


FORM OF ORDER SHEET

Court of _____

Appeal No. 347 /2024

S.No.	Date of order (proceeding)	Order or other proceedings with signature of judge
		3
1-	06/03/2024	<p>The appeal of Mr. Abdul Jal Khan resubmitted today by Mr. Kabir Ullah Khattak Advocate. It is fixed for preliminary hearing before Single Bench at Peshawar on <u>8-3-2024</u>. 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 Jalal Khan received today i.e on 23.02.2024 is incomplete on the following score which is returned to the counsel for the appellant for completion and resubmission within 15 days.

- 1- According to sub-rule-4 of rule-6 of Khyber Pakhtunkhwa Service Tribunal rules 1974 respondents no. 1 is unnecessary/improper party, in light of the rules ibid and on the written direction of the Worthy Chairman, the above mentioned respondent number be deleted/struck out from the list of respondents.
- 2- Annexure-A of the appeal is illegible which be replaced by legible/better one.
- 3- Check list is blank be filled up.
- 4- Affidavit is not attested by the Oath Commissioner.
- 5- Copy of departmental appeal attached with the appeal is unsigned.
- 6- Copy of CNIC mentioned in the para-1 of the memo of appeal (Annexure-A) is not attached with the appeal be placed on it.

No. 423 /S.T.

Dt. 26/2 /2024.

Re-submitted

In Response of objection

Mr. Abdul Jalal Khan

No 1 Respondent No 1

has been deleted

objection No 2 has been

Removed

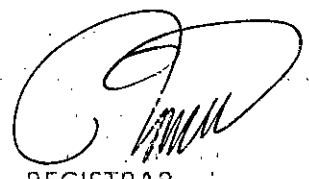
In Response of objection

No 3 Affidavit has been

attested and objection removed

objection No 4 has been removed

~~*[Signature]*~~
6-3-24



REGISTRAR
SERVICE TRIBUNAL
KHYBER PAKHTUNKHWA
PESHAWAR.

BEFORE THE HON'BLE SERVICE TRIBUNAL
PESHAWAR

In Re S.A No. 347 /2024

Abdul Jalal Khan

VERSUS

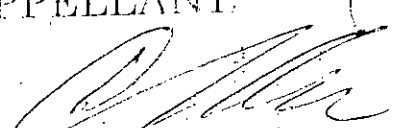
Regional Police Officer Kohat & others

INDEX

S#	Description of Documents	Annexure	Pages
1.	Grounds of Petition.		1-5
2.	Affidavit.		6
3.	Addresses of parties		7
4.	Condonation of delay		8-9
5.	Copy of CNIC	"A"	10
6.	Copy of impugned order dated 26.06.2023 & service book	"B & C"	11-20
7.	Copy of Departmental appeal	"D"	21-23
8.	Wakalatnama		24


APPELLANT.

Through


Kabirullah Khattak
Advocate, High Court
Peshawar.

Dated: 23/02/2024

BEFORE THE HON'BLE SERVICE TRIBUNAL
PESHAWAR

In Re S.A No. 347 /2024

Abdul Jalal Khan S/o Awal Jan Ex-HC District Police
Officer Orakzai

....Appellant

VERSUS

District Police Officer Orakzai

....Respondent

APPEAL UNDER SECTION-4 OF THE
KHYBER PAKHTUNKHWA SERVICES
TRIBUNAL ACT 1974 AGAINST THE
IMPUGNED ORDER DATED 26/06/2023
WHEREBY THE APPELLANT HAS BEEN
PREMATURELY RETIRED FROM SERVICE
AGAINST WHICH THE APPELLANT FILED
DEPARTMENTAL APPEAL ON 25.10.2023
WHICH WAS NOT DECIDED WITHIN THE
STATUTORY PERIOD OF 90-DAYS.

Prayer:-

ON ACCEPTANCE OF THIS APPEAL
THE IMPUGNED PREMATURE
RETIREMENT ORDER DATED
26.06.2023 MAY KINDLY BE SET
ASIDE BY DECLARING THE SAME IS

2

ILLEGAL, UNCONSTITUTIONAL, VOID-AB
INITIO AND INEFFECTIVE UPON THE
RIGHTS OF THE APPELLANT BY TREATING
THE APPELLANT ACCORDING TO THE
RELEVANT LAW AND RULES FOR
RETIREMENT AND THE APPELLANT MAY
KINDLY BE CONSIDERED FOR
RETIREMENT AS PER DATE OF BIRTH I.E
1970 MENTIONED IN CNIC OF THE
APPELLANT ALONG WITH ALL BACK
BENEFITS.

