

**BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR**

Service Appeal No. 395/2016

Date of Institution ... 13.04.2016

Date of Decision ... 01.09.2021

Bakhash Khan Ex-Senior Clerk CTD, Khyber Pakhtunkhwa Peshawar  
... (Appellant)

VERSUS

The Provincial Police Officer Khyber Pakhtunkhwa, Peshawar and two others.  
... (Respondents)

ROEEDA KHAN  
Advocate ... For Appellant

USMAN GHANI,  
District Attorney ... For Respondents

**SALAH-UD-DIN** ... **MEMBER (JUDICIAL)**  
**ATIQ-UR-REHMAN WAZIR** ... **MEMBER (EXECUTIVE)**

**JUDGMENT**

**ATIQ-UR-REHMAN WAZIR MEMBER (E):-** Brief facts of the case are that the appellant while serving as senior clerk in the office of Counter Terrorism Department (CTD) was proceeded against on the charges of theft and was ultimately removed from service vide impugned order dated 05-11-2015, against which the appellant filed departmental appeal dated 01-12-2015, which was rejected vide order dated 21-03-2016, hence the instant service appeal with prayers that the impugned orders dated 05-11-2015 and 21-03-2016 may be set aside and the appellant may be re-instated in service with all back benefits.

02. Learned counsel for the appellant has contended that the appellant was not treated in accordance with law, hence the impugned orders are illegal, unlawful

and contrary to the norms of natural justice; that the inquiry so conducted was not in accordance with the prescribed procedure as the inquiry officer did not record statements of the witnesses in presence of the appellant, nor he was given any opportunity to cross-examine witnesses; that the appellant has been condemned unheard and has not been treated in accordance with law; that no proof whatsoever has been brought on record to show that the appellant has stolen the said amount and returned the amount back; that the allegations are totally based on presumptions having no connection with the reality; that the only proof is alleged CCTV footage, where the appellant was shown entering the said office, whereas the appellant was employee of the same office and was supposed to work there and his appearance in CCTV Cameras installed outside the office does not mean that the said amount was stolen by the appellant; that there is no CCTV Camera installed in the office, where the amount was kept, so how it can be ascertained that the allegations leveled against the appellant are true; that as per allegation, there was no duplicate key with the appellant and if so was the case, the complainant too is equally responsible as to why he did not ask for duplicate key at the time of assumption of charge, which was very necessary but the complainant assumed the charge and never talked about any duplicate key till the occurrence; that the respondents badly failed to prove the charges against the appellant.

03. Learned District Attorney appearing on behalf of respondents has contended that the appellant was properly proceeded against by conducting an inquiry and the appellant was afforded every opportunity of defense but the appellant failed to prove his innocence; that during the course of inquiry it was proved beyond any shadow of doubt that the appellant had stolen the amount of Rs. 12 lacs and returned it back to the accountant in the presence of witnesses; that the appellant responded to the charge sheet/statement of allegations as well as to the show cause notice and he was associated in the disciplinary proceedings; that the appellant was afforded opportunity of personal hearing but the appellant could not

prove his innocence, hence he was awarded major punishment in accordance with law and rule.

04. We have heard learned counsel for the parties and have perused the record. Record reveals that the appellant was serving as accountant in the office of CTD as junior clerk, dealing with disbursement of salaries to the employees. The appellant after transfer relinquished charge of the office on 01-01-2015 and handed it over to complainant Mian Aurangzeb accountant. On 01-04-2015 the complainant encashed salaries of CTD staff amounting to Rs. 21271960/ and kept it in the safe in his office for further disbursement. On 02-04-2015, he noticed that an amount of RS. 12 Lac was missing. On 23-04-2015, the accountant came to know that the said amount has been stolen by the previous accountant (the appellant) as duplicate key of the safe was not handed over by the appellant to him at the time of handing/taking over of the charge. Second presumption of the complainant was that the appellant was seen entering the office after closing hours in CCTV camera, hence the complainant lodged the complaint against the appellant, upon which disciplinary proceedings were initiated against him, but in the meanwhile the complainant claimed that the stolen amount was returned by the appellant.

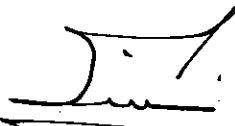
05. One of the allegation mentioned by the complainant in his complaint is that all keys of the safe were not handed to him by the appellant at the time of handing/taking over. This assertion of the complainant appears to be an after thought story for the reason that no complaint in this respect was made by the complainant to his high-ups till the commission of incident, which took place after about four months of taking over of charge by the complaint as Accountant. So far as the assertion of the complainant regarding the footage of the CCTV Cameras showing entrance of the appellant in the office of the Accountant is concerned, it is a routine practice for employees of an institution that visit is made to office of the Accountant. Moreover, admittedly no CCTV Camera was installed in the office of the Accountant, therefore, the inquiry officer was not right in holding the appellant as culprit of theft,

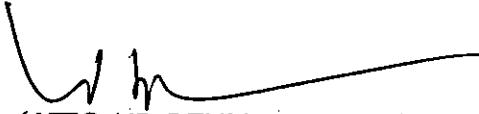
mere on presumption of his entering the office of Accountant. One of the allegation of the complainant was that the stolen amount has been returned by the appellant but no evidence whatsoever was produced during the inquiry to substantiate this assertion.

06. The inquiry proceedings were also conducted in slipshod manner. The appellant was not at all provided any opportunity of cross-examining the witnesses produced during the inquiry. The mandatory provision of rule-11 (i) of Government Servants (Efficiency & Disciplinary) Rules, 2011 was violated, thereby causing a prejudice to the appellant. The practice so adopted by the inquiry officer by not providing opportunity of cross-examination to the appellant has been disapproved by the apex court contained in its judgments PLD 1989 SC 335, 1996 SCMR 802, 2018 PLC (CS)997 and 2019 SCMR 640. The inquiry officer has mainly placed reliance on footage of CCTV, however the available record does not show that the same was put to the appellant during the inquiry proceedings. We are of the considered opinion that the respondents have badly failed to prove the allegations leveled against the appellant and have penalized the appellant merely on the basis of presumptions, which however is not warranted under the law/rules.

07. In view of the foregoing discussion, the instant appeal is accepted and the appellant is re-instated in service with all back benefits. Parties are left to bear their own costs. File be consigned to record room.

ANNOUNCED  
01.09.2021

  
(SALAH-UD-DIN)  
MEMBER (JUDICIAL)

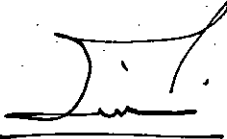
  
(ATTIQ-UR-REHMAN WAZIR)  
MEMBER (EXECUTIVE)

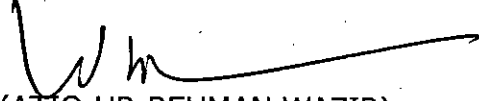
ORDER  
01.09.2021

Miss Roeda Khan, Advocate for the appellant present. Mr. Gul Zad S.I alongwith Mr. Usman Ghani, District Attorney for the respondents present. Arguments heard and record perused.

Vide our detailed judgment of today, separately placed on file, the instant appeal is accepted and the appellant is re-instated in service with all back benefits. Parties are left to bear their own costs. File be consigned to record room.

ANNOUNCED  
01.09.2021

  
(SALAH-UD-DIN)  
MEMBER (JUDICIAL)

  
(ATIQ-UR-REHMAN WAZIR)  
MEMBER (EXECUTIVE)

17.08.2021

Since 17.08.2021 has been declared as Public holiday on account of Moharram, therefore, case is adjourned to 01.09.2021 for the same as before.

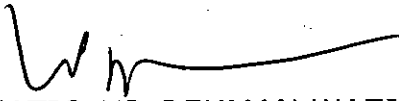


Reader

04.02.2021

Appellant is present alongwith counsel namely, Miss. Roeda Khan, Advocate. Mr. Kabirullah Khattak, Additional Advocate General, for the respondents is also present.

According to learned Additional Advocate General the instant case has been assigned to Muhammad Rasheed, learned Deputy District Attorney-1, however, he is not feeling well due to his high blood pressure, for the treatment of which he has gone to hospital. Requested for adjournment. The request is acceded to, the appeal is adjourned to 11.03.2021 on which file to come up for arguments before D.B.

  
(ATIQ-UR-REHMAN WAZIR)  
MEMBER (EXECUTIVE)

  
(MUHAMMAD JAMAL KHAN)  
MEMBER (JUDICIAL)

11.03.2021

Due to non availability of Bench, the case is adjourned to 27.04.2021 for arguments before D.B

  
READER

27.4.21

*Due to COVID-19, the case is adjourned to 17.8.2021 for the same.*

  
Reader

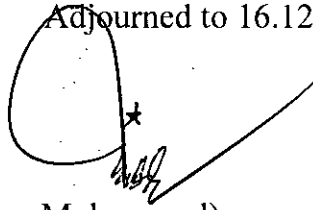
28.09.2020

Counsel for the appellant present.

Mr. Muhammad Jan, Deputy District Attorney  
alongwith Wajid, Superintendent for respondents present.

Learned counsel for the appellant seeks adjournment  
as his senior counsel has proceeded to appear before the  
august Supreme Court of Pakistan.

Adjourned to 16.12.2020 for arguments before D.B.



(Mian Muhammad)  
Member (E)



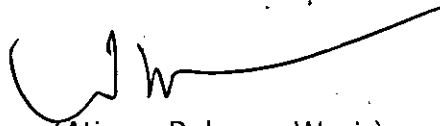
(Rozifa Rehman)  
Member (J)

16.12.2020

Appellant alongwith junior counsel present.

Zara Tajwar learned Deputy District Attorney alongwith  
Wajid Khan A.S.I for respondents present.

Former made a request for adjournment as senior  
counsel is busy before Hon'ble Peshawar High Court,  
Peshawar. Last chance is given. To come up for arguments  
on 04.02.2021 before D.B.



(Atiq ur Rehman Wazir)  
Member (E)



(Rozina Rehman)  
Member (J)



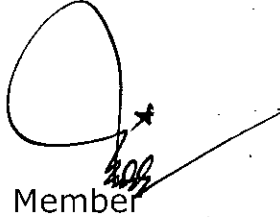
19.06.2020

Appellant in person and Mr. Muhammad Jan learned DDA for the respondents present.

Former requests for adjournment as his learned counsel is engaged today before the Apex Court.

Adjourned to 08.09.2020 for arguments before

D.B.



