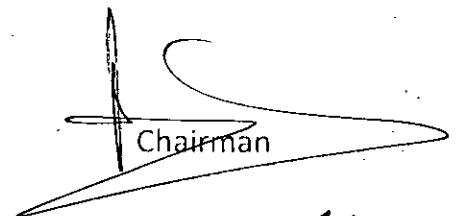


671/16

proceeded against departmentally and discharged from service under Rule-12.21 of Police Rules. Departmental appeal of the appellant was also rejected vide order dated 13.01.2010 where-after appellant did not pursue his grievances and as such the said order became final. After-wards the appellant submitted a review petition under amended provision of Rule-11-A of Police Rules, 1975 wherein his case was examined and, apart from other reasons, review petition filed in the year 2015, was found badly time-barred and as such the petition of the appellant was also dismissed vide order dated 14.06.2016.

The impugned order pertains to the year, 2008 while departmental appeal against the same was also disposed of in the year, 2010. The appellant was to prefer service appeal within one month from the date of final order dated 07.01.2010 or from the date of its communication but the appellant did not opt to prefer any service appeal within the time specified by law. The appeal of the appellant against the impugned final order dated 07.01.2010 is not within time. As such the appeal is dismissed in limine. File be consigned to the record room.



Chairman

ANNOUNCED
27.07.2016

27.07.16

13.07.2016

Counsel for the appellant present and requested for adjournment. To come up for preliminary hearing on 27.07.2016 before S.B.


Member

27.07.2016

Counsel for the appellant present. Preliminary arguments heard and record perused.

Brief facts of the appeal preferred by the appellant are that the appellant joined Police Department as Constable in the year, 2007. That while posted at P.S Latamber he did not perform he did not perform his duties due to sickness of his mother and that on her recovery he went to perform his duties but learnt that he was discharged from service vide order dated 20.07.2008 where-against his departmental appeal was rejected vide order dated 07.01.2010 and review petition there-after filed by the appellant was also rejected vide order dated 14.06.2016.

Learned counsel for the appellant has argued that the appellant was not treated in accordance with law as neither enquiry was conducted nor opportunity of hearing afforded to him. That the impugned order is void and as such time-limitation would not run against the appellant. That the impugned order is therefore liable to be set aside.

Perusal of impugned order dated 30.07.2008 would suggest that the appellant was

Form- A
FORM OF ORDER SHEET

Court of _____

Case No. 671/2016

S.No.	Date of order proceedings	Order or other proceedings with signature of judge or Magistrate
1	2	3
1	21/06/2016	<p style="text-align: center;">The appeal of Mr. Dildar Badshah presented today by Mr. Fazal Shah Mohmand Advocate may be entered in the Institution Register and put up to the Learned Member for proper order please.</p> <p style="text-align: right;"><i>[Signature]</i> REGISTRAR</p>
2-	22-06-2016	<p style="text-align: center;">This case is entrusted to S. Bench for preliminary hearing to be put up there on. <u>24-06-2016</u></p> <p style="text-align: right;"><i>[Signature]</i> MEMBER</p>
24.06.2016		<p style="text-align: center;">Clerk to counsel for the appellant present. Preliminary arguments could not be heard due to strike of the bar. To come up for preliminary hearing on <u>13.7.2016</u> before S.B. Status quo to maintain.</p> <p style="text-align: right;"><i>[Signature]</i> Member</p>

BEFORE THE SERVICE TRIBUNAL KPK PESHAWAR

Service Appeal No 671 /2016

Dildar Badshah.....Appellant

V E R S U S

DIG and Others.....Respondents

I N D E X

S.No	Description of Documents	Annexure	Pages
1.	Service appeal with affidavit		1-5
2.	Application for condonation of delay with Affidavit.		6-7
3.	Copies of Medical Chits	A	8-20
4.	Copy of Order dated 30-07-2008	B	21
5.	Copy of order dated 13-01-2010, Review petition & Order dated 14-06-2016	C, D & E	22-25
6.	Wakalat Nama.		26

Dated:-21-06-2016

Dildar Badshah
Appellant

Through

Fazal Shah Mohmand
Fazal Shah Mohmand
Advocate Peshawar

OFFICE:- Cantonment Plaza Flat 3/B Khyber Bazar Peshawar
Cell# 0301 8804841

Page #12

BEFORE THE SERVICE TRIBUNAL KPK PESHAWAR

Service Appeal No 671 /2016

Dildar Badshah Ex Constable No 695, District Police Karak.

