


FORM OF ORDER SHEET

Court of _____

Appeal No. 2186/2024

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
	2	3
1.	19/02/2024	<p>The appeal of Mr. Abdul Shakoor re-filed today by registered post through Mr. Muhammad Mohsin Advocate. It is fixed for preliminary hearing before touring Single Bench at D.I.Khan on _____ . Parcha Peshi is given to counsel for the appellant.</p> <p>By the order of Chairman</p> <p> REGISTRAR</p>

The appeal of Mr. Abdul Siakoor Khan received today i.e on 01.02.2024 is incomplete on the following score which is returned to the counsel for the appellant for completion and resubmission within 15 days.

- 1- Address of appellant is incomplete be completed according to rule-6 of the Khyber Pakhtunkhwa Service Tribunal rules 1974.
- ② Annexures of the appeal are unattested.
- 3- Page nos. 9 & 14 of the appeal are illegible be replaced by legible/better one in the original appeal as well as in the spare copies also.

No. 220 /S.T.


On 2/2 /2024.



REGISTRAR
SERVICE TRIBUNAL
KHYBER PAKHTUNKHWA
PESHAWAR.

Muhammad Mehsin Adv.
High Court at D.I.Khan.

Resubmitted after removing
the objections.


osc
15/2/2024

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,
PESHAWAR.

Appeal No. 276 /2024

Abdul Shakoor Khan

.....APPELLANT

VERSUS

Govt. of K.P.K and others

.....RESPONDENTS

INDEX

S #	Description of Documents	Annexure	Page #
1	Grounds of Appeal alongwith Memo of addresses of the parties	-----	1-8
2	Copy of Impugned order dated 25.10.2023 alongwith Summary of Allegations, charge sheet, Final Show Cause Notice and Reply	A	9-13
3	Copy of Order dated 04.01.2024 issued by RPO	B	14
4	Vakalatnama	-----	15

Dated: 30/01/2024

Humble Appellant



Abdul Shakoor Khan
Through Counsel



Muhammad Mohsin Ali
Advocate Supreme Court,
District Bar, D.I.Khan.

(1)

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,
PESHAWAR.

Appeal No. 2186 /2024

Abdul Shakoor Khan (Ex-Constable No. 154) South Waziristan
Upper District.

.....APPELLANT

VERSUS

1. Govt. of Khyber Pakhtunkhwa through Secretary Home Department, Govt. of K.P.K, Peshawar.
2. Inspector General of Police, Khyber Pakhtunkhwa, Peshawar.
3. Regional Police Officer, Dera Ismail Khan Region, Dera Ismail Khan.
4. District Police Officer, South Waziristan Upper District.

.....RESPONDENTS

**APPEAL UNDER SECTION 4 OF KHYBER
PAKHTUNKHWA SERVICE TRIBUNALS ACT, 1974
AGAINST THE IMPUGNED ORDER NO. 144/ES DATED
04.01.2024 ISSUED BY RESPONDENT NO. 3 VIDE
WHICH HE DISMISSED THE APPEAL OF THE
APPELLANT AND AGAINST IMPUGNED OFFICE OB NO.
1235 DATED 25.10.2023 ISSUED BY RESPONDENT NO.
4 VIDE WHICH HE AWARDED MAJOR PUNISHMENT TO
APPELLANT AND DISMISSED HIM FROM SERVICE.**

024

②

PRAYER; On acceptance of instant appeal this Honourable Tribunal may be pleased to declare the impugned order No. 144/ES dated 04.01.2024 issued by respondent No. 3 and impugned office OB No. 1235 dated 25.10.2023 issued by respondent no. 4 as illegal, without lawful authority, without jurisdiction, void *ab initio* and ineffective upon the rights of the appellant and are liable to be set aside and to reinstate the appellant to the subject post alongwith all back benefits on the grounds appearing hereinafter;

OR

GRANT any other relief considered just and appropriate under the given circumstances of the case.