Member



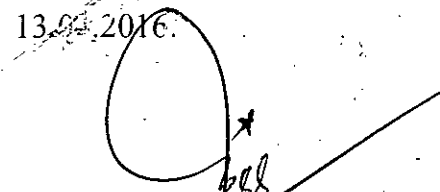
Chairman

08.09.2020


Appellant is present in person. Mr. Kzairullah Khattak, Additional Advocate General alongwith Mr. Wajid, ASI for respondents present.

Appellant requests for adjournment due to non-availability of his counsel who reportedly has proceeded to appear before the august Supreme Court of Pakistan.

Adjourned to 28.09.2020 for arguments before D.B. Last chance is given since the appeal is pending on 13.09.2016.



(Mian Muhammad)  
Member (E)



(Muhammad Jamal)  
Member(J)

19.12.2019


Lawyers are on strike as per the decision of Peshawar Bar Association. Adjourn. To come up for further proceedings/arguments on 17.02.2020 before D.B. Appellant be put on notice for the date fixed.

  
Member

  
Member

17.02.2020

Counsel for the appellant present. Addl: AG for respondents present. Learned counsel for the appellant seeks adjournment. Adjourned. To come up for arguments on 30.03.2020 before D.B.

  
Member

  
Member

30.03.2020

Due to public holidays on account of Covid-19, the case is adjourned. To come up for the same on 19.06.2020 before D.B.

  
Reader

08.05.2019

Appellant in person and Asst: AG alongwith Mr. Gul Nawaz, SI for respondents present.

Appellant requests for adjournment as his learned counsel is in appearance before the apex court today.

Adjourned to 19.06.2019 for arguments before D.B.

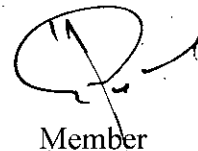
  
Member

  
Chairman

19.06.2019

Appellant in person present. Mr. Riaz Paindakhel learned Assistant Advocate General for the respondents present. Appellant requested for adjournment as his counsel is not in attendance. Adjourn. To come up for arguments on 08.08.2019 before D.B.

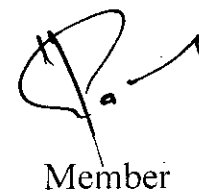
  
Member

  
Member

08.08.2019

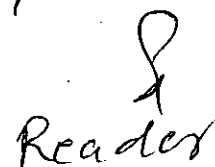
Appellant in person present. Mr. Muhammad Jan, DDA alongwith Mr. Gul Zad, ASI for respondents present. Appellant seeks adjournment due to general strike on the call of Pakistan Bar council. Adjourn. To come up for arguments on 09.10.2019 before D.B.

  
Member

  
Member

9-10-2019

Due to tour of Honble, Member to camp court Swat the case is adjourned to 19-12-2019

  
Reader

11.12.2018

None for the appellant present. Mr. Ziaullah, DDA for respondents present. Adjourned. To come up for arguments on 31.01.2019 before D.B.

  
Member

  
Member

31.01.2019 Roida Khan Advocate appeared on behalf of appellant and submitted wakalat nama in favor of appellant. Mr. Muhammad Jan learned Deputy District Attorney alongwith Gulzar SI present. Representative of the respondent department submitted record which is placed on file. Being freshly engaged, learned counsel for the appellant seeks adjournment. Adjourn. To come up for arguments on 18.03.2019 before D.B.

  
Member

  
Member

18.03.2019 Mr. Taimur Ali Khan and Miss Uzma Syed, Advocates for the appellant and Asstt. AG alongwith Gulzar Khan, S.I for the respondents present.

Learned counsel for the appellant request for adjournment. Adjourned to 08.05.2019 before the D.B.

  
Member

  
Chairman

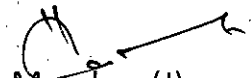
07.05.2018

The Tribunal is defunct due to retirement of Hon'ble Chairman. Therefore, the case is adjourned. To come on 20.07.2018

  
READER


20.07.2018

Due to engagement of the undersigned in judicial proceeding before S.B further proceeding in the case in hand could not be conducted. To come on 14.09.2018 D.B

  
Member (J)

14.09.2018

Junior to counsel for the appellant and Mr. Kabir Ullah Khattak learned Additional Advocate General alongwith Mr. Gulzar khan S.I for the respondents present. Junior to counsel for the appellant seeks adjournment as senior counsel for the appellant is not in attendance. Adjourned. To come up for arguments on 08.11.2018 before D.B

  
(Hussain Shah)  
Member

  
(Muhammad Hamid Mughal)  
Member

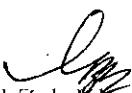
08.11.2018

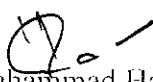
Due to retirement of Hon'ble Chairman, the Tribunal is defunct. Therefore, the case is adjourned. To come up on 11.12.2018.

  
READER

30.10.2017


Clerk of the counsel for appellant present. Mr. Usman Ghani, learned District Attorney alongwith Mr. Gulzar Khan, Assistant for the respondents present. Clerk of the counsel for appellant seeks adjournment. Adjourn. To come up for arguments on 08.01.2018 before D.B.

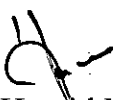
  
(Gul Zeb Khan)  
Member (E)

  
(Muhammad Hamid Mughal)  
Member (J)

08.01.2018


Counsel for the appellant and Addl : AG alongwith Mr. Gul Zad Khan, ASI for respondents present. Counsel for the appellant seeks adjournment. Adjourned. To come up for arguments on 05.3.2018 before D.B.

  
(Ahmad Hassan)  
Member(E)

  
(M. Hamid Mughal)  
Member (J)

05.03.2018

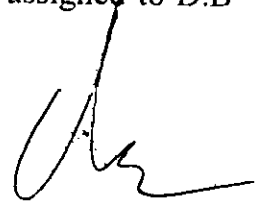
Junior counsel for the appellant and Mr. Muhammad Jan, Deputy District Attorney alongwith Mr. Gul Zad Khan, ASI for the respondents present. Junior counsel for the appellant seeks adjournment on the ground that learned senior counsel for the appellant is not available today. Adjourned. To come up for arguments on 07.05.2018 before D.B.

  
(Muhammad Hamid Mughal)  
Member

  
(Muhammad Amin Khan Kundi)  
Member

07.11.2016

Counsel for the appellant and Addl. AG for respondents present. Written reply submitted: The appeal is assigned to D.B for rejoinder and final hearing on 13.03.2017.



Member

13.03.2017

Mr. Taimur Khan learned counsel for appellant and Mr. Muhammad Adeel Butt, Additional AG for respondents present. Rejoinder not submitted. Learned counsel for appellant requested for time for filing of rejoinder. Request accepted. To come up for filing of rejoinder and arguments on 07.07.2017 before D.B.



(AHMAD HASSAN)  
MEMBER



(ASHFAQUE TAJ)  
MEMBER

08. 07.07.2017

Counsel for the appellant and Mr. Muhammad Jan, Deputy District Attorney for the respondent present. Counsel for the appellant submitted rejoinder which is placed on file. To come up for arguments on 30.10.2017 before D.B.



(Gul Zeb Khan)  
Member



(Muhammad Hamid Mughal)  
Member


25.4.2016

Counsel for the appellant present. Learned counsel for the appellant argued that the appellant was serving as Senior Clerk when subjected to enquiry on the allegations of embezzlement and dismissed from service vide impugned order dated 05.11.2015 where-against he preferred departmental appeal which was rejected on 21.3.2016 and hence the instant service appeal on 13.4.2016.

That the allegations of embezzlement were neither substantiated in the enquiry nor opportunity of hearing in the prescribed manners afforded to the appellant.

Points urged need consideration. Admit. Subject to deposit of security and process fee within 10 days, notices be issued to the respondents for written reply/comments for 21.07.2016 before S.B.

Am...  
Security...  
S.B.

  
Chairman

21.07.2016

Counsel for the appellant and Additional AG for the respondents present. Written reply not submitted. Learned Additional AG informed that written reply is under process and will be submitted on the next date. Last opportunity granted for submission of written reply/comments for 20.09.2016 before S.B.

  
MEMBER

20.09.2016

Appellant in person and Addl. AG for respondents present. Written <sup>reply</sup> not submitted. Requested for adjournment. Request accepted. Last opportunity granted. To come up for written reply/comments on 7.11.2016 before S.B.



  
Member



Form- A  
FORM OF ORDER SHEET

Court of \_\_\_\_\_

Case No. 395/2016

S.No.	Date of order Proceedings	Order or other proceedings with signature of judge or Magistrate
1	2	3
1	13.04.2016	<p>The appeal of Mr. Bakhsh Khan presented today by Mr. Muhammad Asif Yousafzai Advocate may be entered in the Institution Register and put up to the Worthy Chairman for proper order please.</p> <p style="text-align: right;"> REGISTRAR</p>
2	14.4.16	<p>This case is entrusted to S. Bench for preliminary hearing to be put up thereon <u>25.4.16</u>.</p> <p style="text-align: right;"> CHAIRMAN</p>

**BEFORE THE KPK SERVICE TRIBUNAL PESHAWAR**

APPEAL NO. 395/2016

Bakhash Khan

V/S

Police Deptt:

**INDEX**

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9.	Copy of rejection order	H	14
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**APPELLANT**

THROUGH:

  
(M.ASIF YOUSAFZAI)

  
(TAIMUR ALI KHAN)

 &  
(SYED NOMAN ALI BUKHARI)  
ADVOCATES, PESHAWAR

**BEFORE THE KPK, SERVICE TRIBUNAL, PESHAWAR.**

APPEAL NO. 395 /2016

A.W.F Province  
Service Tribunal  
Diary No 374  
Date 13-4-2016

Bakhash Khan Ex-Senior Clerk,  
CTD KPK, Peshawar.

(APPELLANT)

VERSUS

1. The Provincial Police Officer, KPK, Peshawar.
2. The additional Inspector General of Police Headquarter, Peshawar.
3. The Deputy Inspector of Police Headquarter, Peshawar.

(RESPONDENTS)

APPEAL UNDER SECTION 4 OF THE KPK SERVICE TRIBUNAL ACT, 1974 AGAINST THE ORDER DATED 21.03.2016, WHEREBY THE DEPARTMENT APPEAL OF THE APPELLANT AGAINST THE ORDER DATED 05.11.2015 HAS BEEN REJECTED FOR NO GROUNDS.