.....Appellant

Khyber Pakhtukhwa
Service Tribunal

V E R S U S

Diary No. 657

Dated 21-6-2016

1. Deputy Inspector General of Police Kohat Region Kohat
2. District Police Officer Karak.
3. Provincial Police Officer KPK Peshawar

.....Respondents

**APPEAL U/S 4 OF THE KPK SERVICE TRIBUNAL ACT 1974
AGAINST THE ORDER DATED 07-01-2010 PASSED BY
RESPONDENT NO 1 WHERE BY DEPARTMENTAL
APPEAL OF THE APPELLANT FILED AGAINST THE ORDER
DATED 30-07-2008 OF RESPONDENT NO 2 HAS BEEN
REJECTED/FILED.**

PRAYER:-

On acceptance of this appeal the impugned Order dated 07-01-2010 of respondent No 1 and Order dated 30-07-2008 of respondent No 2 may kindly be set aside and the appellant may kindly be ordered to be reinstated in service with all back benefits.

Respectfully Submitted:-

1. That the appellant joined the respondent Department as Constable in the year 2007 remained posted to various Police Stations and since then he performed his duties with honesty and full devotion.
2. That the appellant while posted to Police Station Lathamber, his mother fell seriously ill, the appellant accordingly informed the SHO who directed him to look after her mother as there was no other male family member for her look after, so the appellant

Filed to play
Smehees
22-6-16
Registrar

(2)

proceeded home and took her mother time and again to Doctors who advised her medicines and bed rest. It is pertinent to mention here that whenever his mother felt better he came for duty but had to proceed again for the look after of his mother. **(Copies of Medical Chits are enclosed as Annexure A).**

3. That finally when after recovery of his mother came for duty he came to know that the appellant has been discharged from service by respondent No 2 vide order dated 30-07-2008. **(Copy of the order is enclosed as Annexure B).**
4. That the appellant filed Departmental appeal before respondent No 1, which was rejected/filed vide order dated 13-01-2010, where after he filed review petition before respondent No 3 which was also rejected vide order dated 14-06-2016. **(Copy of Order dated 13-01-2010, review petition and Order dated 14-06-2016 are enclosed as Annexure C, D, & E).**
5. That the impugned order dated 13-01-2010 of respondent No 1 and order dated 30-07-2008 of respondent No 2 are against the law, facts and principles of justice on grounds inter alia as follows:-

GROUND S:-

- A. That the impugned orders are illegal and void abinitio.
- B. That mandatory provisions of law and rules have badly been violated by the respondents and the appellant has not been treated according to law and rules and the appellant did nothing that amounts to misconduct.
- C. That no inquiry was conducted to find out the true facts and circumstances.

3

- D. That no charge sheet and show cause notice was communicated to the appellant thus no charge was framed against the appellant and as such the impugned orders are void and not maintainable in the eyes of law.
- E. That the impugned orders are not speaking orders and thus not tenable in the eyes of law.
- F. That even otherwise the absence from duty was not willful and deliberate rather the same was because of circumstances compelling in nature and were beyond the control of the appellant as well.
- G. That the appellant was not afforded the opportunity of personal hearing and the penalty is not known to law as well.
- H. That ex parte action has been taken against the appellant and he has been condemned unheard.
- I. That the appellant has about one year of service with unblemished service record and is jobless since his illegal discharge from service.
- J. That the appellant seeks the permission of this honorable tribunal for further/additional grounds at the time of arguments.

It is therefore prayed that appeal of the appellant may kindly be accepted as prayed for in the heading of the appeal.


Any other relief not specifically asked for and deemed appropriate in the circumstances of the case may also be granted in favor of the appellant.