Respectfully Sheweth,

Short facts giving rise to the present appeal are as under:-

1. That the appellant has been initially appointed in Khasadar force in 1989 at Orakzai Khasadar Force/Constable and as such the date of birth of the appellant is 1970 according to CNIC providing at the time of appointment to respondent department concerned. (Copy of CNIC is attached as annexure "A").
2. That after appointment the appellant performed his duty regularly with full devotion and hard work and no complaint whatsoever has been made against the appellant.

(3)

3. That the appellant performed his official duty with respondent department till July 2023, While the respondent department prematurely retire the appellant from service on 26.06.2023 and the appellant came to regarding the order dated 26.06.2023 on 11.08.2023 when the appellant visit to draw the salary of the month of July 2023. But the said premature retirement impugned order dated 26.06.2023 has not been communicated to the appellant it was handed over to the appellant on 27.09.2023 by the respondent department when the appellant visited to respondent department. (Copy of impugned order dated 26.06.2023 & service book are attached as annexure "B" & "C").
4. That the appellant submitted departmental appeal against the impugned premature order dated 26.06.2023 on 25.10.2023 which was not decided within the statutory period by the respondent department. (Copy of Departmental appeal is attached as annexure "D").
5. That feeling aggrieved the Appellant prefers the instant service appeal before this Hon'ble Tribunal on the following grounds inter alia:-

GROUNDS:-

- A. That the impugned premature retirement order dated 26.06.2023 is come under the definition of illegal order because it has not passed according to law and rules.
- B. That according to the relevant law and rules for retirement as per date of birth mentioned in CNIC i.e 1970 of the appellant, the retirement of the appellant at the year of 2023 is incorrect and clear cut malafidely on part of the respondents.
- C. That according to the date of birth mentioned in CNIC of the appellant the exit date of birth of the appellant is 1970 but due to the negligence of the respondent department in service book the date birth of the appellant wrong fully mentioned in 1963 while the appellant at the time of appointment as Khasadar submitted his CNIC in which the date of birth the appellant is 1970 instead of 1963. This fact is came to know the appellant on 11.08.2023 on the ground of issuing the impugned premature retirement order dated 26.06.2023.
- D. That the respondent department is legally bound to retired the appellant according to the date of birth mentioned in CNIC i.e 1970.
- E. That it is a well settle principal of law nobody should be penalized for the act of other. So due to mistake of department while enter is incorrect date of birth in service book is an illegality on part of respondents.
- F. That no opportunity of personal hearing and defence has been provided to the appellant.

G. It is a well settled maxim no one can be condemned unheard because it is against the natural justice of law in this respect the appellant relied upon a judgment reported on 2008 SCMR page:678.



H. That any other ground not raised here may graciously be allowed to be raised at the time of arguments on the instant service appeal.

It is therefore, most humbly prayed that on acceptance of this appeal the impugned premature retirement order dated 26.06.2023 may kindly be set aside by declaring the same is illegal, unconstitutional, void-ab initio and ineffective upon the rights of the appellant by treating the appellant according to the relevant law and rules for retirement and the appellant may kindly be considered for retirement as per date of birth i.e 1970 mentioned in CNIC of the appellant along with all back benefits.

Any other relief not specifically asked for may also graciously be extended in favour of the Appellant in the circumstances of the case.


APPELLANT

Through


Kabir Ullah Khattak
& 
Roeda Khan
Advocates, High Court
Peshawar

Dated: 23.02.2024

G

BEFORE THE HON'BLE SERVICE TRIBUNAL
PESHAWAR

In Re S.A No. _____/2024

Abdul Jalal Khan

VERSUS

Regional Police Officer Kohat & others

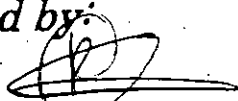
AFFIDAVIT

I, Abdul Jalal Khan S/o Awal Jan Ex-HC District Police Officer Orakzai, do hereby solemnly affirm and declare that all the contents of the **instant appeal** are true and correct to the best of my knowledge and belief and nothing has been concealed or withheld from this Hon'ble Court.