PRAYER:

THAT ON THE ACCEPTANCE OF THIS APPEAL, THE ORDER DATED 21.03.2016 AND 05.11.2015 MAY BE SET ASIDE AND THE APPELLANT MAY BE REINSTATED WITH ALL BACK AND CONSEQUENTIAL BENEFITS. ANY OTHER REMEDY, WHICH THIS AUGUST TRIBUNAL DEEMS FIT AND APPROPRIATE THAT, MAY ALSO BE AWARDED IN FAVOUR OF APPELLANT.

*Filed to the  
Registrar  
13/4/16*

**RESPECTFULLY SHEWETH:**

**FACTS:**

1. That the appellant joined was working in the police Deptt: as senior and have about 23 years of unblemished service record.
2. That charge sheet and statement of allegations were issued to the appellant without mentioning the name of the inquiry officer or inquiry committee members. The appellant submitted his detail reply to charge sheet and denied all the allegations therein by clearing all the situation of every allegation. (Copy of charge sheet, statement of allegation and reply to charge sheet are attached as Annexure-A,B&C)
3. That inquiry was conducted against the appellant without providing chance of defence to the appellant however inquiry report was not handed over the appellant.
4. That show cause notice was issued to the appellant which was duly replied by the appellant in which he again denied all the allegations. (Copy of show cause notice and reply to show cause notice are attached as Annexure-D&E)
5. That on the basis of that inquiry, the appellant was dismissed from service vide order dated 5.11.2015. (Copy of order dated 5.11.2015 is attached as Annexure-F)
4. That against the order dated 5.11.2015, the appellant filed departmental appeal, but the same was also rejected for no good ground on 21.03.2016. (Copies of departmental appeal and rejection order are attached as Annexure-G&H).
6. That now the appellant come to this august tribunal on the following grounds amongst others.

**GROUND:**

- A) That the impugned order dated 21.03.2016 and 5.11.2015 are against the law, facts, norms of justice and material on record, therefore not tenable and liable to be set aside.
- B) That the appellant has been condemned unheard and has not been treated according to law and rules.

- C) That the inquiry was not conducted according to prescribed procedure as the inquiry officer did not take statements of the concerned officials in the presence of the appellant and also not provided any chance of cross examination of the statement of concerned officials.
- D) That CTD/SPO salaries of 2013 was cancelled and re-released in 2015 and at that time the appellant was not having post which means that the appellant was not involved in the embezzlement and made scapegoat by other official in order to save his skin. (Copy of the salaries of SPO are attached as Annexure-I)
- E) That the penalty of dismissal from service is very harsh which is passed in violation of law and, therefore, the same is not sustainable in the eyes of law.
- F) That the appellant seeks permission to advance others grounds and proofs at the time of hearing.

It is, therefore most humbly prayed that the appeal of the appellant may be accepted as prayed for.

**APPELLANT**

Bakhash khan

**THROUGH:**

  
(M.ASIF YOUSAFZAI)

  
(TAIMUR ALI KHAN)

&

  
(SYED NOMAN ALI BUKHARI)  
ADVOCATES, PESHAWAR



OFFICE OF THE  
INSPECTOR GENERAL OF POLICE,  
KHYBER PAKHTUNKHWA,  
CENTRAL POLICE OFFICE,  
PESHAWAR

Ph: 091-9210545 Fax: 091-9210927

38  
A (4)

### CHARGE SHEET

I, SYED FIDA HASSAN SHAH, DIG/HQrs: Khyber Pakhtunkhwa, Peshawar as Competent Authority, under Rule 5(b) of Khyber Pakhtunkhwa, E&D Rules, 2011 hereby charge you Senior Clerk Bakhsh Khan posted in the office of DIG CTD, Khyber Pakhtunkhwa, Peshawar as follows:-

2. As reported by DIG, CTD, Khyber Pakhtunkhwa, Peshawar that Mian Aurangzeb Asstt: Grade Clerk/Accountant of CTD has intimated that on 01.04.2015, he encashed salaries of CTD Staff amounting to Rs:- 21271960/- and kept it at Safe in his office for further disbursement upon the Staff. On 02.04.2015, it came to the notice of Accountant CTD that an amount of Rs. 12, 00,000/- from the above mentioned amount is missing as stolen from the Safe of Account Branch CTD. However, later on, on 23.04.2015, Mian Aurangzeb Accountant CTD came to know that the above amount has been stolen by you. As you returned all the above mentioned missing amount back to the Accountant CTD, without his request with a promise of return of total amount. Thus he claims you are responsible for this act on the following grounds:

- That you Senior Clerk Bakhsh Khan had a duplicate key of the same safe which was not handed-over to Accountant at the time of relinquishing of your charge, and you returned it after three and half months i.e. on 15.04.2015 after missing of huge cash.
- On the theft day, you made a call to Accountant and told him that a guest was waiting for him, but in fact, there was no guest. You just wanted to get him out of his office so you could easily accomplish your goal.
- On the said day, you also took a key of office from one of the office hand Junior Clerk Adil Khan.
- As soon as the Accountant CTD left the office, you went to his office and successfully achieved your goal, which is evident from the CCTV footage.
- All this leads to a gross misconduct on your part warranting stern disciplinary action against you as defined in Govt: Servants (Efficiency and Discipline Rules 2011).

3. By reasons of the above, you appear to be guilty of misconduct under Rule 4 of Khyber Pakhtunkhwa Govt. Servants Efficiency and Discipline Rules 2011 and have rendered yourself liable to all or any of the penalties specified in the Rules ibid:

4. You are, therefore, required to submit your written defence within seven days of the receipt of this charge sheet to the Enquiry Committee/Enquiry Officer as the case may be.

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

6. Intimate whether you desire to be heard in person.

7. A statement of allegations is enclosed.

Sir,  
Received one copy.

ATTESTED  
13 APR 2016

(SYED FIDA HASSAN SHAH)PSP  
DIG/Headquarters  
Khyber Pakhtunkhwa  
Peshawar.



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OFFICE OF THE  
INSPECTOR GENERAL OF POLICE,  
KHYBER PAKHTUNKHWA,  
CENTRAL POLICE OFFICE,  
PESHAWAR

Ph: 091-9210545 Fax: 091-9210927

DISCIPLINARY ACTION.

I, SYED FIDA HASSAN SHAH, DIG/HQrs: Khyber Pakhtunkhwa, Peshawar, am of the opinion that Senior Clerk Bakhsh Khan has rendered himself liable to be proceeded against, as he has committed the following acts/omissions within the meaning of Khyber Pakhtunkhwa Government Civil Servants (Efficiency and Disciplinary) Rules-2011.

STATEMENT OF ALLEGATIONS

2. As reported by DIG, CTD, Khyber Pakhtunkhwa, Peshawar that Mian Aurangzeb Asstt: Grade Clerk/Accountant of CTD has intimated that on 01.04.2015, he encashed salaries of CTD Staff amounting to Rs. 21271960/- and kept it at Safe in his office for further disbursement upon the Staff. On 02.04.2015 it came to the notice of Accountant CTD that an amount of Rs. 12, 00,000/- from the above mentioned amount is missing as stolen from the Safe of Account Branch CTD.

3. On 02.04.2015 it came to the notice of Accountant CTD that an amount of Rs. 12, 00,000/- from the above mentioned amount is missing as stolen from the Safe of Account Branch CTD.

4. However, later on, on 23.04.2015, Mian Aurangzeb Accountant CTD came to know that the above amount has been stolen from him as he returned all the above mentioned missing amount back to the Accountant CTD, without his request with a promise of return of total amount. Thus he claims himself responsible for this act on the following grounds: -

- a. That he had a duplicate key of the same safe which was not handed-over to Accountant at the time of relinquishing of his charge, and he returned it after three and half months i.e. on 15.04.2015 after missing of huge cash.
- b. On the theft day, he made a call to Accountant and told him that a guest was waiting for him, but in fact, there was no guest. He just wanted to get him out of his office so he could easily accomplish his goal.
- c. On the said day, he also took a key of office from one of the office hand Junior Clerk Adil Khan.

**ATTESTED**

13 APR 2016

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## REPLY TO CHARGE SHEET

With reference to charge sheet and statement of allegation issued to me, I duly submit my reply as under for your kind and sympathetic consideration.

- a. This allegation is incorrect: I relinquished my charge as accountant CTD on 01.01.2015 and handed over all keys to Mian Aurangzaib on the same day.

Furthermore Mian Aurangzaib failed to provide any proof regarding this allegation because if I have any duplicate key then why he (accountant) did not bring it in to the notice of high ups well in time.

This is sufficient proof of my innocence that Mian Aurangzaib malafiedly put allegation on me and defame me for which I humbly submit my request to the high ups to take strict action against him.

- b. Incorrect: this allegation/ charge is also baseless and Mian Aurangzaib once again failed to provide any proof in supporting of this allegation.

I neither called to him nor I have any knowledge regarding any guest.

Moreover Mian Aurangzaib is a senior person but he put childish allegations. Is it possible that in absence of accountant (Mian Aurangzaib) any one can steal anything from his office in the presence of all other staff which is once again another sufficient proof of my innocence.

- c. Incorrect: I never took key of the accountant office on the mentioned day. On 07.01.2015 I took charge of stationery clerk besides the duty of pension work. I regularly visited the office of accountant CTD just for the purpose to check and carried out the pension paper of retired staff of CTD. I took the key from junior clerk Adil Khan earlier just for the task mentioned above. I achieve each and every task to the entire satisfaction of my superior and never provide any chance to annoy them.

- d. Incorrect: the detail reply to this para has already been explained in previous paras. Moreover neither I visited the office of accountant in his absence on the day of occurrence nor any proof is available regarding this allegation. Furthermore no CCTV cameras are installed in the accountant office so how can the footage be placed as evident against me.

In last I sincerely disclosed a very sensitive fact which is basically the root cause behind the whole malafied plan against me by the accountant CTD Mian Aurangzaib in shape of these allegations/ charges.

Sir when I was working as accountant a cheque was not cashed/ honored due to some technical grounds about which the high ups of CTD are well aware.

ATTESTED  
13 APR 2016  
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That cheque was basically a revise cheque about the salaries of SPOs for the month of August 2014 which worth about Rs. 1540176/-.

When I relinquished my charge as accountant I handed over all the important documents including the above mentioned cheque to Mian Aurangzaib.

Letter on he (Mian Aurangzaib) cashed the mentioned cheque and never disbursed the amount among the SPOs which are their sole right.

When I came to know about this fact, I told him to give/ disburse the salaries among the poor SPOs but he refused to do so and threatened me of dire consequences. I also told him that if he failed to disburse the amount in shape of salaries among SPOs then I will bring it in to the notice of high ups but he once again threatèned me of dire consequences.