④


Appellant

Dated:-21-06-2016

Through


Fazal Shah Mohmand
Advocate, Peshawar

5

BEFORE THE SERVICE TRIBUNAL KPK PESHAWAR

Service Appeal No _____/2016

Dildar Badshah.....Appellant

V E R S U S

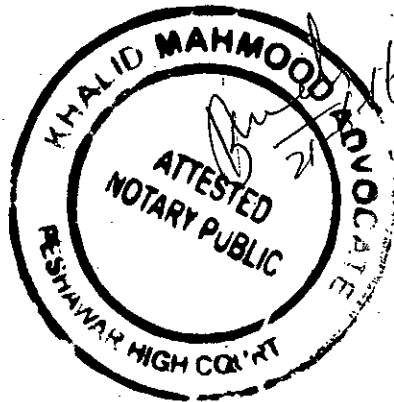
DIG and Others.....Respondents

AFFIDAVIT

I, Dildar Badshah Ex Constable No 695, District Police Karak, do hereby solemnly affirm and declare on oath that the contents of this **Appeal** are true and correct to the best of my knowledge and belief and nothing has been concealed from this honorable Tribunal.

Dildar
DEPONENT

Identified by
Fazal Shah
Fazal Shah Mohmand
Advocate Peshawar



(6)

BEFORE THE SERVICE TRIBUNAL KPK PESHAWAR

Service Appeal No _____/2016

Dildar Badshah.....Appellant

V E R S U S

DIG and Others.....Respondents

Application for the condonation of delay if any.

Respectfully submitted:-

1. That the accompanying appeal is being filed today in which no date of hearing has been fixed so far.
2. That the grounds of appeal may be considered as integral Part of this application.
3. That the impugned order being void abinitio, illegal and time factor becomes irrelevant in such cases, furthermore the appellant was agitating the same before the respondents and the last order was passed on 14-06-2016 and the appeal is as such within time.
4. That the law as well as the dictums of the superior Courts also favors decisions of cases on merit.

It is therefore prayed that on acceptance of this application, the delay if any in filing of appeal may kindly be condoned.

Dated:-21-06-2016

Dildar
Appellant

Through

Fazal
Fazal Shah Mohmand,
Advocate, Peshawar

BEFORE THE SERVICE TRIBUNAL KPK PESHAWAR

Service Appeal No _____/2016

Dildar Badshah.....Appellant

V E R S U S

DIG and Others.....Respondents

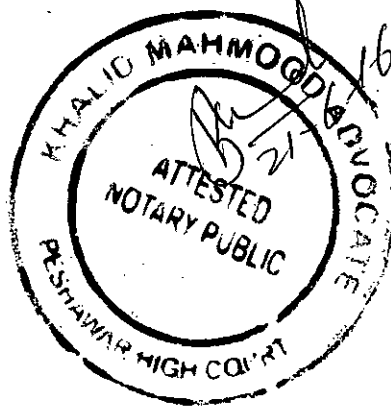
A F F I D A V I T

I, Dildar Badshah Ex Constable No 695, District Police Karak, 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 nothing has been concealed from this honorable Tribunal.

DEPONENT

Identified by

**Fazal Shah Mohmand
Advocate Peshawar**



Sent To: _____

OUT DOOR PATIENT TICKET


A 7

(9)

District: کوہاڑی CRP No: _____
 Facility Name: ڈی. پی. سٹیٹ Age: 48W Sex: F
 Name: _____
 Father's/Husband's Name: _____

Monthly OPD Serial No. 6976 - 26/3/2008
 Provisional Diagnosis: LBP/K/Sentia

Date	Clinical Findings / Investigations / Treatment / Referred / Test Findings
	<p>X, Rys - 6/3pm AP - cm - urine - Accel</p> <p>2m - Depo. medical. 80m 2m - Muscoryl.</p> <hr/> <p>Cap - Gabi Ca. 100mg 1 m l.</p> <p>2m - Muscoryl. 200mg 1 m l.</p> <p>1000 - Acitix. 20mg 1 m l.</p> <p>Advise - Complete bed rest. (04) weeks</p>
	<p>Casualty Medical Officer BHO Hospital KDA Kohat.</p>

Attested


DISTRICT HEADQUARTER HOSPITAL KDA KOHAT

MEDICAL LEAVE CERTIFICATE

(a)

Signature of the Patient _____

I certify that Khaldia Pervez Designation Constable

partinent Doer whose signature is given above is suffering

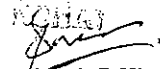
from Backache and I advised/recommended complete bed rest for 04 weeks


days, w.e.f. 26.3.18 to 22.4.18 as necessary for the recovery and restoration of

her health.