DEPONENT

Identified by:


Roeda Khan
Advocate High Court
Peshawar.

Dated: 23.02.2024

(7)

BEFORE THE HONBLE SERVICE TRIBUNAL
PESHAWAR

In Re S.A No. _____/2024

Abdul Jalal

VERSUS

District Police Officer Orakzai

ADDRESSES OF PARTIES

PETITIONER.

Abdul Jalal Khan S/o Awal Jan Ex-HC District
Police Officer Orakzai

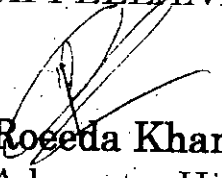
ADDRESSES OF RESPONDENTS

District Police Officer Orakzai.

Dated: 23.02.2024


APPELLANT

Through


Rozeeda Khan
Advocate, High
Court Peshawar.

BEFORE THE HON'BLE SERVICE TRIBUNAL
PESHAWAR

In Re S.A No. _____/2024

Abdul Jalal Khan

VERSUS

Regional Police Officer Kohat & others

APPLICATION FOR CONDONATION OF DELAY (if any)

Respectfully Sheweth,

Petitioner submits as under:

1. That the above mentioned appeal is filing before this Hon'ble Tribunal in which no date is fixed for hearing so far.
2. That the impugned premature retirement order dated 26.06.2023 is come under the definition of illegal order because it has not passed according to law and rules.
3. That according to the relevant law and rules for retirement as per date of birth mentioned in CNIC i.e 1970 of the appellant, the retirement of the appellant at the year of 2023 is incorrect and clear cut malafidely on part of the respondents.
4. That the appellant performed his official duty with respondent department till July 2023, While the respondent department prematurely retire the appellant from service on 26.06.2023 and the

(9)

appellant came to regarding the order dated 26.06.2023 on 11.08.2023 when the appellant visit to drawn the salary of the month of July 2023. But the said premature retirement impugned order dated 26.06.2023 has not been communicated to the appellant it was handed over to the appellant on 27.09.2023 by the respondent department when the appellant visited to respondent department.


Grounds:


- A. That there are number of precedents of the Supreme Court of Pakistan which provides that the cases shall be decided on merits rather than technicalities.
- B. That there are so many judgment of the supreme court as well as specific provision in service law that limitation has been counted from the date of communication /knowledge.

It is, therefore, requested that the limitation period (if any) may kindly be condone in the interest of justice.

Date : 23.02.2024

Through


Appellant

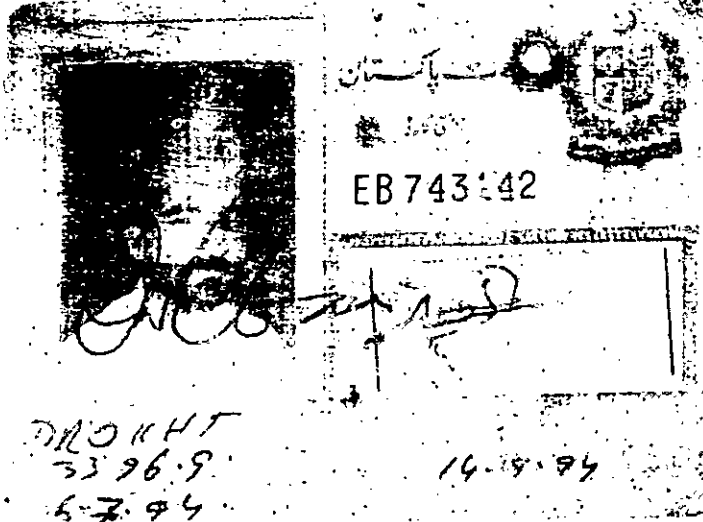

Kabir Khan Khattak

&


Roeeeda Khan

Advocates, High Court
Peshawar

(A) 10



DRONHT
3396.9
67.94

14.19.94

1470-0188073

Handwritten text in Urdu script, including a signature and several lines of text. The text is written on a grid-like background. The signature is large and prominent, starting with a large 'O' or 'Q' shape. There are some numbers and dates interspersed with the text.