Sir I accept that I had to bring the above mentioned fact in to the kind notice of my high ups but being a poor person and due to the threats I came under the pressure of Mian Aurangzaib and never brought the fact in the kind notice of high ups.

Sir I have 23 years of unblemished service record and even a single fault is not available which proof my insincerity with my official work. I achieve each and every task according to the entire satisfaction of my high ups.

Sir keeping in view of the mentioned reply/ facts I duly requested to file the charge sheet/ enquiry initiated against me and initiates strict departmental action against Mian Aurangzaib for defaming me and for embezzlement of the mentioned amount.

I also want to be heard in person.

*Received today.*

*PA P DIG/CTD  
29/6/2015*

Bakhsh Khan  
Senior Clerk CTD

**ATTESTED**

11 3 APR 2016



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OFFICE OF THE  
INSPECTOR GENERAL OF POLICE,  
KHYBER PAKHTUNKHWA,  
CENTRAL POLICE OFFICE,  
PESHAWAR

Ph: 091-9210545 Fax: 091-9210927

No. /E-V Dated Peshawar the / /2015.

FINAL SHOW CAUSE NOTICE

WHEREAS, you Senior Clerk Bakhsh Khan while posted in CTD, Khyber Pakhtunkhwa, Peshawar have committed the following commission/omission:-

- i) That you had a duplicate key of the same safe which was not handed over to Accountant at the time of relinquishing of your charge, and you returned it after three and half months i.e. on 15.04.2015 after missing a huge cash.
- ii) On the theft day, you made a call to the Accountant and told him that a guest was waiting for him but in fact, there was no guest. You just wanted to get him out of his office so you could easily accomplish your goal.
- iii) On the said day, you also took a key of office from one of the office hand Junior Clerk Adil Khan.
- iv) As soon as the Accountant CTD left the office, you went to his office and successfully achieved your goal, which is evident from the CCTV footage.
- v) All this leads to gross misconduct on your part warranting stern disciplinary action against you as defined in Khyber Pakhtunkhwa, Govt: Servants (Efficiency and Discipline Rules 2011).

2. AND WHEREAS, on going through the material placed on record, other connected papers and Findings of the Enquiry Officer, I am satisfied that you have committed the misconduct and is guilty of the charges levelled against you, which stands proved and render you liable to be awarded Major punishment under the said rules.

3. NOW THEREFORE, I, MUHAMMAD ALAM SHINWARI, PSP, Deputy Inspector General of Police, Headquarters Khyber Pakhtunkhwa, Peshawar as Competent Authority have tentatively decided to impose upon you, any one or more penalties including the penalty of "dismissal from Service" under Section 4 of Govt. Servants (Efficiency and Discipline Rules-2011).

4. YOU ARE, THEREFORE, required to show cause within seven days of the receipt of this Final Show Cause Notice, as to why the aforesaid penalty should not be imposed upon you, failing which it shall be presumed that you have no defence to offer and an ex-parte action shall be taken against you. Meanwhile also intimate that whether you desire to be heard in person or otherwise.

ATTACHED

11.3 APR 2016

*[Handwritten signature]*

(MUHAMMAD ALM SHINWARI) PSP  
DIG/Hqrs:

For Inspector General of Police,  
Khyber Pakhtunkhwa  
Peshawar.

*[Handwritten signature]*

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REPLY TO FINAL SHOW CAUSE NOTICE

With reference to final show cause notice issued to me, I duly submit my reply as under for your kind and sympathetic consideration.

- I. This allegation is incorrect: I relinquished my charge as accountant CTD on 01.01.2015 and handed over all keys to Mian Aurangzaib on the same day.

Furthermore Mian Aurangzaib failed to provide any proof regarding this allegation because if I have any duplicate key then why he (accountant) did not bring it in to the notice of high ups well in time.

This is sufficient proof of my innocence that Mian Aurangzaib malafiedly put allegation on me and defame me for which I humbly submit my request to the high ups to take strict action against him.

- II. Incorrect: this allegation/ charge is also baseless and Mian Aurangzaib once again failed to provide any proof in supporting of this allegation.

I neither called to him nor I have any knowledge regarding any guest.

Moreover Mian Aurangzaib is a senior person but he put childish allegations. Is it possible that in absence of accountant (Mian Aurangzaib) any one can steal anything from his office in the presence of all other staff which is once again another sufficient proof of my innocence.

- III. Incorrect: I never took key of the accountant office on the mentioned day. On 07.01.2015 I took charge of stationery clerk besides the duty of pension work. I regularly visited the office of accountant CTD just for the purpose to check and carried out the pension paper of retired staff of CTD. I took the key from junior clerk Adil Khan earlier just for the task mentioned above. I achieve each and every task to the entire satisfaction of my superior and never provide any chance to annoy them.

- IV. Incorrect: the detail reply to this para has already been explained in previous paras. Moreover neither I visited the office of accountant in his absence on the day of occurrence nor any proof is available regarding this allegation. Furthermore no CCTV cameras are installed in the accountant office so how can the footage be placed as evident against me.

In last I sincerely disclosed once again a very sensitive fact which is basically the root cause behind the whole malafied plan against me by the accountant CTD Mian Aurangzaib in shape of these allegations/ charges.

Sir when I was working as accountant a cheque was not cashed/ honored due to some technical grounds about which the high ups of CTD are well aware.

ATTESTED  
13 APR 2016

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That cheque was basically a revise cheque about the salaries of SPOs for the month of August 2014 which worth about Rs. 1540176/-.

When I relinquished my charge as accountant I handed over all the important documents including the above mentioned cheque to Mian Aurangzaib.

Letter on he (Mian Aurangzaib) cashed the mentioned cheque and never **disbursed** the amount among the SPOs which are their sole right.

When I came to know about this fact, I told him to give/ disburse the salaries among the poor SPOs but he refused to do so and threatened me of dire consequences. I also told him that if he failed to disburse the amount in shape of salaries among SPOs then I will bring it in to the notice of high ups but he once again threatened me of dire consequences.

Sir I accept that I had to bring the above mentioned fact in to the kind notice of my high ups but being a poor person and due to the threats I came under the pressure of Mian Aurangzaib and never brought the fact in the kind notice of high ups.

Sir I have 23 years of unblemished service record and even a single fault is not available which proof my insincerity with my official work. I achieve each and every task according to the entire satisfaction of my high ups.

Sir keeping in view of the mentioned reply/ facts I duly requested to file the charge sheet/ enquiry initiated against me and initiates strict departmental action against Mian Aurangzaib for defaming me and for embezzlement of the mentioned amount.

I also want to be heard in person.

*Received  
on 9/10/2015  
[Signature]*

*Bakh*  
Bakhsh Khan  
Senior Clerk CTD

**ATTESTED**

13 APR 2016

*[Signature]*



6909  
8-11-15

EO (11)

OFFICE OF THE  
INSPECTOR GENERAL OF POLICE  
KHYBER PAKHTUNKHWA  
CENTRAL POLICE OFFICE  
PESHAWAR

Ph: 091-9210545 Fax: 091-9210927

### ORDER

This is an order on the Departmental Enquiry of Senior Clerk Bakhsh Khan posted Stationary/Pension Clerk in CTD, Khyber Pakhtunkhwa, Peshawar who committed the following, acts of omission/commission that:-

1. Mian Aurangzeb Asstt: Grade Clerk/Accountant of CTD has intimated that on 01.04.2015, he encashed salaries of CTD Staff amounting to Rs. 2,12,71,960/- and kept it at Safe in his office for further disbursement upon the Staff.
2. On 02.04.2015 it came into the notice of Accountant CTD, Khyber Pakhtunkhwa, Peshawar that an amount of Rs. 12, 00,000/- from the above mentioned amount is missing as stolen from the Safe of Account Branch CTD.
3. However, later on, on 23.04.2015, Mian Aurangzeb Accountant CTD came to know that the above amount has been stolen by Senior Clerk Bakhsh Khan as he returned all the above mentioned missing amount back to the Accountant CTD, without his request with a promise of return of total amount. Thus on the pointation of Accountant CTD, Khyber Pakhtunkhwa, Peshawar, he was declared responsible for this act on the following grounds that:-

- a. Senior Clerk Bakhsh Khan, had a duplicate key of the same safe which was not handed-over to Accountant at the time of relinquishing of his charge, and he returned it after three and half months i.e. on 15.04.2015 after missing of huge cash.
- b. On the theft day, he made a call to Accountant and told him that a guest was waiting for him, but in fact, there was no guest. He just wanted to get him out of his office so he could easily accomplish his goal.
- c. On the said day, he also took a key of office from one of the office hand Junior Clerk Adil Khan.
- d. As soon as the Accountant CTD left the office, he went to his office and successfully achieved his goal, which is evident from the CCTV footage.

4. All this leads to a gross misconduct on his part as defined in Govt: Servants (Efficiency and Discipline Rules 2011).

5. On the score of above allegations, he was issued Charge Sheet with Statement of Allegations and Mr. Khalid Sohail, SSP (Operation) CTD was nominated as Enquiry Officer to probe into the matter under Civil Servant Efficiency and Discipline Rules 1974 (amended in 2011).

6. The Enquiry Officer conducted the subject Enquiry against Senior Clerk Bakhsh Khan. The Enquiry Officer has also recorded the Statement of Senior Clerk Bakhsh Khan and also all the concerned Officers/Officials of CTD, Hqrs: Peshawar Hence, from their statement it was further confirmed that the delinquent Senior Clerk has committed the omission/commission and found guilty of the charges. Therefore, the allegations for taking away the cash amount of Rs:- 12,000,00/- from the locker and later on returned an amount of Rs:- 10,000.00/- of the said amount back to Accountant CTD and hence, the Enquiry Officer finally concluded that the allegations leveled against Senior Clerk Bakhsh Khan stand proved.

7. Therefore, on receipt of Finding/Enquiry report from the Enquiry Officer, he was issued Final Show Cause Notice. In response to the same, he submitted his reply. To fulfill the codal formalities of the Subject Enquiry, the accused official was given an opportunity of personal hearing but he could not satisfy the undersigned.

8. On going through the findings/recommendations of the Enquiry Officer, the available material on record, I, MUHAMMAD ALAM SHINWARI, PSP Deputy Inspector General of Police Hqrs:, Khyber Pakhtunkhwa, Peshawar (Competent Authority) has no option except to award him the Major Punishment of dismissal from Service under Civil Servant Efficiency and Discipline Rules 1974 (amended in 2011).