PT_FCR_MLC_PURPOSE


Medical Superintendent
LM / DHQ Hospital
Kohat

Medical Officer
DHQ HOSPITAL KDA
Kohat

Medical Officer
DHQ Hospital KDA
Kohat

Attested

(Adv)

Sent To: _____

OUT DOOR PATIENT TICKET

District L 5/6

CRP No: (10)

Facility Name _____

Name Ujjwal Singh Age: _____ Sex: _____

Father's/Husband's Name _____

5837 - 22/4/2008

Monthly OPD Serial No. _____

Provisional Diagnosis: Backache Lf - Scabica

Date	Clinical Findings / Investigations/ Treatment / Referred / Test Findings
	<p>X-Rays L/Spine</p> <p>CT L/Spine</p> <p>Uric acid</p> <hr/> <p>Tab - Voltadol 100mg</p> <p>Cap - Zeegap 100mg</p> <p>Advise - Complete Bedrest 4 weeks</p> <p><i>[Signature]</i> Medical Specialist DMS HOSPITAL KUK [Stamp]</p>

Attested
[Signature]
[Ad's]

Sent To:

OUT DOOR PATIENT TICKET

DHIS - 02 (F)

KOHAT

(11)

District _____ CRP No: _____

Facility Name _____

Name Qayyum Age: 47/48 Sex: R

Father's/Husband's Name Dr. J. J. J.

Monthly OPD Serial No. 1915/08

Provisional Diagnosis: URA

Date	Clinical Findings / Investigations/ Treatment / Referred / Test Findings
	<u>Dr. J. J. J.</u> <u>AD - ...</u>
	<u>Dr. J. J. J.</u> <u>AD - ...</u>
	<u>Dr. J. J. J.</u> <u>AD - ...</u>
	<u>Dr. J. J. J.</u> <u>AD - ...</u>
	<u>Dr. J. J. J.</u> <u>AD - ...</u>

...
... above is
... for ...
... and rest

Dr. J. J. J.
DHQ Hospital
Medical
Kohat

Dr. J. J. J.
DHQ HOSPITAL
KOHAT

Attested
[Signature]
(Adv)


12


DISTRICT HEADQUARTER HOSPITAL KDA KOHAT

MEDICAL LEAVE CERTIFICATE


Name of the Patient
to certify that Munida Parva Designation Constable
Department Police whose signature is given above is suffering
from LBP and I advised/recommended complete bed rest for 02 weeks
from date 18.5.08 to 18.6.2008 as necessary for the recovery and restoration of
her health.

FOR MLC PURPOSE


Medical Superintendent
LM / DHQ Hospital
Kohat


Medical Officer
DHQ Hospital KDA
Kohat

02 weeks


Specialist
DHQ Hospital
Kohat

Attested

(14)

13

DISTRICT HEADQUARTER HOSPITAL KDA KO

MEDICAL LEAVE CERTIFICATE

Nature of the Patient


to certify that Khalida Parveen Designation Constable

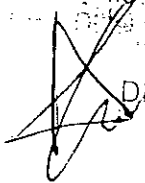
Department Constable Police whose signature is given above
Bachache / F. Scoria

and I advised/recommended complete bed rest for
to s. w. e. f 22.4.2008 to 20.5.2008 as necessary for the recovery and

other health.

FOR MLC PURPOSE


Medical Superintendent
I M / DHQ Hospital
Kohat


DHQ Hospital
Kohat

Attested

As

Sent To: _____

OUT DOOR PATIENT TICKET

14

KOHAT

District: _____ CRP No: _____

Facility Name: _____

Name: Shah Owais Age: _____ Sex: _____

Father's/Husband's Name: _____

Monthly OPD Serial No. 5201
27/6/08

Provisional Diagnosis: LBP

Date	Clinical Findings / Investigations / Treatment / Referred / Test Findings
	<p>✓ Pain & Spine</p> <p>Diagnosis: <u>Muscul. Volens</u></p> <p>Investigations: <u>AS - Marked</u></p> <p>Test: <u>Terminon 2m</u></p> <p>Advice: <u>Rest - 04 weeks</u></p>

en above is s
st for 046
ry and restora

Medical Office
HQ Hospital I
Kohat
Medical Spc
HQ HOSPITAL
KOHAT

Casualty Medical
HQ Hospital KDA
Kohat

Attested
[Signature]