18

11



OFFICE OF THE DISTRICT POLICE OFFICER
ORAKZAI

ORDER

The following officers/officials of this district police are hereby retired from service on attaining the age of superannuation i.e. 60 years with effect from as noted against their name.

S/N	Name & F. Name	Roll No.	Tribal	D.O.B	D.O.A	D.O. Superannuation
1	HC Maqbool Khan s/o Ghama	1812	Muloh Khel	1963	01.07.1981	30.06.2023
2	HC Mastia Rehman s/o Fazal Rehman	1179	Mahki	1963	11.07.1987	30.06.2023
3	HC Abdul Latif Khan s/o Pira Khon	1292	ha Khel	1963	01.10.1975	30.06.2023
4	HC Mastan Akbar s/o Din Akbar	1305	Sheikhan	1963	01.10.1995	30.06.2023
5	HC Abdul Shani s/o Muhammad Shani	1444	Bizoi	1963	16.12.1983	30.06.2023
6	HC Jamal Hassan s/o Mir Raza	1512	Mari Khel	1963	31.01.1974	30.06.2023
7	HC Shabbab Hussain s/o Ali Faqar	1653	Ali Khel	1963	01.10.1971	30.06.2023
8	HC Fa Asghar s/o Khosro Mir	1682	Ali Khel	1963	01.11.1987	30.06.2023
9	HC Abdul Jalal s/o Awal Jan	1911	Mamuzait	1963	01.12.1989	30.06.2023
10	HC Fazal Rehman s/o Razam Shah	1940	Ali Khel	1963	01.02.1994	30.06.2023
11	HC Said Shah s/o Amir Nawaz	2070	Non-Orki	1963	01.04.1974	30.06.2023

OB No 372

Date 26/06/2023

DISTRICT POLICE OFFICER
ORAKZAI

Copy to:-

1. District Accounts Officer, Orakzai
2. Pay Officer/OASI for necessary action
3. All concerned

DISTRICT POLICE OFFICER
ORAKZAI

MEDICAL CERTIFICATE

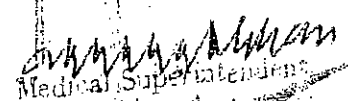
Name Abdul Jalal
 Race Arabs
 Address 105D Hamza Mill
H. Radwan
 Date 1963
 Profession ...
 Qualification ...
 Date of birth ...
 Date of issue ...

Seal of Office

I hereby certify that I have examined Mr. Abdul Jalal a candidate for
 the office of the H. Radwan (P.A.)
 that he is free from any disease communicable or other constitutional affec-
 tion that would render him unfit for the office except nil

This is as disqualification for employment in the office of the ...
 His age according to his own statement 26 year and by
 means of ... years.

LEFT THUMB AND FINGER


 Medical Superintendent
 Civil Hospital

1 Name of Post	2 Whether Substantive or officiating and whether permanent or temporary	3 If officiating - i) substantive appointment or ii) whether service counts for pension under rule 3-20 of C.S.R. (Pb.) Volume II اگر عارضی ہے تو رول کے مطابق پیش کرتے ہیں	4 Pay in substantive position		5 Additional pay for officiating		6 Other emoluments falling under the term pay باسوائے تنخواہ دیگر الاؤنس	7 Date of appointment تاریخ تقرری	Signature of Government servant دستخط سرکاری ملازم
			Rs.	Ps.	Rs.	Ps.			
درجہ ملازمت	عارضی مستقل یا یا قائم مقام								
613-13-360	Temporary			609/-				12/89	
				613/-				12/90	
Revision of scales									
				446/-		1024		6/91	
490-26-1310								12/91	
				972/-		1050		12/91	
				998/-		1076		12/92	
				1024/-		1102		12/93	
Revision of scales									
				1385/-		1990		6/94	
1245-35-1710				1050/-		1420/-		12/94	
				1076/-		1458/-		12/95	
						1535/-			
				1490/-				12/96	