Order announced.

(MUHAMMAD ALAM SHINWARI)PSP  
DIG, Hqrs:  
For Inspector General of Police,  
Khyber Pakhtunkhwa,  
Peshawar

ATTESTED

13 APR 2016

**DEPARTMENTAL APPEAL AGAINST DISMISSAL ORDER NO.6085-91/E-V DATED 5.11.2015 BEFORE WORTHY INSPECTOR GENERAL OF POLICE KHYBER PAKHTUNKHWA FOR YOUR KIND AND SYMPATHETIC CONSIDERATION.**

RESPECTED SIR,

It is submitted that I was appointed as junior clerk in police department in year -----and till date I performed my duties according to the entire satisfaction of my high ups and even a single complaint has not been received regarding me to my officers. Which is sufficient proof of my innocence. I respond to each and every charge and submit detail reply to charge sheet and final show cause notice but unfortunately no one in police department concentrate on the main issue. Besides my following reply to each and every charge I once again narrate the real facts behind the whole episode as under.

I sincerely disclosed once again a very sensitive fact which is basically the root cause behind the whole malafied plan against me by the accountant CTD Mian Aurangzaib in shape of these allegations/ charges.

Sir when I was working as accountant in CTD a cheque was not cashed/ honored due to some technical grounds about which the high ups of CTD are well aware. That cheque was basically a revise cheque about the salaries of SPOs for the month of August 2014 which worth about Rs. 1540176/-.

When I relinquished my charge as accountant I handed over all the important documents including the above mentioned cheque to Mian Aurangzaib.

Letter on he (Mian Aurangzaib) cashed the mentioned cheque and never disbursed the amount among the SPOs which are their sole right.

When I came to know about this fact, I told him to give/ disburse the salaries among the poor SPOs but he refused to do so and threatened me of dire consequences. I also told him that if he failed to disburse the amount in shape of salaries among SPOs then I will bring it in to the notice of high ups but he once again threatened me of dire consequences.

Sir I accept that I had to bring the above mentioned fact in to the kind notice of my high ups but being a poor person and due to the threats I came under the pressure of Mian Aurangzaib and never brought the fact in the kind notice of high ups.

**Detail reply to charges**

I. This allegation is incorrect: I relinquished my charge as accountant CTD on 01.01.2015 and handed over all keys to Mian Aurangzaib on the same day. Furthermore Mian Aurangzaib failed to provide any proof regarding this allegation because if I have any duplicate key then why he (accountant) did not bring it in to the notice of high ups well in time.

**ATTESTED**

**13 APR 2016**



This is sufficient proof of my innocence that Mian Aurangzaib malafiedly put allegation on me and defame me for which I humbly submit my request to the high ups to take strict action against him.

II. Incorrect: this allegation/ charge is also baseless and Mian Aurangzaib once again failed to provide any proof in supporting of this allegation.

I neither called to him nor I have any knowledge regarding any guest. Moreover Mian Aurangzaib is a senior person but he put childish allegations. Is it possible that in absence of accountant (Mian Aurangzaib) any one can steal anything from his office in the presence of all other staff which is once again another sufficient proof of my innocence.

III. Incorrect: I never took key of the accountant office on the mentioned day. On 07.01.2015 I took charge of stationery clerk besides the duty of pension work. I regularly visited the office of accountant CTD just for the purpose to check and carried out the pension paper of retired staff of CTD. I took the key from junior clerk Adil Khan earlier just for the task mentioned above. I achieve each and every task to the entire satisfaction of my superior and never provide any chance to annoy them.

IV. Incorrect: the detail reply to this para has already been explained in previous paras. Moreover neither I visited the office of accountant in his absence on the day of occurrence nor any proof is available regarding this allegation. Furthermore no CCTV cameras are installed in the accountant office so how can the footage be placed as evident against me.

Sir I have 23 years of unblemished service record and even a single fault is not available which proof my insincerity with my official work. I achieve each and every task according to the entire satisfaction of my high ups.

Sir keeping in view of the above mentioned appeal/ facts I duly request to reinstate me in service by set aside the dismissal order and initiates strict departmental action against Mian Aurangzaib for defaming me and for embezzlement of the mentioned amount.

I also want to be heard in person.

Recd  
10/9/12

ATTEST  
11.3 APR 2016  
A

Baksh Khan  
Bakhsh Khan



OFFICE OF THE  
INSPECTOR GENERAL OF POLICE,  
KHYBER PAKHTUNKHWA,  
CENTRAL POLICE OFFICE,  
PESHAWAR

Ph: 091-9210545 Fax: 091-9210927

No 1788 /E-V Dated Peshawar the 21-3 /2016

ORDER.

This order is hereby passed to dispose of departmental appeal under Rule 17 of Government Khyber Pakhtunkhwa Government Civil Servant (Efficiency & Discipline) Rules- 2011 submitted by Ex-Senior Clerk Bakhsh Khan. The Appellant was dismissed from Service by Deputy Inspector General of Police, Hqrs: Khyber Pakhtunkhwa, Peshawar vide Order Endst: No 7085-91/E-V Dated 05.11.2015 on the score of allegations that as reported by Mian Aurangzeb Asstt: Grade Clerk posted as Accountant CTD, Khyber Pakhtunkhwa, Peshawar that on 01.04.2015, he encashed the salaries of CTD Staff amounting to Rs:- 2,12,71,960/- and kept it at Safe of his office for further disbursement upon the staff. But on 02.04.2015, it came into the notice of Accountant, CTD, Khyber Pakhtunkhwa, Peshawar that an amount of Rs:- 12,00,000/- from the above mentioned amount is missing as stolen from the Safe of Account Branch, CTD. However, later on, Accountant CTD came to know that the above amount has been stolen by Senior Clerk Bakhsh Khan as he returned all the above mentioned missing amount back to the Accountant, CTD without his request with a promise of return of total amount. Thus, on the pointation of Accountant CTD, Khyber Pakhtunkhwa, Peshawar, he was declared responsible for this act on the following grounds that:-

1. Senior Clerk Bakhsh Khan, had a duplicate key of the same Safe which was not handed over to Accountant at the time of relinquishing of his charge and he returned it after three and half months i.e. 15.04.2015 after missing of huge cash.
2. On the theft day, he made a call to Accountant, CTD and told him that a guest was waiting from him, but in fact there was no guest. He just wanted to get him out of his office so he could easily accomplish his goal.
3. On the said day, he also took a key of office from one of the office hand Junior Clerk Adil Khan.
4. As soon as the Accountant, CTD left the office, he went to his office and successfully achieved his goal which is evident from the CCTV footage.

On his such act, he was issue Charge Sheet with Statement of Allegations under the Khyber Pakhtunkhwa Government Civil Servant (Efficiency and Discipline) Rules-2011. The Enquiry Officer completed the Subject Enquiry and after observing the matter from different angles & all aspects minutely and submitted his Findings Report wherein the allegations levelled against the delinquent official were proved. After receipt of Findings Report, he was issued Final Show Cause. To fulfil all codal formalities in the subject Enquiry, he was also appeared in OR for personal hearing before the Competent Authority but he could not satisfy the chair. Therefore, he was awarded Major Punishment of dismissal from the Service under the relevant Rules.

After awarding the above mentioned punishment of dismissal from his Service, the Petitioner went for an appeal to the next Appellate Authority for setting aside his punishment awarded by the Competent Authority i.e. Deputy Inspector General of Police, Hqrs: Khyber Pakhtunkhwa, Peshawar.

In this connection, a meeting of Appeal Board was held on 03.03.2016 at CPO, Peshawar wherein the appellant was heard in person in detail but his reply/contention was not found satisfactorily as he failed to offer any plausible grounds/reason in his defense. The whole Enquiry Papers were also perused and the allegations/charges were proved against him in the Regular Departmental Enquiry. He deserves no being and his retention in the Department will have adverse effect on others.

Keeping in view the position explained above, the Board has decided that the Departmental Appeal submitted by the Ex-Senior Senior Clerk Bakhsh Khan is hereby rejected/filed.

(MIAN MUHAMMAD ASIF) PSP

Add: IGP, Hqs:

For Inspector General of Police,  
Khyber Pakhtunkhwa,  
Peshawar.

ATTESTED

No 1789-95 /E-V Dated Peshawar the 21-3 /2016.