Respectfully sheweth;

1. That the brief facts of the case are that the appellant was appointed as Constable in Police Department, and has rendered unblemished service over the year.
2. That the appellant performed his duties with full devotion, dedication, honestly and up-to the entire satisfaction of his superiors. Thus the appellant enjoyed a very good reputation with unblemished service record.
3. That the appellant was serving as SHO (on shoulder promotion) of Police Station Tiarza District South Waziristan

(3)

Upper District.

4. That the departmental inquiry proceeding was initiated against the appellant with the allegation that the appellant did not obey his transfer order No. 05-05/EC dated 15.09.2023, and after conclusion of inquiry, the DPO South Waziristan Upper vide his office OB No. 1235 dated 25.10.2023, the Major Penalty of Dismissal from service was imposed to appellant. Copy of Impugned order dated 25.10.2023 alongwith Summary of Allegations, charge sheet, Final Show Cause Notice and Reply is enclosed as **Mark-A**.

5. That the appellant preferred the Departmental appeal within the prescribed period to worthy Regional Police Officer, Dera Ismail Khan Region, who vide his order No. 144/ES dated 04/01/2024 rejected the appeal and upheld the order passed by DPO, South Waziristan Upper. Copies of appeal and order dated 04.01.2024 are enclosed as **Mark-B & C** respectively.

Being aggrieved against the impugned orders, the appellant is filling the instant appeal, inter alia, on the following grounds;

GROUND:

A. That during the entire service the appellant performed his duty with full of his professional skills and hard-work.

(17)

B. That the impugned enquiry was not conducted in accordance with law and facts, and the whole proceeding regarding alleged enquiry against the appellant was based on malafide, and no proper opportunity of hearing was given to him. Moreover the finding with regard to the allegations leveled against the appellant are totally incorrect and no convincing evidence available against the appellant, but the inquiry officer wrongly and erroneously considered the same. Thus the impugned findings are not based on proper appreciation of record; hence the same is liable to be set aside.

Handwritten signature
C. That no time and date of alleged misconduct is available on record and to that effect no documentary evidence is available. Hence on this score alone the impugned orders are liable to be reversed.

D. That the appellant neither disobey the transfer order nor refused to hand-over the charge to incumbent SHO rather hand-over the charge to him in a very friendly atmosphere. The allegations leveled against the appellant was not proved during inquiry proceeding and the inquiry proceeding was also not conducted in accordance with law.

E. That the appellant served in Police Department for a long period and that too in the risky area. The entire service of the appellant was unblemished and blameless; hence in such like service record the appellant is entitled for reinstatement.

F. That the entire family members of the appellant are depending upon the appellant, and the appellant has no other source of income to provide two times meal to his family, more-particularly in the era when the prices of all the food items etc are hike.

Handwritten signature
ASE

G. That the respondent No. 4 not properly appreciated the material available on record and facts and erroneously awarded the major punishment to appellant and dismissed him from service. Moreover, the respondent No. 3 failed to decide the appeal of the appellant in accordance with law and facts, hence the appellant is filling the instant appeal. The impugned orders are based on malafide, arbitrary, against the canon of justice, equity and fair play. Thus the same is liable to be set aside.

H. That the grounds of departmental appeal may kindly be considered as integral part of the instant

6

appeal and the counsel for the appellant may kindly be allowed to argue the additional grounds at the time of arguments.

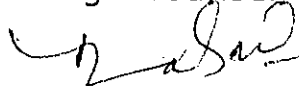
In view of the above submission, it is requested that the appeal may kindly be allowed as prayed for.

Dated: ___/01/2024

Humble Appellant



Abdul Shakoor Khan
Through Counsel



Muhammad Mohsin Ali
Advocate Supreme Court,
District Bar, D.I.Khan.

7

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,
PESHAWAR.