- 3- Residence Mansuri Cavalry Station
(مستقل رہائش)
- 4- Father's name and residence Awal Khan / Mansuri
(والد کا نام اور پتہ)
- 5- Date of birth by christian era as 1863
nearly as can be ascertained
(تاریخ پیدائش مطابق سن عیسوی)
- 6- Exact height by measurement 5.7
(قد و قامت)
- 7- Personal mark of identification 1-1-1
(نشان شناخت)

8. Left hand/right hand thumb and finger-impressions of (Non-gazetted officer)
(بہرہ کی صورت میں بائیں اور عورت کی صورت میں دائیں ہاتھ کی انگلیوں کے نشانات)

Little Finger (انگشت چھوٹی)
Ring Finger (چھنگایا کے ساتھ کی انگلی)
Middle Finger (انگشت میاں)
Fore Finger (انگشت چھوٹی)
Thumb (انگشت بڑی)

9. Signature of Govt. Servent
(سرکاری ملازم کے دستخط)

OFFICIAL SEAL
MANSURI CAVALRY STATION
RAJASTHAN

10. Signature and designation of the Head of the Office or other Attesting officer
(تصدیق کنندہ افسر کے دستخط اور مہر)

Note: The entries in this page should be renewed or re-attested at least every five years and the signatures in lines 9 and 10 should be dated. Finger prints need no be taken after every 5 years under this rule.

اس صفحہ کے مندرجہ کم از کم پانچ سال بعد تصدیق ہونا ضروری ہیں اور نمبر 9 اور 10 میں دستخطوں کے نئے تاریخ لکھنی چاہئے۔ انگلیوں کے نشانات کے لئے ہر پانچ سال کے بعد تصدیق کی ضرورت نہیں۔

1 Name of Post درجہ ملازمت	2 Whether Substantive or officiating and whether permanent or temporary. عارضی مستقل یا یا قائم مقام	3 If officiating state- (i) substantive appointment or (ii) whether service counts for pension under rule-3-20 of C.S.R. (Pb.) Volume II اگر عارضی ہے تو رول کے مطابق پینشن کا مستحق ہے؟	4 Pay in substantive position تعمیراتی بطور عارضی ملازمت		5 Additional pay for officiating زائد تنخواہ بطور قائم مقام		6 Other emoluments falling under the term pay ماسوائے تنخواہ دیگر الاؤنس	7 Date of appointment تاریخ تقرری	Signature of Government servant دستخط سرکاری ملازم
			Rs.	Ps.	Rs.	Ps.			
920-26-1370			1128		1525	1630		12/97	
1245-35-1270					1645	1560		12/98	
					1700	1595		12/99	
					1735	1620		12/2000	
					1770	1665		12/2001	
Revision of scale					2085	2530		12/2001	
1870-55-3520					2750	2525		12/2002	
								12/2003	

(5)

Signature and designation of the Head of the office or other attesting officer in attestation of column 1 to 8	Date of termination or appointment	Reason of termination (such as promotion, transfer, dismissal)	Signature of the head of the office or other Attesting officer	Nature and duration of leave taken	Allocation of period of leave of average pay up to four months (or earned leave net exceeding 120 days) to which leave salary is debitable to another Government		Signature of the Head of the office or other attesting Officer	Reference to any records of punishment or censure, reward or praised of Government servants
					Period	Government to which debitable		
دستخط افسر مجاز	تاریخ انقطاع ملازمت	وجوہات انقطاع ملازمت ترقی تبادلہ یا برطرفی	دستخط افسر مجاز	رخصت کی نوعیت ومعیار	عرصہ	جاریہ حکومت کے لے اور سابقہ حکومت کے رہنما حکومت کے	دستخط مجاز	سزا یا جزا یا غیر مناسب کارکردگی کا ریکارڈ
POLITICAL AGENT GRANZAI AGENCY MANGU						Service verified from the pay bills/Acquittance roll 1-12-84 w.d.t.		
POLITICAL AGENT GRANZAI AGENCY MANGU						Service verified from the pay bills/Acquittance roll 1-12-85 w.d.t.		
POLITICAL AGENT GRANZAI AGENCY MANGU						Service verified from the pay bills/Acquittance roll 1-12-86 w.d.t.		
POLITICAL AGENT GRANZAI AGENCY MANGU						Service verified from the pay bills/Acquittance roll 1-12-87 w.d.t.		
POLITICAL AGENT GRANZAI AGENCY MANGU						Service verified from the pay bills/Acquittance roll 1-12-88 w.d.t.		
POLITICAL AGENT GRANZAI AGENCY MANGU						Service verified from the pay bills/Acquittance roll 1-12-89 w.d.t.		
POLITICAL AGENT GRANZAI AGENCY MANGU						Service verified from the pay bills/Acquittance roll 1-12-90 w.d.t.		
POLITICAL AGENT GRANZAI AGENCY MANGU						Service verified from the pay bills/Acquittance roll 1-12-91 w.d.t.		