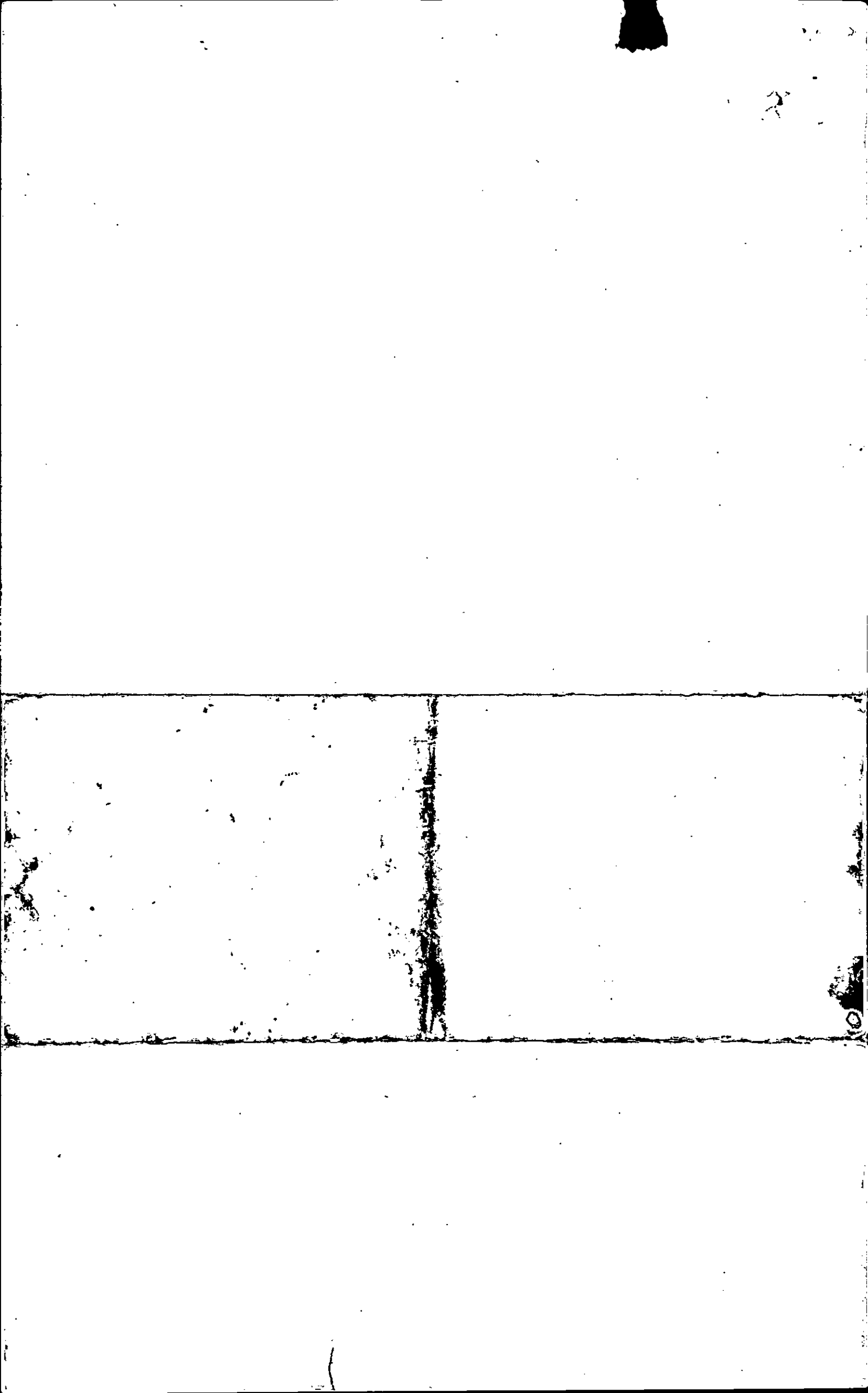
13 APR 2016

Copy of above is forwarded for information and necessary action to the:-

1. Deputy Inspector General of Police, CTD, Khyber Pakhtunkhwa, Peshawar.
2. Deputy Inspector General Police, Hqrs: Khyber Pakhtunkhwa, Peshawar.
3. PSO to Worthy Inspector General of Police, Khyber Pakhtunkhwa, Peshawar.
4. PRO to Worthy Inspector General of Police, Khyber Pakhtunkhwa, Peshawar
5. Registrar, CPO, Peshawar.
6. Supdt: Secret, CPO, Peshawar.
7. Incharge Central Registry, CPO, Peshawar.

13 APR 2016





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S.No	Rank	Persnal	Name	amount	signature	B.F	Amount	singature
1	SPO	720456	Hazarat Bilal	15000			15000	
2	SPO	720457	Abdul Majid	15000			15000	
3	SPO	720458	Ibraheem Khan	15000			15000	
4	SPO	720459	Nazar Muhammad	15000			15000	
5	SPO	720460	Fazal Raheem	15000			15000	
6	SPO	720464	Asif Ali	15000			15000	
7	SPO	720465	Faiz ur Rehman	15000			15000	
8	SPO	720467	Imran Afridi	15000			15000	
9	SPO	720468	Laeeg ur Rehman	15000			15000	
10	SPO	720469	Abdul Ghafoor	15000			15000	
11	SPO	720470	Muhammad Ibrahim	15000			15000	
12	SPO	720471	Saeed Khan	15000			15000	
13	SPO	720472	Abdullah Ali	15000			15000	
14	SPO	720473	Fakhrul Islam	15000			15000	
15	SPO	720476	Khan Baz	15000			15000	
16	SPO	720478	Abdullah	15000			15000	
17	SPO	720479	Syed Adnan Shah	15000			15000	
18	SPO	720480	Shoaib Zada	15000			15000	
19	SPO	720481	Ashiq Hussain	15000			15000	

ATTESTED

13 APR 2016

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20	SPO	720482	Waqif Ullah	15000		15000
21	SPO	720483	Nadeem Khan	15000		15000
22	SPO	720484	Noor ul Amin	15000		15000
23	SPO	720485	Shakeel Khan	15000		15000
24	SPO	720487	Adnan	15000		15000
25	SPO	720488	Noor Khan	15000		15000
26	SPO	720489	Jan Said	15000		15000
27	SPO	720490	Sajid Ali	15000		15000
28	SPO	720491	Ibrar ud Din	15000		15000
29	SPO	720492	Astagnir Ullah	15000		15000
30	SPO	720493	Arshid Khan	15000		15000
31	SPO	720494	Mumai Khan	15000		15000
32	SPO	720436	Maz ur Rehman	15000		15000
33	SPO	720438	Syed Noman shsh	15000		15000
34	SPO	720439	Muhammad Arif	15000		15000
35	SPO	720440	Musharaf	15000		15000
36	SPO	720441	Zafar Ali	15000		15000
37	SPO	720442	Fazal Ghani	15000		15000
38	SPO	720443	Muhammad Ibrar	15000		15000
39	SPO	72044	Nihad Khan	15000		15000

ATTESTED

13 APR 2016.

*[Signature]*

40	SPO	720445	Fazal rabi	15000			15000	
41	SPO	720446	Sadiq Shah	15000			15000	
42	SPOO	720447	Wasi Ullah	15000			15000	
43	SPO	720448	Mubashir	15000			15000	
44	SPO	720449	Noor Muhammad	15000			15000	
45	SPO	720450	Muhammad Fazal	15000			15000	
46	SPO	720451	Adnan	15000			15000	
47	SPO	720452	Rafi Ullah	15000			15000	
48	SPO	720453	Ibrar Khan	15000			15000	
49	SPO	720454	Shahid	15000			15000	
50	SPO	720455	Rooh Ullah	15000			15000	
51	SPO	720461	Gul Zaib	15000			15000	
52	SPO	720662	Mustafa	15000			15000	
53	SPO	720463	Murad Ali	15000			15000	
54	SPO	720466	Qasim	15000			15000	
55	SPO	720486	Murad Ali Shah	15000			15000	
56	DFC	720504	Muhammad Ikram	26488		30	26458	
57	DFC	720505	Gohar Ali Shah	26488		30	26458	
58	DFC	720508	Abdul Wali	26488		30	26458	
59	DFC	720512	Muhammad Shereen	26488		30	26458	

ATTESTED

13 APR 2016

\*

60	DFC	720513	Akbar Ali	26488		30	26458	
61	DFC	720514	Rahim Gul	26488		30	26458	
62	DFC	720515	Muhammad Tayab	26488		30	26458	
63	DFC	720518	Sohail Younas	26488		30	26458	
64	DFC	720522	Iftkhar	26488		30	26458	
65	DFC	720523	Naseem Jan	26488		30	26458	
66	DFC	720528	Kousar Ali	26488		30	26458	
67	DFC	720529	Ibad ur Rehman	26488		30	26458	
68	DFC	720530	Ruhim dad Khan	26488		30	26458	
69	DFC	720505	Sher Rehman	26488		30	26458	
70	DFC	720507	Niaz Marjan	26488		30	26458	
71	DFC	720509	Merab ud din	26488		30	26458	
72	DFC	720510	Nazar Ali	26488		30	26458	
73	DFC	720511	Zakir Ullah	26488		30	26458	
74	DFC	720516	Muhammad Saeed	26488		30	26458	
75	DFC	720517	Gul Fayaz	26488		30	26458	
76	DFC	720519	Zakir Khan	26488		30	26458	
77	DFC	720520	Nawab Zada	26488		30	26458	
78	DFC	720521	Syed Ali Shah	26488		30	26458	
79	DFC	720524	Shah Nabi	26488		30	26458	

ATTESTED

11.3 APR 2016



80	DFC	720525	Siknadar	26488		30	26458	
81	DFC	720526	Muhammad Zaid	26488		30	26458	
82	DFC	720527	Zar Khan	26488		30	26458	
			<b>TOTAL</b>	<b>1540176</b>		<b>810</b>	<b>1539366</b>	

**ATTESTED**

**13 APR 2016**



checking 2013  
release in 2015

CTD  
salaries

SPO  
check cancelled

- AG not excluded from  
Mian Aizazul Haq

charge report  
handover

# VAKALAT NAMA

NO. \_\_\_\_\_/20.

IN THE COURT OF K.P.K Service Tribunal, Peshawar

Balkhsh Khan

(Appellant)  
(Petitioner)  
(Plaintiff)

VERSUS

Police Deptt.


(Respondent)  
(Defendant)

I/We Balkhsh Khan

Do hereby appoint and constitute **M.Asif Yousafzai, Advocate, Peshawar**, to appear, plead, act, compromise, withdraw or refer to arbitration for me/us as my/our Counsel/Advocate in the above noted matter, without any liability for his default and with the authority to engage/appoint any other Advocate/Counsel on my/our costs.

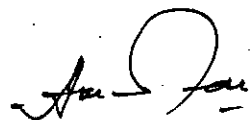
I/we authorize the said Advocate to deposit, withdraw and receive on my/our behalf all sums and amounts payable or deposited on my/our account in the above noted matter. The Advocate/Counsel is also at liberty to leave my/our case at any stage of the proceedings, if his any fee left unpaid or is outstanding against me/us.

Dated \_\_\_\_\_/20



( CLIENT )

ACCEPTED



**M. ASIF YOUSAFZAI**

Advocate

Taimur Ali Khan  
(Advocate)

Syed Noman Ali Bukhori

**M. ASIF YOUSAFZAI**

Advocate High Court,  
Peshawar.

**OFFICE:**

Room No.1, Upper Floor,  
Islamia Club Building,  
Khyber Bazar Peshawar.

Ph.091-2211391-

0333-9103240



**BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL  
PESHAWAR**

Bakhash Khan .....(Appellant)

Versus

Provincial Police Officer, KPK, Peshawar and others .....(Respondents)

**Subject:- COMMENTS ON BEHALF OF RESPONDENTS**

Respectfully Sheweth!

Preliminary Objections:-

- a) The appeal has not been based on facts.
- b) The appeal is not maintainable in the present form.
- c) The appeal is bad for mis-joinder and non-joinder of necessary parties.
- d) The appellant is estopped to file the appeal.
- e) The appeal is barred by law and limitation.
- f) The appellant has not come to the Honorable Tribunal with clean hands.