Appeal No. _____/2024

Abdul Shakoor Khan

.....APPELLANT

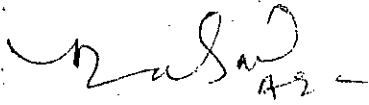
VERSUS

Govt. of K.P.K and others

.....RESPONDENTS

AFFIDAVIT

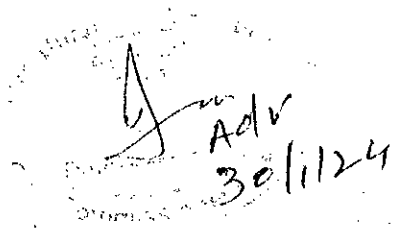
I, the appellant, do hereby solemnly affirm and declare on Oath that all the para-wise contents of this appeal are true and correct to the best of my knowledge and belief; and that nothing has been deliberately concealed or kept secret from this Honourable Tribunal.



Identified by Counsel



Deponent



8

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,
PESHAWAR.

Appeal No. _____/2024

Abdul Shakoor KhanAPPELLANT

VERSUS

Govt. of K.P.K and othersRESPONDENTS

ADDRESSES OF THE PARTIES

Abdul Shakoor Khan (Ex-Constable No. 154) South Waziristan
Upper District.

.....APPELLANT

-
1. Govt. of Khyber Pakhtunkhwa through Secretary Home Department, Govt. of K.P.K, Peshawar.
 2. Inspector General of Police, Khyber Pakhtunkhwa, Peshawar.
 3. Regional Police Officer, Dera Ismail Khan Region, Dera Ismail Khan.
 1. District Police Officer, South Waziristan Upper District.

.....RESPONDENTS

Dated: ____/01/2024

Humble Appellant



Abdul Shakoor Khan
Through Counsel

Muhammad Mohsin Ali
Advocate Supreme Court,
District Bar, D.I.Khan.

(9-A)

BETTER COPY

OFFICE OF THE
District Police Officer,
South Waziristan Upper District.

ORDER:

My this order will dispose of departmental proceedings initiated against PC Abdul Shakoor No.154 on the score of allegations that vide letter No.04-05 dated 15.09.2023 undersigned issued transfer of SHOs of SWUD districts i.e PS Ladha, PS Makeen, PS Sararugha. All the officials complied with the orders and relinquish their charge while you refused to do so. You instead of complying with the orders threatened the incumbent SHO SI Abid Khan of dire consequences if he tried to come to PS Makin. It is also reported in the SDPO Ladha Circle that you aimed pistol at him when he tried to convince you to obey the transfer orders. Moreover you tried to malign the reputation of the undersigned through social media posts by leveling baseless allegations. All of your afore acts comes within the meanings of misconducts and unbecoming of a Police Officer.

He was proper charge sheeted and DSP/investigation was nominated as enquiry officer to conducts the proper enquiry. As pre report of the enquiry officer the officer neither received the charge sheet nor appeared before the enquiry officer.

He was issued Final Show cause Notices vide this offices No.344 dated No 10-10-2023 and called in orderly room, full opportunities were provided to him to defend himself but he did not to appear before the undersigned.

Now therefore, in light of the findings/recommendations of the enquiry and available record on file against the delinquent officer. I **Malik Habib** Districts Police Officer, South Waziristan Upper District being competent authority under the with amendment 2014, hereby awarded the "Major punishment of dismissed from the service" with immediate effect.

OB NO. 1235

Dated: 25-10-2023.

(NASIR MEHMOOD SATTI) PSP

Regional Police Officer

Dera Ismail Khan.

Dated: /2023.

No.

SWTD

Copy of above is submitted to:

15. The Regional Police Officer, D.I.Khan Region for favor of informations.

16. Acct, Reader Pay Officer. SRC and OHC for information and further necessary action.

(NASIR MEHMOOD SATTI) PSP

Regional Police Officer

Dera Ismail Khan.