1. Name of Post	2. Whether substantive or officiating and whether permanent or temporary	3. If officiating state- (i) substantive appointment or (ii) whether service counts for pension under rule 3-20 of C.S.R. (Pb.) Volume II اگر عارضی ہے تو رول کے مطابق سروس کا مستحق ہے؟	4. Pay in substantive position		5. Additional pay for officiating		6. Other emoluments falling under the term pay	7. Date of appointment	8. Signature of Government servant
			Rs.	Ps.	Rs.	Rs.			
درجہ ملازمت	عارضی مستقل یا یا قائم مقام								دستخط سرکاری ملازم
1870-55-3520			2695/-		2860				
Revision of scale									
Wef: 1-7-2005			332						
2150-65-4100			3125/-						
Revision of scale									
Wef: 1-7-2005			3190/-						
Revision of scale									
Wef: 1-7-2006			3255/-						
Revision of scale									
Wef: 1-7-2007			3725						
2475-75-4725			3750/-						
Revision of scale									
Wef: 1-7-2007			3825/-						
Revision of scale									
Wef: 1-7-2008			4010						
2970-90-5670			4590/-						
Revision of scale									
Wef: 1-7-2008			4680/-						

Sig des the off atte in a col

2008

9 Signature and designation of the Head of the office or other attesting officer in attestation of column 4 to 8	10 Date of termination or appointment	11 Reason of termination (such as promotion, transfer, dismissal)	12 Signature of the Head of the office or other Attesting officer	13 Nature and duration of leave taken	13 Allocation of period of leave of average pay up to four months (or earned leave net exceeding 120 days) to which leave salary is debitable to another Government	14 Signature of the Head of the office or other attesting Officer	Reference any record of punishment or censure, reward or praised of the Government servants
	تاریخ انتقال ملازمت	وجوہات انتقال ملازمت ترقی تبادلہ یا برطرفی	دستخط افسر مجاز	رخصت کی نوعیت ومعیار	سپارامانگ کی رخصت کے لئے اوسط واہ کا تین Government to which debitable گورنمنٹ کے رہا اس کی	دستخط افسر مجاز	سزا یا جزا یا غیر مناسب کارکردگی کا ریکارڈ
POLITICAL AGENT QANZAI AGENCY					Service verified from the pay bills/Acquittance roll 1-12-2001 to 30-11-02		
POLITICAL AGENT QANZAI AGENCY					Service verified from the pay bills/Acquittance roll 1-12-02 to 30-11-03		
POLITICAL AGENT QANZAI AGENCY					Service verified from the pay bills/Acquittance roll 1-12-03 to 30-11-04		
POLITICAL AGENT QANZAI AGENCY					Service verified from the pay bills/Acquittance roll 1-12-04 to 30-11-05		
POLITICAL AGENT QANZAI AGENCY					Service verified from the pay bills/Acquittance roll 1-12-05 to 30-11-06		
POLITICAL AGENT QANZAI AGENCY					Service verified from the pay bills/Acquittance roll 1-12-06 to 30-11-07		
POLITICAL AGENT QANZAI AGENCY					Service verified from the pay bills/Acquittance roll 1-12-07 to 30-11-2008		
POLITICAL AGENT QANZAI AGENCY							

Name of Post	Whether Substantive or officiating and whether permanent or temporary	If officiating, state- (i) substantive appointment or (ii) whether service counts for pension under rule 3-20 of C.S.R. (Pb.) Volume II	Pay in substantive position		Additional pay for officiating		Other emoluments falling under the term pay	Date of appointment	Signature of Government servant
			Rs.	Ps.	Rs.	Ps.			
درجہ ملازمت	فاری مستقل یا یا قائم مقام	رول کے مطابق ہے یا نہیں ہے؟					اسوائے تنخواہ دیگر الاڈس	تاریخ تقرری	دستخط سرکاری ملازم
2470-90	5670 temp.		4570/-					12/2009	A
			5130					12/2010	A
Reversion of scale									
			8100					7/2011	A
			7950/-					2011	
			8100					12/2011	A
			8250/-					12/2012	A
			8400/-					12/2013	A
			8550/-					07/2014	A
			8700					12/2014	A

Signature of
Government
Official

Signature and
designation of
the Head of the
office or other
attesting officer
in attestation of
column 1 to 8.