**FACTS:-**


1. Incorrect, appellant while posted as Senior Clerk in CTD Khyber Pakhtunkhwa, Peshawar, committed theft of Rs. 12,00,000/- from the cabinet of account branch CTD Peshawar. He returned Rs. 10,00,000/- of the stolen property. He was proceeded against departmentally on charges based on above allegations which culminated in passing the impugned order of his dismissal from service.
2. Incorrect, initially Iftikhar-ud-Din SP CTD was appointed as enquiry officer and later on it came to light that the said Iftikhar-ud-Din was witness as the appellant admitted commission of theft of Government property before him and also the stolen property was returned by appellant in his presence. Therefore, he was replaced by Sohial Khalid SP. Copies of the orders are enclosed as Annexure-A & B, respectively. Furthermore, the reply submitted by appellant in response to the charge sheet was neither satisfactory nor plausible; therefore, regular enquiry was continued which culminated in passing the impugned order.
3. Incorrect, detailed enquiry was conducted and witnesses were examined. The deposition of the witnesses and recovery of the stolen property was sufficient evidence for bringing home the charge against the appellant. Copy of the enquiry report is enclosed as Annexure-C.
4. Incorrect, the reply submitted by appellant in response to show cause notice was found unsatisfactory.
5. Correct to the extent that appellant was dismissed from service as he committed gross misconduct and proper speaking order was passed into the departmental proceedings initiated against him.
6. Correct to the extent that departmental appeal of appellant was rejected as it was found without any force and substance.

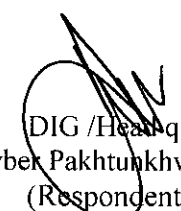
7. Incorrect, the appeal of appellant is not sustainable on the given grounds.

**GROUNDS:-**

- A. Incorrect, the impugned orders are just, legal and have been passed in accordance with law and rules.
- B. Incorrect, appellant was associated in the enquiry proceedings. He has admitted issuance of charge sheet and final show cause notice and submission of replies. Therefore, he is wrongly contending that he was condemned unheard.
- C. Incorrect, detailed enquiry was conducted. Initially the enquiry was entrusted to Iftikhar-ud-Din SP and later on it came to light that he was witness against the appellant therefore, in order to ensure fair and transparent enquiry, he was replaced by another Superintendent of Police.
- D. Incorrect, appellant had stolen away Rs. 12,00,000/- from the cabinet of account branch CTD and returned certain portion of the stolen property in presence of Ifikhar-ud-Din SP.
- E. Incorrect, penalty commensurate with the charges has been imposed on appellant. He misappropriated government property therefore he was correctly dismissed from service.
- F. That respondents also seek permission of this Honorable Tribunal of raising other grounds during hearing of the case.

It is therefore, prayed that the appeal of appellant may be dismissed with costs.

  
Inspector General of Police  
Khyber Pakhtunkhwa,  
Peshawar.  
(Respondent No.1 & 2)

  
DIG / Head quarters  
Khyber Pakhtunkhwa, Peshawar  
(Respondent No.3)

**BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL  
PESHAWAR**

Appeal No 395/2016

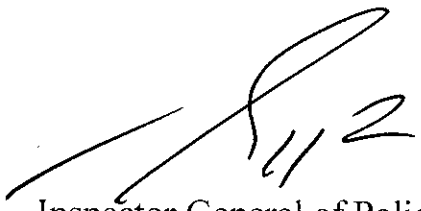
Bakhash Khan (Ex Senior Clerk CTD KP Peshawar) .....(Appellant)


Versus

1. Provincial Police Officer, KPK, Peshawar and others
2. The Addl; Inspector General of Police HQ, Peshawar
3. The Deputy Inspector General of Police HQ, Peshawar .....(Respondents)

**AFFIDAVIT**

We the deponents in the above titled service appeal, do here by solemnly affirm and declare on oath that the contents of Para wise comments/reply are correct and true to the best of our knowledge and belief and nothing have been kept concealed from this honorable tribunal.

  
Inspector General of Police,  
Khyber Pakhtunkhwa, Peshawar.  
(Respondent No.1 & 2)

  
DIG /Head quarters  
Khyber Pakhtunkhwa, Peshawar  
(Respondent No.3)

**BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL  
PESHAWAR**

Appeal No 395/2016


Bakhash Khan (Ex Senior Clerk CTD KP Peshawar) .....(Appellant)

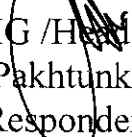
Versus

1. Provincial Police Officer, KPK, Peshawar and others
2. The Addl; Inspector General of Police HQ, Peshawar
3. The Deputy Inspector General of Police HQ, Peshawar .....(Respondents)

**AUTHORITY LETTER**

Syed Aamir Abbas, Inspector Legal, CTD, Khyber Pakhtunkhwa, Peshawar is hereby authorized to appear on behalf of the Respondents No.1, 2 and 3 before the Honorable Khyber Pakhtunkhwa Service Tribunal Peshawar. He is also authorized to submit all required documents and replies etc. pertaining to the appeal through the government pleader.

  
Inspector General of Police,  
Khyber Pakhtunkhwa, Peshawar.  
(Respondent No.1 & 2)

  
DIG /Head quarters  
Khyber Pakhtunkhwa, Peshawar  
(Respondent No.3)

Annexure - A

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OFFICE OF THE  
INSPECTOR GENERAL OF POLICE,  
KHYBER PAKHTUNKHWA,  
CENTRAL POLICE OFFICE,  
PESHAWAR

Ph: 091-9210545 Fax: 091-9210927

DISCIPLINARY ACTION.

I, SYED FIDA HASSAN SHAH, DIG/HQrs: Khyber Pakhtunkhwa, Peshawar, am of the opinion that Senior Clerk Bakhsh Khan has rendered himself liable to be proceeded against, as he has committed the following acts/omissions within the meaning of Khyber Pakhtunkhwa Government Civil Servants (Efficiency and Disciplinary) Rules-2011.

STATEMENT OF ALLEGATIONS

2. As reported by DIG, CTD, Khyber Pakhtunkhwa, Peshawar that Mian Aurangzeb Asstt: Grade Clerk/Accountant of CTD has intimated that on 01.04.2015, he encashed salaries of CTD Staff amounting to Rs. 21271960/- and kept it at Safe in his office for further disbursement upon the Staff. On 02.04.2015 it came to the notice of Accountant CTD that an amount of Rs. 12, 00,000/- from the above mentioned amount is missing as stolen from the Safe of Account Branch CTD.

3. On 02.04.2015 it came to the notice of Accountant CTD that an amount of Rs. 12, 00,000/- from the above mentioned amount is missing as stolen from the Safe of Account Branch CTD.

4. However, later on, on 23.04.2015, Mian Aurangzeb Accountant CTD came to know that the above amount has been stolen him you as he returned all the above mentioned missing amount back to the Accountant CTD, without his request with a promise of return of total amount. Thus he claims him responsible for this act on the following grounds: -

- a. That he, had a duplicate key of the same safe which was not handed-over to Accountant at the time of relinquishing of his charge, and he returned it after three and half months i.e. on 15.04.2015 after missing of huge cash.
- b. On the theft day, he made a call to Accountant and told him that a guest was waiting for him, but in fact, there was no guest. He just wanted to get him out of his office so he could easily accomplish his goal.
- c. On the said day, he also took a key of office from one of the office hand Junior Clerk Adil Khan.
- d. As soon as the Accountant CTD left the office, he went to his office and successfully achieved his goal, which is evident from the CCTV footage.
- f. All this leads to a gross misconduct on his warranting stern disciplinary action against him as defined in Govt: Servants (Efficiency and Discipline Rules 2011).

5. For the purpose of enquiry against the said accused with the reference to the above allegation an Enquiry Officer/Enquiry Committee consisting of the following, is constituted under the rule 10 (1) (a) of the ibid rules.

Mr. F. Farid Charuddin sp

Mr. \_\_\_\_\_

Annexure A




OFFICE OF THE  
INSPECTOR GENERAL OF POLICE,  
KHYBER PAKHTUNKHWA,  
CENTRAL POLICE OFFICE,  
PESHAWAR

Ph: 091-9210545 Fax: 091-9210927

6. The Enquiry Officer/Enquiry Committee shall, in accordance with the provision of the said Rules, provide reasonable opportunity of hearing to the accused, record & submit its findings and make, within 30 days of the receipt of this order, recommendations as to punishment or other appropriate action against the accused officer.

7. The defaulter official and a well conversant representation of the departmental shall in the proceedings on the date, time and place fixed by the Enquiry Officer/Enquiry Committee.

  
(SYED FIDA HASSAN SHAH) PSP  
DIG/HQrs:  
Khyber Pakhtunkhwa,  
Peshawar



Ammeke C

Subject: ENQUIRY AGAINST SENIOR CLERK BAKHSH KHAN.

BRIEF FACT:

Brief facts of the case are that a theft complaint in written by Asstt: Grad Clerk Mian Aurangzeb Accountant CTD. Khyber. Pakhtunkhwa Peshawar submitted against senior clerk Bakhsh Khan stationery Clerk/ Pension Clerk stating therein that the above name official had taken Rs:-1200000/ from the safe/locker from the safe present in the accounts branch of CTD Hqrs with the help of extra keys which was in the possession of Bakhsh Khan (Previous Accountant). After he was confronted his promise to returned the amount. He returned all the amount stolen. Five laces (500000) in the presence of inspector Muhammad Khan as wetness.

In the light of the above circumstances he was served as explanation vide this office memo No. 5256/PA CTD dated 20-05-2015 but the official failed to submit reply with in the stipulated period. In this connection a report was sent to CPO Peshawar vide this office merno No. 5975/PA dated 10-06-2015 for departmental action against senior Clerk Bakhsh Khan.

Senior clerk bakhsh khan was placed under suspension by the DIG Hqr CPO Peshawar vide his office order issued over endorsement.No. 4227-32/EV dated 18-06-2015.

PROCEEDINGS.

To scrutinize the facts and conduct proper enquiry the competent authority deputed the undersigned as inquiry officer. The following officer/ officials related to the enquiry file were summand, they were heard in person as well as their written statement were also recorded.

1. SI Sahib Ali of Accounts Branch.
2. FC Khyal Mir of Account Branch.
3. FC Imran khan of Account Branch.
4. Adil Khan Junior Clerk.
5. Retired Inspector Muhammad Khan.
6. Senior Clerk Bakhsh Khan of CTD.
7. Asstt: Grad Clerk Mian Aurangzeb (Accountant CTD).
8. Mr. Iftikhar-ud-Din. SP /CTD Hqrs.



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1. STATEMENTS OF, SI SAHIB ALI, FC KHYAL MEER, AND FC IMRAN.

The above named officials were summand to the office of undersigned, they stated in their statement that on 01-04-2015 we locked the main door of accounts branch CTD Hqrs Peshawar and were proceed to their homes.