DISTRICT HEADQUARTER HOSPITAL KDA KOHAT

MEDICAL LEAVE CERTIFICATE

15

Signature of the Patient

I certify that Khalida Parveen Designation Constable

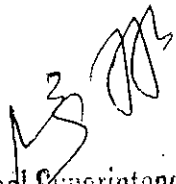
Department Police whose signature is given above is suffering


from Breast and I advised/recommended complete bed rest for 04 weeks

s, w.e.f 23-6-08 to 22-7-08 as necessary for the recovery and restoration of

her health.

FOR MLC PURPOSE


Medical Superintendent
EM / DHQ Hospital
Kohat


Medical Officer
DHQ Hospital KDA
Kohat
Medical Superintendent
DHQ HOSPITAL KDA
KOHAT

Attested

(A/S)

Sent To: _____

OUT DOOR PATIENT TICKET

District Swat CRP No: _____

Facility Name _____

KOHAT

Name Wajid Age: _____ Sex: _____

Father's/Husband's Name _____

72591
2017/08

(16)

Monthly OPD Serial No. _____

Provisional Diagnosis: _____

Date	Clinical Findings / Investigations / Treatment / Referral / Test Findings
	<p><u>Ad MR1</u></p> <p>Cap - <u>Zeegap loony</u></p> <p>Tab - <u>Kek asapad</u></p> <p>Tab - <u>Ap simon</u></p> <p>Tab - <u>Nuberal fal</u></p> <p>Advis: <u>4 weeks</u> (03)</p>

g
4 weeks
n of her health.

icer
KDA
Kohat

Ju
Casualty Medical
Officer
DHQ Hospital KDA
Kohat.

Attested
[Signature]
(N)

DISTRICT HEADQUARTER HOSPITAL KDA KOHAT

MEDICAL LEAVE CERTIFICATE

17

Signature of the Patient _____

to certify that Khuda Perveen Designation Constable


Department Police whose signature is given above is suffering


from Breast and I advised/recommended complete bed rest for 04 weeks

s, w.e.f 23-6-08 to 22-7-08 as necessary for the recovery and restoration of
her health.

FOR MLC PURPOSE


Medical Superintendent
EM / DHQ Hospital
Kohat


Medical Officer
DHQ Hospital KDA
Kohat
Medical Specialist
DHQ HOSPITAL KDA
KOHAT

Attested

(Aet)

Sent To: _____

OUT DOOR PATIENT TICKET

18

District Kohat

CRP No: _____

Facility Name _____

Name _____ Age: _____ Sex: _____

Father's/Husband's Name 2112

22/8/08

Monthly OPD Serial No. _____

Provisional Diagnosis: Lumbago / Sciatica

Date	Clinical Findings / Investigations / Treatment / Referred / Test Findings
7 Reys 2/8/08	AT - Cap. Gubica - 100mg 1.5m, 100mg
1 to 2 to	1.5m, 25mg 1.5m, 20mg
1 to 2 to	1.5m, 100mg one month

[Signature]
 Medical Officer
 QHC Hospital Kohat

Attested
[Signature]

DISTRICT HEADQUARTER HOSPITAL KDA KOHAT

MEDICAL LEAVE CERTIFICATE

Signature of the patient.....
Khalda

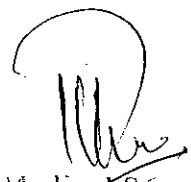
to certify that.....
Perveen Designation..... Constable.

Department..... Police..... whose signature is given above is suffering

From Lt Section and I advised/recommended complete bed rest for 04 weeks.

s, w, e, f 28/7/08 To 20/8/08 as necessary for the recovery and restoration of her health.