Date of
termination
or
appointment

Reason of
termination
(such as
promotion,
transfer,
dismissal)

Signature of
the head of
the office or
other Attesting
officer

Nature and
duration of
leave taken

Allocation of period of
leave of average pay up
to four months (or earned
leave not exceeding 120
days) to which leave
salary is debitible to
another Government

Signature of
the Head of the
office or other
attesting
Officer

Refer to
any record
punishment
censure, or
praised
Government
service

تاریخ
انقطاع
ملازمت

وجوہات
انقطاع ملازمت
ترقی تبادلہ
یا برطرفی

دستخط
افسر مجاز

رخصت کی
نوعیت
و معیار

Period
عرصہ

Government
to which
debitable
گورنمنٹ
سے
مہیا ہوا ہے

دستخط
افسر
مجاز

Service verified from the pay bills/Acquittance

roll
W.P.F. 1-12-2008

30-11-2009

POLITICAL AGENT
ORANZAI AGENCY

Service verified from the pay bills/Acquittance

roll
W.P.F. 1-12-2009

30-11-2010

POLITICAL AGENT
ORANZAI AGENCY

Service verified from the pay bills/Acquittance

roll
W.P.F. 1-12-2010

30-11-2011

POLITICAL AGENT
ORANZAI AGENCY

Service verified from the pay bills/Acquittance

roll
W.P.F. 1-12-2011

30-11-2012

POLITICAL AGENT
ORANZAI AGENCY

Service verified from the pay bills/Acquittance

roll
W.P.F. 1-12-2012

30-11-2013

POLITICAL AGENT
ORANZAI AGENCY

Service verified from the pay bills/Acquittance

roll
W.P.F. 1-12-2013

30-11-2014

POLITICAL AGENT
ORANZAI AGENCY

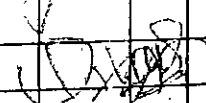
Service verified from the pay bills/Acquittance

roll
W.P.F. 1-12-2014

30-11-2015

POLITICAL AGENT
ORANZAI AGENCY

1 Name of Post درجہ ملازمت	2 Whether Substantive or officiating and whether permanent or temporary عارضی مستقل یا قائم مقام	3 If officiating state- (i) substantive appointment of (ii) whether service counts for pension under rule 3-20 of C.S.R. (Pb.) Volume II اگر عارضی ہے تو رول کے مطابق پیشہ کا مشق ہے	4 Pay in substantive position تنخواہ البور عارضی ملازمت Rs. Ps.		5 Additional pay (or) officiating زاہد تنخواہ البور قائم مقام Rs. Ps.		6 Other emoluments falling under the term pay بمقامی عوارض	7 Date of appointment تاریخ تقرری	8 Signature of Government servant دستخط سرکاری ملازم	9 Signature of the officiating authority دستخط اعلیٰ
Revision of grade Wd. 1-7-2015 240-495-2060				11885 11780/-		12-1-2015				
				12060/- 11425/-		12-1-2015				
Revision of grade Wd. 1-7-2016 2640-240-14840				14840 14120/-		12-1-2016				
				14840 14360/-		12-1-2016				
Revision of grade Wd. 1-7-2017 2730-270-17830				17830 1701/-		12-1-2017				
Granted Special Increment				17830/- P.P. 580/- 18410/-		12-1-2017				
Granted Special Increment				17830/- P.P. 870/- 18700/-		12-1-2018				