Attested
in SW
AS



ORDER


My this order will dispose of departmental proceedings started against SI Abdul Shakir No. 154 on the basis of allegations that vide letter No. 24-25 dated 15.09.2023. Undersigned issued transfer of SDCs of SWUD districts to PS Ludha, PS Makeen, PS Sarangha. All the officials complied with the orders and relinquish their charge while you refused to do so. You instead of complying with the orders threatened the incumbent SDC SI Abid Khan of dire consequences if he tried to come to PS Makeen. It is also reported by the SDC Ludha Chrele that you aimed pistol at him when he tried to convince you to obey the transfer orders. Moreover you tried to malign the reputation of the Undersigned through Social Media posts by leveling baseless allegations. All of your above acts comes within the meaning of misconduct and unbecoming of a Police Officer.

He was proper charge sheeted and DSP investigation was nominated as enquiry officer to conduct the proper enquiry. As per report of the enquiry officer the delinquent officer neither received the charge sheet nor appeared before the enquiry officer.


He was issued final Show Cause Notice vide this office No. 345, dated 16.10.2023 and called in orderly room. Full opportunities were provided to him to defend himself but he failed to appear before the undersigned.

Now, therefore, in light of the findings/recommendations of the Enquiry Officer and available record on file against the delinquent officer I Malik Habib, District Police Officer, South Waziristan Upper District being Competent Authority under the Police Act 1973 with amendment 2013, hereby awarded the "Major punishment of dismissal from the Service with immediate effect.

OH No. 1235
Dated: 25/10/2023


District Police Officer
South Waziristan Upper District.
Dated: 2023

No. _____ SWUD
Copy of above is submitted to:-
15. The Regional Police Officer, DI Khan Region for favour of information
16. Acct. Reader, Pay Officer, SRC and OIC for information and further necessary action


District Police Officer
South Waziristan Upper District

10

SUMMARY OF ALLEGATIONS

1). I Malik Habib, District Police Officer, South Waziristan Upper District, am of the opinion that EX-SHO PS Tiarza Abdul Shakoor No.154 of this district has rendered himself liable to be proceeded against as he committed the following acts/omissions within the meaning of Police Disciplinary Rules, 1975 read with Amendments 2014.

STATEMENT OF ALLEGATIONS.

"Vide letter No. 04-05/EC dated 15.09.2023, undersigned issued transfer orders of (04) SHOs of South Waziristan Upper district i.e, PSs Ladha, Makeen, Tiarza and Sararogha. All the officials complied with the orders and relinquished their charges while you refused to do so. You instead of complying with the orders threatened the incumbent SHO SI Harsail Khan of dire consequences if he tried to come to PS Tiarza. It is also reported by SDPO Serwekal Circle that you aimed pistol at him when he tried to convince you to obey the transfer orders. Moreover, you tried to malign the reputation of undersigned through Social Media posts by leveling baseless allegation. All of your afore acts comes within the meaning of misconduct and unbecoming of a Police Officer.

2). For the purpose of scrutinizing the conduct of the said accused with reference to the above allegations, Mr. Kifayatullah DSP/Im appointed as Enquiry Officer, to conduct enquiry under the Rules.

3). The Enquiry Officer shall, in accordance with the provision of the Police Disciplinary Rules, 1975 read with Amendments 2014 provide reasonable opportunity of hearing to the accused, record its findings and make within 15 days of the receipt of this order, recommendation as to punishment or other appropriate action against the accused.

MH
2023
(MALIK HABIB)
District Police Officer,
South Waziristan Upper

No. 16-17 ISWU

Dated

the 18/09/2023.

Copy of above is forwarded to the:-

- 1. Enquiry Officer of this district is directed to initiate departmental proceedings against the accused under the Police Disciplinary Rules, 1975 read with Amendments 2014.
- 2. EX-SHO PS Tiarza Abdul Shakoor No.154 to appear before the Enquiry Officer on the date time and place fixed by the Enquiry Officer for the purpose of enquiry proceedings.