T FCR MLC PURPOSE



Medical Superintendent
DHO / Hospital Kohat

22/7

Medical Officer


DHO Hospital KDA

Kohat
Medical Officer
DHO Hospital Kohat

Attested
Cell (Adv)

DISTRICT HEADQUARTER HOSPITAL KDA KOHAT

MEDICAL LEAVE CERTIFICATE

50
20

Signature of the patient.....

to certify that Khaldia Designation Constable

Department Police whose signature is given above is suffering

From Amnesia and I advised/recommended complete bed rest for one month

s, w, e, f 22/8/08 To 21/9/08 as necessary for the recovery and restoration of her health Asin set

[Handwritten signature]

T FCR MLC PURPOSE

**Medical Officer
Divl; HQ. Hospital Kohat.**

Medical Officer

DHQ Hospital KDA

Kohat

[Handwritten signature]
**Medical Officer
Divl; HQ. Hospital Kohat.**

[Handwritten signature]
Medical Officer
DHQ Hospital Kohat

Attested
Cell
(A)

(21)

B

ORDER.


This order is passed on the departmental proceedings initiated against Constable Dildar Badshah No.695 on the score of allegation that he absented himself from his lawful duty with effect from 31.03.2008 to 10.04.2008, 16.04.2008 to 02.07.2008 and 03.07.2008, till-date without any leave or permission.

He was charge sheeted and Dy:Supdt:of Police, H.Qrs:Karak was appointed as enquiry officer to proceed him against departmentally. } The Enquiry Officer has submitted his finding with the remarks that the defaulter official may be struck off from the force under Police Rules, 12-21.

The defaulter constable was issued with Final Show Cause Notice. His reply to the Final Show Cause Notice, he is unwilling worker and dis-interested to Service Police Department.

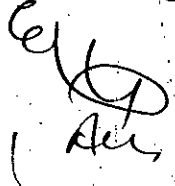
In view of the above, the defaulter constable is hereby 'DISCHARGE' under Police Rules, 12-21 from Service from the date of absence.

OB.No. 920
Dated. 30/07/2008.


District Police Officer,
Karak.

Copy to all concerned.

Handwritten notes in Urdu:
1. order copy received
2. on 1-08-2008
3. ...
4. ...
33

Attested

A/S

22

C
F-144-10/

POLICE DEPARTMENT

KOHAT REGION.

ORDER.

This order will dispose off the application of Ex. Constable Dildar Badshah No.695 of Karak District Police requesting therein for setting aside the punishment awarded to him in-shape of discharge from service Under Police Rules 12.21 vide DPO Karak OB No.970 dated 30.07.2008.

Brief facts of the case are that the defaulter official was absented himself from lawful duty without leave or prior permission from his superior officers of the following dates:-

1. From 31.03.08 to 10.04.08
2. From 16.04.08 to 02.07.08
3. From 03.07.08 till date of discharge.

He was dealt departmentally Under Removal from Service (Special Powers), Ordinance 2000. Charge Sheet & Statement of Allegation was issued and DSP Hqrs: Karak was appointed as Enquiry Officer. The Enquiry Officer submit his finding report and recommended that the defaulter constable be struck off from Force Under Police Rules 12.21. Final Show Cause Notice was issued to him to which his reply was found unsatisfactory.

On the recommendation of Enquiry Officer the DPO Karak he was awarded a major punishment of discharge from service Under Police Rules 12.21.

He was heard in person in Orderly Room held in this office on.07.01.2010, but he could not given any satisfactory account in his defence.

From the perusal of Service Record as well as other relevant papers, the undersigned has reached to the conclusion that the order passed by the DPO Karak is in accordance with law and Rule and no need interference in the order of DPO Karak, hence the application is examined and filed.

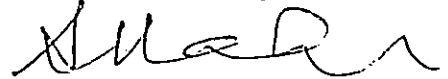
ORDER ANNOUNCED.
07.01.2010



(ABDULLAH KHAN) PSP
Dy: Inspector General of Police,
Kohat Region, Kohat.

No. 395 /EC, dated Kohat the 13/1 /2010.

Copy of above for information and necessary action to the District Police Officer, Karak w/r to his Memo: No.15439/EC, dated 25.11.2009. His service record is also enclosed herewith for record which may please be acknowledged.



(ABDULLAH KHAN) RSP
Dy: Inspector General of Police,
Kohat Region, Kohat.

