے شادی کی تقریبوں پر تحفہ کا لینا دینا منع ہے۔

ماسوائے اتفاقی اشہ ضرورت کے پاکستانی روسا کی گاڑیوں اور گھڑوں وغیرہ کا عاریت لینا افسران پولیس کے لئے منع ہے۔

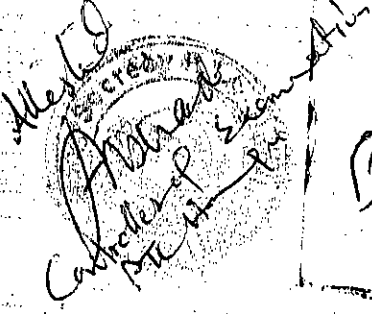
کوئی پولیس افسر ایسی الوداعی دعوتوں میں شریک نہیں ہوگا جو اس کے ملازمت سے ریٹائرڈ ہونے یا کسی ضلع یا مقام سے روانہ

نے کے موقع پر اظہار عقیدت کی غرض سے کی جائیں اور نہ ایسی ضیافتوں میں شریک ہوگا جو اس کے اعزاز میں کی جائیں الا اس حالت میں مہر حراج

ایسی دعوتیں وغیرہ محض غیر رسمی اور پرائیویٹ نوعیت کی ہوں اور ہتھیار ذاتی دوستوں تک محدود ہوں۔ قاعدہ ہذا سے استثنای کی منظوری

ن اسپیکر جنرل دے سکتے ہیں۔

خلا



روزانہ میں موضوع سوالات بنایا جائے۔

(3) مذکورہ بالا ضمنی قاعدہ (1) میں بیان کردہ ممانعت میں ماسوائے سرٹیفکیٹ جو زیر قاعدہ 15-3 عطا کئے جائیں یا رکنی خطوط کے جو متعلقہ سپرنٹنڈنٹ پولیس کے نام لکھے جائیں اور ان میں موصوف کو ان خاص خدمات کی اطلاع دی گئی ہو جو نو پسندہ کے لئے انجام دی گئی ہوں یا جن کا علم اس کو ضمنی حیثیت میں ہوا ہو کسی اور قسم کے سرٹیفکیٹوں یا سفارشی چٹھیوں کا حاصل کرنا بھی شامل ہے۔

(4) افسران پولیس کے لئے انسپکٹر جنرل پولیس کی پیشگی منظوری کے بغیر ممبران یا گورنمنٹ کے سیکرٹریوں سے انٹرویو حاصل کرنا سخت منع ہے۔

30-14۔ شرکت سیاسیات:

(1) کوئی پولیس افسر کسی ایسی تحریک میں جو پاکستان میں جاری ہو یا معاملات پاکستان سے متعلق ہو نہ تو حصہ لے گا نہ اس کی امداد کے لئے چندہ دے گا۔ جہاں شک کی گنجائش ہو کہ آیا کسی پولیس افسر کے زیر تجویز عمل سے قاعدہ ہذا کی خلاف ورزی ہوتی ہے یا نہیں تو انسپکٹر جنرل کا حکم حاصل کیا جائے گا۔

(2) کوئی پولیس افسر کسی قانون ساز انجمن کے متعلق انتخاب میں کسی شخص سے کسی شخص کے حق میں ووٹ دینے کے لئے درخواست نہیں کرے گا اور نہ ہی کسی اور طرح دخل دے گا یا اپنا سوخ استعمال کرے گا یا حصہ لے گا لیکن اگر اسے ووٹ دینے کا حق حاصل ہو تو اپنا ووٹ دے سکتا ہے۔

31-14۔ ضابطہ درخواستوں اور سفارشوں کے ممانعت:

تمام عہدیدوں کے پولیس افسران کو جب کہ آسامیاں خالی ہوں براہ راست یا افسر بالا دست کے ذریعے ترقی درجہ کے لئے درخواست

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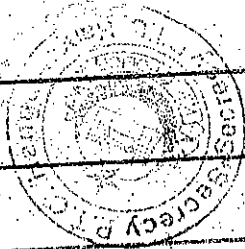
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Attended
Meeting
of
Members of
National
Security
Council
on
11/12/2015

11/12/2015
11

11/12/2015
11

11/12/2015
11



PTC Secretariat
Controller of Examinations
Allahabad

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copy

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(2) ...

(1) ...

27-14

Regarding Speculations: 14.28

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Callahan
PTC Hangover
of the
Alexandria

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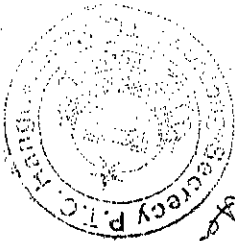
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Attest
 Director
 Faculty of Education
 University of Sindh
 Hyderabad

25 فروری 2015ء کو
 14.10.18 سے 18.10.18 تک
 30 روزہ امتحان
 1. 2015ء کی امتحان پر
 2. 2015ء کی امتحان پر
 3. 2015ء کی امتحان پر
 4. 2015ء کی امتحان پر

50 فروری 2015ء کو
 1. 2015ء کی امتحان پر
 2. 2015ء کی امتحان پر
 3. 2015ء کی امتحان پر
 4. 2015ء کی امتحان پر
 5. 2015ء کی امتحان پر
 6. 2015ء کی امتحان پر
 7. 2015ء کی امتحان پر
 8. 2015ء کی امتحان پر
 9. 2015ء کی امتحان پر
 10. 2015ء کی امتحان پر

2015
 9/2/2015
 2015

KHYBER PAKHTUNKWA SERVICE TRIBUNAL, PESHAWAR

No. 1830 /ST

Dated 2 / 8 / 2017

To


The District Police Officer;
Government of Khyber Pakhtunkhwa,
Dir Upper.

Subject: -

JUDGMENT IN APPEAL NO. 589/2016, MUHAMMAD ALI.

I am directed to forward herewith a certified copy of Judgement dated 25.07.2017 passed by this Tribunal on the above subject for strict compliance.

Encl: As above


REGISTRAR
KHYBER PAKHTUNKHWA
SERVICE TRIBUNAL
PESHAWAR.