MH
(MALIK HABIB)
District Police Officer,
South Waziristan Upper

7
C
y
2.
by
W
OT
J
am
The
del
Up
Ru
Ma
mm



OFFICE OF THE
DISTRICT POLICE OFFICER,
SOUTH WAZIRISTAN UPPER DISTRICT.


CHARGE SHEET

I Malik Habib District Police Officer, South Waziristan Upper as Competent Authority, hereby charge you EX-SHO PS Tiarza Abdul Shakoor No.154 as follows:-

"Vide letter No. 04-05/EC dated 15.08.2023, undersigned issued transfer orders of (04) SHOs of South Waziristan Upper district i.e. PSs Ladha, Makeen, Tiarza and Sararogha. All the officials complied with the orders and relinquished their charges while you refused to do so. You instead of complying with the orders threatened the incumbent SHO Si Harsail Khan of dire consequences if he tried to come to PS Tiarza. It is also reported by SDPO Serwekal Circle that you aimed pistol at him when he tried to convince you to obey the transfer orders. Moreover, you tried to malign the reputation of undersigned through Social Media posts by leveling baseless allegation. All of your afore acts comes within the meaning of misconduct and unbecoming of a Police Officer.

By reason of the above, you appear to be guilty of misconduct under Police Disciplinary Rules, 1975 with amendments 2014 and have rendered yourself liable to all or any of the penalties specified in the Rules: -

1. You are, therefore required to submit your written defense within 7 days of the receipt of this Charge Sheet to the Enquiry Officer as the case may be.
2. Your written defense, if any, should reach to the Enquiry Officer within the specified period failing which it shall be presumed that you have no defense to put in and in that case, expert action will be taken against you.
3. You are also at liberty, if you wish to be heard in person.
4. Statement of allegation is enclosed.


(MALIK HABIB)
District Police Officer,
South Waziristan Upper



12

OFFICE OF THE
DISTRICT POLICE OFFICER,
SOUTH WAZIRISTAN UPPER DISTRICT.

No. 345 /SWU

Dated 10-10-2023

FINAL SHOW CAUSE NOTICE

1. WHEREAS, You Abdul Shakoor No.154/FC of this district rendered yourself for disciplinary proceedings by committing gross misconduct and negligence in duty.
2. WHEREAS, You were charge sheeted vide this office No.16-17 dated 18.09.2023 and proper departmental enquiry has been conducted against you by the Enquiry Officer and submit enquiry report that you did not receive charge sheet nor appeared before the enquiry officer.

3. NOW THEREFORE, I MALIK HABIB District Police Officer South Waziristan, as competent authority have tentatively decided to impose upon you, any one or more penalties under Police Rules 1975 (amended in 2014).

You are therefore, issued Final Show Cause Notice to explain within seven (07) days of the receipt of the notice as to why the aforesaid penalty should not be imposed upon you. If your reply will not be received within stipulated period then it shall be presumed that you have no defence to offer and ex parte action shall be taken against you and also intimate whether you wish to be heard in person or not.

Malik Habib
District Police Officer
South Waziristan UPPER District

(13)

جناب عالی!