Attested


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

23

SUBJECT: - REVIEW PETITION UNDER RULE 11-A POLICE RULE
1975

Respected Sir,

With due respect applicant submits as follows:-

1. That appellant was enlisted in Police department as constable in the year 2007 and qualified basic recruit course.
2. That in the year 2008 the mother of appellant suffered from serious illness of backache/sciatica and became bed ridden.
3. That there was no other male member in my family for the looking after of the ailing mother therefore, the senior Police officers directed me to continue the treatment and look after the ailing mother and he will not be marked absent from duty.
4. That later on appellant came to know that appellant has been discharged from service vide order No. 920 dated 30.07.2008 of District Police Officer Karak.
5. That appellant approached the Regional Police Officer Kohat, but appellant came to know that departmental appeal of appellant was rejected vide order dated 07.01.2010.
6. That on rejection of the appeal of appellant the mother of appellant became very serious therefore, appellant preferred to continue her treatment and look after at the cost of loss of service.
7. That now the mother of appellant has recovered and appellant offer himself for reinstatement in service/re-employment.
8. That appellant came to know that Police Rule 1975 has been amended by your good office and provision of review has been added in the Rules therefore, the present review petition on the following grounds.

GROUND:-

- A. That appellant was not absent from duty but the ailing mother did not allow appellant to perform duties. Therefore, the alleged absence of appellant was not deliberate and willful therefore, the impugned orders are not sustainable under the law and rules.

Attested
C. P.
(Adv)

24

- B. That appellant was condemned unheard during the entire departmental proceedings. No chance of defense was provided to appellant and no one was examined as witness in support of the charges leveled against appellant. The impugned orders are the outcome of Ex-Parte proceedings.
- C. That appellant preferred looking after the ailing mother to performing duties and the absence of appellant was not willful rather it was inevitable.
- D. That appellant belongs to poor family and sufficient amount incurred on the treatment of the mother and presently appellant is living debt life. Therefore, revival and survival of the lost service of appellant will resolve the grievances of appellant.
- E. That appellant possesses good health and physic and is found of Police service therefore, appellant earnestly desire to rejoin the Police service.

It is therefore, requested that the appellant may be reinstated in service, or re-employed in the interest of department and member of the family of appellant.

Yours Obediently

Dildar

(Dildar Badshah)
Ex-Police Constable
Police Station Latamber
Karak.

Cell No. 0313-9998061

Attested
[Signature]
(AS)



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

No. S/ 4525 /16, Dated Peshawar the 14/06/2016.

ORDER

(25)

This order is hereby passed to dispose of departmental appeal under Rule 11-A of Khyber Pakhtunkhwa Police Rule-1975 submitted by **Ex-Constable Dildar Badshah No. 695**. The appellant was discharged from service w.e.f 03.07.2008 by DPO/Karak vide OB No. 970, dated 30.07.2008, on the charge of absence from duty for 03 months and 24 days.

His appeal and mercy petition was filed / rejected by Regional Police Office, Kohat vide order Endst: No. 395/EC, dated 13.01.2010 and No. 8998-99/EC, dated 03.11.2011 **respectively**.

Meeting of Appellate Board was held on **12.05.2016** wherein appellant was heard **in person**. **Petitioner** contended that his mother was ill.

Service record of the appellant was perused which revealed that he has failed the **Recruit Course**. His service is also less than 03 years.

The impugned order of his discharge from service was passed in the year 2008 **and his appeal and** mercy petition was rejected by the Regional Police Officer, Kohat in the year **2010** and 2011 respectively. The instant review petition filed in the year 2015 is badly time **barred. Thus his appeal** is rejected on grounds of limitation and merit as well.

This order is issued with the approval by the Competent Authority.

NAJEEB

(NAJEEB-UR-REHMAN BUGVI)
AIG/Establishment,
For Inspector General of Police,
Khyber Pakhtunkhwa,
Peshawar.

No. S/ 4526-32 /16.

Copy of the above is forwarded to the:

1. Regional Police Office, Kohat Region, Kohat.
2. District Police Officer, Karak.
3. PSO to IGP/Khyber Pakhtunkhwa, CPO Peshawar.
4. PA to Addl. IGP/HQrs: Khyber Pakhtunkhwa, Peshawar.
5. PA to DIG/HQrs: Khyber Pakhtunkhwa, Peshawar.
6. Office Supdt: E-IV CPO Peshawar.
7. Central Registry, CPO.

Attested
tel by
ACS