2. STATEMENT OF MUHAMMAD ADIL JUNIOR CLERK.

He Stated in his statement that on 01-04-2015 Mr. Bakhsh Khan the then accountant CTD came and told to me to hand over the key of the main door of accounts branch in connection with the preparation of an a pension case. He handed over the key of the accounts office and on 06-04-2015 he handed over the key to me and told that he has completed his work.

3. STATEMENT OF MR. IFTIKHAR UD DIN SP/ HQRS: CTD PESHAWAR.

Mr. Iftikhar-ud-Din SP/Hqrs: CTD Peshawar narrated in his statement that on 03-04-2015 he was present in his office. In the meanwhile Asstt: Gread Clerk Mian Aurangzeb Accountant CTD Peshawar came to my office and reported that an amount of RS: 1200000/- has been found stolen from the safe/locker. He immediately checked the CCTV system of Special Branch. He noted that after the proceeding of accounts staff from the office and found Mr. Bakhsh Khan in the lawn of accounts building and immediately proceed towards accounts branch. I summoned Mr. Bakhsh Khan and discussed the above matter. He promised that he will hand over all the amount as soon as possible. After this he come to my office on daily basis and told that he is arranging the reimaging amount. So he handed over some amount to the Accountant. I directed the account that the remaining amount may took in the presence of eye wetness to bring at on record. On 08-04-2015 Mian Aurangzeb accountant CTD along with inspector Muhammad Khan came to my office and told that Mr. Bakhsh khan handed over an amount of RS:300000/ in presence of Inspector Muhammad Khan in the shape of 5000/ notes. In this connection the statement of inspector Muhammad Khan was also recorded.

4. STATEMENT OF INSPECTOR MUHAMMAD KHAN.

He narrated and his statement that in my presence Mr. Bakhsh khan pension Clerk Handed over the amount the shape of 5000/notes to Mian Aurangzeb Accountant CTD/Peshawar.

5.

STATEMENT OF MR. BAKHSH KHAN SENIOR CLERK CTD, PESHAWAR.

He stated that he relinquished the charge of accountant CTD on 01-01-2015 and handed over all keys to Mian Aurangzeb Accountant CTD, Hqr on the same day. Furthermore, Mian Aurangzeb failed to provide any proof regarding this allegation because if I have any duplicate key then why Mian Aurangzeb (accountant) did not bring it in to the notice of high ups well in time. This is sufficient proof of his innocence that Mian Aurangzeb maliciously put all allegation on him and defame him for which he humbly submit his request to the high ups to take strict action against Mian Aurangzeb (accountant). This allegation/charge is also baseless and Mian Aurangzeb once again failed to provide any proof in supporting of this allegation. He neither called to him nor he have any knowledge regarding any guest. Moreover Mian Aurangzeb is a senior person but he put childish allegations. Is it possible that in absence of accountant (Mian Aurangzeb) any one can steal anything from his office in the presence of all other staff which is once again another sufficient proof of his innocence. He never took key of the accountant office on the mentioned day. On 07-01-2015 he took charge of stationery clerk besides the duty of pension work. He regularly visited the office of accountant CTD just for the purpose to check and carried out the pension paper of retired staff of CTD. He took the key from junior clerk Adil khan earlier just for the task mentioned above. He achieve and every task to the entire satisfaction of my superior and never provide any chance to annoy them. The detail reply to this para has already been explained in previous paras. Moreover neither he visited the office of accountant in his absence on the day of occurrence nor is any proof available regarding this allegation. Furthermore no CCTV cameras are installed in the accountant office so how can the footage be placed as evident against me. He has 23 years of unblemished service record and even a single fault is not available with proof my insincerity with my official work. He achieve each and very task according to the entire satisfaction of my high ups. Keeping in view of the mentioned reply/ facts he duly requested to file the charge sheet/enquiry initiated against him and institute strict departmental action against Mian Aurangzeb for defaming me and for embezzlement of the mentioned amount.

6.

STATEMENT OF ASS: GRAD CLERK MIAN AURANGZEB (ACCOUNTANT CTD).

He narrated in his statement on oath, that he lodged a complaint against Bakhsh Khan Ex-Pay officer (defaulter) regarding missing of cash is not based on personnel

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grievances. He has already returned the missing amount of Rs: 1000000/- with commitment to return the balance amount, which has already been explained by him before the enquiry officer during personnel hearing.

CONCLUSION.

The record available and witness account prove that Senior Clerk Bakhsh Khan had the separate key of Safe/Locker which he did not returned to the new appointed Accountant and he used the keys to take away cash of RS:1200000/- from the locker and later returned amount of 1000000/-back to the accountant. So the allegation leveled against Senior Clerk Bakhsh Khan Stand proved.

SSP/Operation CTD,

Worthy DIG/CTD:

Forwarded for

the

DIG

What

**BEFORE THE KPK, SERVICE TRIBUNAL, PESHAWAR.**

Service Appeal No.395/2016

Bakhash KHan

VS

Police Department

.....

**REJOINDER ON BEHALF OF APPELLANT**

.....

**RESPECTFULLY SHEWETH:**

**Preliminary Objections:**

(a-f) All objections raised by the respondents are incorrect and baseless. Rather the respondents are estopped to raise any objection due to their own conduct.

**FACTS:**

- 1 Incorrect. While Para-1 of the appeal is correct as mentioned in the main appeal of the appellant.
- 2 Incorrect and misguided the Hon'able Tribunal. While para-2 of the appeal is correct as mentioned in the main appeal of the appellant.
- 3 Incorrect. While Para-3 of the appeal is correct as mentioned in the main appeal of the appellant.
- 4 Incorrect. While Para-4 of the appeal is correct as mentioned in the main appeal of the appellant.
- 5 Incorrect. While Para-3 of the appeal is correct as mentioned in the main appeal of the appellant.
- 6 Incorrect. While para-4 of the appeal is correct as mentioned in the main appeal of the appellant. Moreover, the appellant has good cause of action and his appeal is liable to be accepted.


**GROUND:**

- A) Incorrect. While Para-A of the grounds of appeal is correct as mentioned in the main appeal of the appellant.
- B) Incorrect. While Para-B of grounds of the appeal is correct as mentioned in the main appeal of the appellant.
- C) Incorrect. While Para-C of grounds of the appeal is correct as mentioned in the main appeal of the appellant.
- D) Incorrect. While Para-D of grounds of the appeal is correct as mentioned in the main appeal of the appellant.
- E) Incorrect. While Para-E of grounds of the appeal is correct as mentioned in the main appeal of the appellant.
- F) Legal.

It is, therefore, most humbly prayed that the appeal of appellant may kindly be accepted as prayed for.

**APPELLANT**

**Through:**

  
**(M. ASIF YOUSAFZAI)**  
**ADVOCATE, PESHAWAR.**

**AFFIDAVIT**

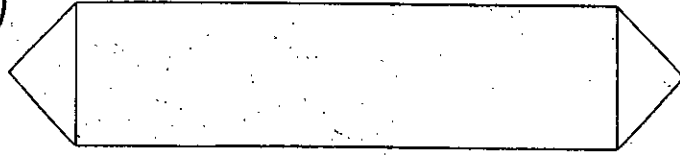
It is affirmed and declared that the contents of rejoinder and appeal are true and correct to the best of my knowledge and belief and nothing has been concealed from the Hon'able Tribunal.

  
**DEPONEN**

**ATTESTED**  
**Oath Commissioner**  
**Zahoor Khan Advocate**  
**Distt: Court Peshawar**

**7 JUL 2017**

# بعدالت جہانگیر لاء سند



الذات  
کلاو

2019ء منجانب  
جسٹس بنام

مورثہ  
مقدمہ  
دعویٰ  
جرم

## باعث تحریر آنکھ

مقدمہ مندرجہ عنوان بالا میں اپنی طرف سے واسطے پیروی و جواب دہی وکل کاروائی متعلقہ

آن مقام کے لیے روئے کار اللہ

مقرر 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 تقرر ثالث و فیصلہ پر حلف دیئے جواب دہی اور اقبال دعویٰ اور بصورت ڈگری کرنے اجراء اور وصولی چیک و روپیہ ارضی دعویٰ اور درخواست ہر قسم کی تصدیق زرائیں پر دستخط کرانے کا اختیار ہوگا۔ نیز صورت عدم پیروی یا ڈگری یکطرفہ یا اپیل کی برآمدگی اور منسوخی نیز دائر کرنے اپیل نگرانی و نظر ثانی و پیروی کرنے کا مختار ہوگا۔ از بصورت ضرورت مقدمہ مذکور کے کل یا جزوی کاروائی کے واسطے اور وکیل یا مختار قانونی کو اپنے ہمراہ یا اپنے بجائے تقرر کا اختیار ہوگا۔ اور صاحب مقرر شدہ کو بھی وہی جملہ مذکورہ باختیارات حاصل ہوں گے اور اس کا ساختہ پر داختم منظور و قبول ہوگا دوران مقدمہ میں جو خرچہ ہر جانبہ التوائے مقدمہ کے سبب سے و ہوگا۔ کوئی تاریخ پیشی مقام دورہ پر ہو یا حد سے باہر ہو تو وکیل صاحب پابند ہوں گے۔ کہ پیروی مذکور کریں۔ لہذا وکالت نامہ لکھ دیا کہ سند ہے۔

Accepted  
54  
PL

الرقوم 31 ماہ جنوری 2019ء

الع د گ الع واہ الع

مقام کے لئے منظور ہے۔



**KHYBER PAKHTUNKHWA  
SERVICE TRIBUNAL, PESHAWAR**

No. 1862 /ST

Dated: 17/09 /2021

All communications should be addressed to the Registrar KPK Service Tribunal and not any official by name.

Ph:- 091-9212281  
Fax:- 091-9213262

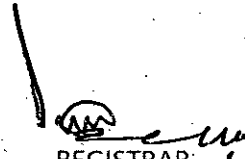
To

The Deputy Inspector General of Police Headquarter,  
Government of Khyber Pakhtunkhwa,  
Peshawar.

Subject: JUDGMENT IN APPEAL NO. 395/2016, MR. BAKHASH KHAN.

I am directed to forward herewith a certified copy of Judgement dated 01.09.2021 passed by this Tribunal on the above subject for strict compliance.

Encl: As above

  
REGISTRAR  
KHYBER PAKHTUNKHWA  
SERVICE TRIBUNAL  
PESHAWAR