فائل شوکارز نوٹس نمبری 345 مورخہ 10-10-2023 مشمولہ مروض ہوں

کہ من سائل کو جناب سابقہ DPO صاحب نے مورخہ 02-08-2023 کو بطور SHO تھانہ تیارزہ تعینات کیا گیا تھا من سائل احسن ملریٹے سے اپنی ڈیوٹی سرانجام دے رہا تھا انجناب نے میرا تیارزہ پولیس لائن کیا اور ہر صلی خان کو میری جگہ بطور SHO تعینات کیا گیا میں نے انجناب کی حکم کی تعمیل کر کے SHO ہر صلی خان کو چارج دے دیا جہاں تک چارج نہ چھوڑنے کی بات ہوئی تو جناب DSP صاحب اور ہر صلی خان رات کے وقت آئے ہوئے تھے اور مجھے کہا کہ چارج SHO چھوڑ دے تو میں نے کہا کہ رات کا وقت ہے اور علاقہ بھی خطرناک ہے صبح چارج چھوڑ کر تھانہ سے پولیس لائن چلا جاؤں گا چونکہ پولیس لائن بھی ضلع ٹانک اور تھانہ جڈا سے تقریباً 460/470 کلومیٹر دور ہے اس وجہ پر اسی رات چارج نہیں چھوڑا اور ٹیلی فون کار ببطور بھی ناممکن تھا اور نہ انجناب سے بذریعہ موبائل فون رابطہ کیا گیا ہوتا مزید چارج شیٹ اور فائل شوکارز نوٹس وصولی کی بات ہے تو ہم ابھی ابھی پولیس میں ضم ہو چکے ہیں وصولی کی بابت ہمیں علم نہ تھا اور جب فائل شوکارز کے بارے میں علم ہوا تو انجناب کی حکم کی تعمیل کر کے فائل شوکارز نوٹس وصول کر کے جواب دیا جاتا ہے جو کچھ بھی دوران چارج ہوا ہے وہ پرفیشنل ریزینگ نہ ہونے کی وجہ بھی ہے انجناب سے استدعا ہے کہ فائل شوکارز نوٹس بلا مزید کارروائی داخل دفتر فرمایا جاوے اور من سائل کو بحال کرنے کی استدعا کرتا ہوں اور آئندہ محتاط رہوں گا۔

عبدالشکور خان سب انسپکٹر متعینہ پولیس لائن ساہتیہ وزیرستان اپر بمقام ٹانک
16.10.2023

ANNEX- B
(14 A)

BETTER COPY

OFFICE OF THE
District Police Officer,
South Waziristan Upper District.

No.144/ES

dated: D.I.Khan the

/01/2024

ORDER:

1. This order disposes off departmental appeal filed by EX-Constable Abdul Shakoor Khan No. 154 of District Police SW Upper against the order of Major Punishment of (Dismissal from Service) passed by the DPO SW Upper, vide his office OB No.1235 dated 25-10-2023 on the following allegations;
2. Vide letter No.04-05 dated 15-9-2023 DPO SW Upper has issued transfer of SHOs of SWUD districts i.e, PS Ladha, PS Makeen.PS Sararugha. All the officials complied with the orders and relinquish their charge while you refused to do so. He instead of complying with the orders threatened the incumbent SHO SI Harsalt of dire consequences if he tried to come to PS Tiarza. It has also reported by the SDPO Sarwaki Circle that you aimed pistol at him when he tried to convince you to obey the transfer orders. Moreover you tried to malign the reputation of the DPO SW Upper through social media posts by leaving baseless allegation. All of his afore act comes, within the meanings of conduct and un-becoming of a police officers.
 - ii. DPO SW Upper served the appellant with the charge sheet. Enquiry into the matter was got conducted into through Mr.Kifayat Ullah DSP Investigation who in his finding report, in which he stated that the delinquent officer refused to receive the charge sheet and didn't recorded his statement to justify his misconduct the inquiry officer found guilty of the charges leveled against him and recommended for Ex-parte action against him.
3. DPO SW Upper has awarded him Major punishment of "Dismissal from services" vide his office OB No.1235 dated 25.10.2023.
4. Perusal of the service record of the applicant, findings of inquiry officers and also appeared in person before the undersigned in orderly room held on 04.01.2024 simple opportunity was given to him to ensure due process and natural Justice. His written reply enquiry conducted by enquiry officer as well as his verbal response is well heard and perused considering the evidence of guilt available on the record against him. His written and verbal explanation didn't convince the undersigned. His misconduct is quite contrary to the Police Rules and doesn't deserve any leniency.
5. Keeping in view the above I, NASIR MEHMOOD SATTI, PSP Regional Police Officer, Dera Ismail Khan, in exercise of the powers conferred upon me under Rule-11, clause-4(a). of the Police Rule 1975, Amended 2014, do not intend to take a lenient view, therefore **REJECT** his appeal being meritless and uphold the order of Major Punishment of (Dismissal from Services) passed by District Police Officer SW Upper vide his OB No.1235 dated 25.10.2023 with immediate effect.
6. Order Announced

(NASIR MEHMOOD SATTI) PSP
Regional Police Officer
Dera Ismail Khan.

No. 145/ES

Copy of above is sent to the DPO SW Upper with reference to his office letter No. 791/ES dated: 15-11-2023. (Encl. Service Roll & Fauji Missal.)

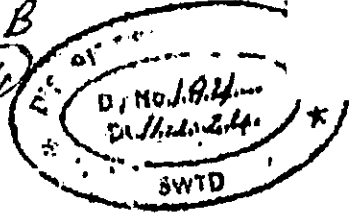
(NASIR MEHMOOD SATTI) PSP
Regional Police Officer
Dera Ismail Khan.

Attested
[Signature]
ASCC

ANNEX: B
Page - (14)



OFFICE OF THE
REGIONAL POLICE OFFICER
DERA ISMAIL KHAN
REGION



☎ 0966-9280291 Fax # 9280290
dated D.I. Khan, I/c

01/02/24

No. 1414 /IS.
ORDER

1. This order disposes off departmental appeal filed by Ex-Constable Abdul Fikoor Khan No. 154 of District Police SW Upper, against the order of Major Punishment of (Dismissal from Service), passed by the DPO SW Upper, vide his office OB No. 1235 dated 25.10.2023 on the following allegations:

2. "Vide letter No. 01-05 dated 15.09.2023, DPO SW Upper has issued transfer of SHO's of SWTD districts i.e. PS Ladhra, PS Makin, PS Sarwargho. All the officials complied with the orders and relinquish their charges while he refused to do so. He instead of complying with the orders threatened the incumbent SHO SI Harzull of dire consequences if he tried to come to PS Tiarzu. It has also reported by the SDPO Sarwaki circle that you aimed pistol at him when he tried to convince you to obey the transfer orders. Moreover, he tried to malign the reputation of the DPO SW Upper through Social Media posts by leaving baseless allegation. All of his afore act comes, with in the meanings of conduct and unbecoming of police officers".

ii. DPO SW Upper served the appellent with the charge sheet. Enquiry into the matter was got conducted into through Mr. Kifayat Ullah DSP Investigation who in his finding report, in which he stated that the delinquent officer refused to receive the charge sheet and didn't recorded his statement to justify his misconduct the inquiry officer found guilty of the charges levelled against him and recommended for Ex-Parte action against him.

3. DPO SW Upper has awarded him Major Punishment of "Dismissal from Service" vide his office OB No. 1235 dated 25/10.2023.

4. Perusal of the service record of the applicant, findings of inquiry officers and also appeared in person before the undersigned in orderly room held on 04/01/2024 ample opportunity was given to him to ensure due process and natural justice. His written reply, enquiry conducted by inquiry officer as well as his verbal response is well heard and perused, considering the evidence of guilt available on the record against him. His written and verbal explanation didn't convince the undersigned. His misconduct is quite contrary to the Police Rules and doesn't deserve any leniency.

5. Keeping in view the above, I, NABIR MEHMOOD SATTI, PSP, Regional Police Officer, Dera Ismail Khan, in exercise of the powers conferred upon me under Rule-11, clause-4 (a), of the Police Rules 1975, Amended 2014, do not intend to take a lenient view, therefore **REJECT** his appeal being meritless and uphold the order of Major Punishment of (Dismissal from Service), passed by District Police Officer SW Upper vide his OB No. 1235 dated 25.10.2023, with immediate effect.

6. Order Announced.

(NABIR MEHMOOD SATTI) PSP
Regional Police Officer
Dera Ismail Khan

No. 1415 /IS.
Copy of above is sent to the DPO SW Upper with reference to his office letter No. 791/ISN dated 15.11.2023, (Incl. Service Roll & Payroll Misal).

(NABIR MEHMOOD SATTI) PSP
Regional Police Officer
Dera Ismail Khan

B / se / ori
for n/a.

D.I. No. 1924
SWTD

PAKISTAN BAR COUNCIL

MR. MUHAMMAD MOHSIN ALI
 Advocate
 Supreme Court of Pakistan (AS-9)
 Reg. No. 206-04-2022

(Notary Attested)
 In the Presence of
 Members of the Council

In the event of being summoned to appear in any Court of Law, the undersigned will appear and plead in person or through his Advocate.

Name: **MR. MUHAMMAD MOHSIN ALI**
 Father's Name: **SABZAU KHAN**
 Date of Birth: **17-08-1993**
 Date of Enrolment as Advocate of Supreme Court: **13-06-2022**
 Enrolment No.: **447719**
 Address: **MODEL TOWN 3RD NO. 6 NEAR WENBAY COLLEGE KARACHI**
 Tel: Cell: **0092-330-7968863** Fax: **0092-344-908220**

Supreme Court Building, Islamabad
 Tel: **011-32346111**

(15)

VAKALATNAMA

BEFORE THE COURT OF *Service Tribunal & Reshawar*

Abdul Shakoor Khan Plaintiff / Appellant / Petitioner / Complainant / Accused
vs
Govt of KPK Sotk Defendant / Respondent / Complainant / Accused
Appeal

KNOW ALL to whom these present shall come that I/We.....
 do hereby appoint **Muhammad Mohsin Ali Advocate Supreme Court** (herein after called the advocate/s) to be my/our Advocate In the above noted case authorize him:-

1. To act, appear and plead in the above-noted case in this Court or in any other Court in which the same may be tried or heard and also in the appellate Court including High Court subject to payment of fees separately for each Court by me/us.
2. To sign, file, verify and present pleadings, appeals, cross-objections or petitions for executions review revision, withdrawal, compromise or other petitions or affidavits or other documents as may be deemed necessary or proper for the prosecution of the said case in all its stages subject to payment of fees for each stage.
3. To file and take back documents, to admit and/or deny the documents of opposite party.
4. To withdraw or compromise the said case or submit to arbitration any differences or disputes that may arise touching or in any manner relating to the said case.
5. To take execution proceedings.
6. To deposit, draw and receive monthly cheques, cash and grant receipts thereof and to do all other acts and things which may be necessary to be done for the progress and in the course of the prosecution of the said case.
7. To appoint and instruct any other Legal Practitioner authorizing him to exercise the power and authority hereby conferred upon the Advocate whenever he may think fit to do so and to sign the power of attorney on our behalf.
8. And I/We the undersigned do hereby agree to rectify and confirm all acts done by the Advocate or his substitute in the matter as my/our own acts, as if done by me/us to all intents and proposes.
9. And I/We undertake that I/We or my/our duly authorized agent would appear in Court on all hearings and will inform the Advocate for appearance when the case is called.
10. And I/We the undersigned do hereby agree not to hold the advocate or his substitute responsible for the result of the said case.
11. The adjournment costs whenever ordered by the Court shall be of the Advocate which he shall receive and retain for himself.
12. And I/We the undersigned to hereby agree that in the event of the whole or part of the fee agreed by me/us to be paid to the advocate remaining unpaid he shall be entitled to withdraw from the prosecution of the said case until the same is paid up. The fee settled is only for the above case and above Court. I/we hereby agree that once fee is paid, I/We will not be entitled for the refund of the same in any case whatsoever and if the case prolongs for more than 3 years the original fee shall be paid again by me/us.

IN WITNESS WHEREOF I/We do hereunto set my/our hand to these presents the contents of which have been understood by me/us on this.....day of20

Accepted
Muhammad Mohsin Ali
 Advocate Supreme Court

[Signature]