1 Name of Post درجہ ملازمت	2 Whether Substantive or officiating and whether permanent or temporary عارضی مستقل یا قائم مقام	3 Officiating state- (i) substantive appointment of (ii) whether service counts for pension under rule 3-20 of G.S.R. (Ph.) Volume II اگر عارضی ہے تو رول کے مطابق پیش کش کا مستحق ہے	4 Pay in substantive position تنخواہ بطور عارضی ملازمت Rs. Ps.		5 Additional pay for officiating زائد تنخواہ بطور قائم مقام Rs. Ps.		6 Other emoluments falling under the term pay اسوائے تنخواہ دیگر الاؤنس	7 Date of appointment تاریخ تقرری	8 Signature of Government servant دستخط سرکاری ملازم
		1			18920/-		25/2019		
					18920/-				
					(18530/-)		12/2019		
		order							
		is was absent from his law duties 143 days. He was awarded with full pay vide OR-11 861 dated							
		 DISTRICT POLICE OFFICER DEAKZAI							
					18530/-		12/2019		

Signal design the Head office attest in attes colum

Signature of Government servant

9 Signature and Designation of the Head of the office or other attesting officer in attestation of column 1 to 8	10 Date of termination or appointment	11 Reason of termination (such as promotion, transfer, dismissal)	12 Signature of the head of the office or other Attesting officer	Nature and duration of leave taken	13 (191) 13 Allocation of period of leave of average pay up to four months (or earned leave not exceeding 120 days) to which leave salary is debitable to another Government پارہنگہ کی صورت کے لیے اوسط آجڑا کا تین	14 Signature of the Head of the office or other attesting Officer	Reference any record punishment censure, reprimand or praised or Government servant
	تاریخ انقطاع ملازمت	وجوہات انقطاع ملازمت ترقی تادیب یا برطرفی	دستخط افسر مجاز	رفعت کی نوعیت و معیار	Period Government to which debitable عہدہ گورنمنٹ کے رقم ادا کی	دستخط افسر مجاز	تاریخ یا جزا یا برتناس یا کرہ کی کارہ یا ریکارڈ -

Leave without pay

01st to 20th 2019 to 20th 2019

as leave without pay

S-31

Don B: 115647 - as

1/11/18

wf 1/11 to 30/11

ROP = 77822/8

QDM

S-69
61

Don B: 122351 - wf 01/12/18

R.P.: 88054

S.Y.C. Service from 12-2-2019 to 30-11-2021 has been verified from the pay Bills & Acq. Rolls kept in this Office Record

District Police Officer
Drakzal

Handwritten signatures and initials

18/11

1	2	3	4		5		6	7	8	9
Name of Post	Whether Substantive or officiating and whether permanent or temporary	If officiating state- (i) substantive appointment of (ii) whether service counts for pension under rule 3-20 of C.S.R. (Pb.) Volume II	Pay in substantive position		Additional pay for officiating		Other emoluments falling under the term pay	Date of appointment	Signature of Government servant	Signature designating the Head office or attesting in attestation column.
	ماریٹن سٹیشن یا قائم مقام	اگر عارضی ہے تو رول کے مطابق پیش کیا جاسکتا ہے؟	تعمیر اور بطور عارضی ملازمت	Rs.	Ps.	زائد تنخواہ بطور قائم مقام	مساوائے تنخواہ دیگر الوانس	تاریخ تقرری	دستخط سرکاری ملازم	
			order							
			<p>His 143 days punishment without pay is converted by RPO Mohal to leave of kind vide RPO letter No 1374/2021 dated 1/9/2021.</p>							
			District Police Officer Mohal							
						20140/-		1-7-2021		
						29960/-		1-7-2022		
						30870/-		1-12-2022		

To

The Regional Police Officer Kohat

Subject: Departmental Appeal against the order dated 26.06.2023 issued by District Police Officer Orakzai whereby the appellant has been pre-maturely retired from service.

PRAYER

On acceptance of this Departmental appeal the impugned pre-mature retirement order dated 26.06.2023 may kindly be set aside by declaring the same as illegal, unconstitutional, void-ab-initio and ineffective upon the rights of the appellant and the Respondent may kindly be directed to retired the appellant as per date of birth 1970 mention in CNIC of the appellant.

Respected Sir

The appellant submit as under:-

1. That the appellant has been is initially appointed as Khasadar Force in 1989 at Orakzai Khasadar Force/Constable and as such the date of birth of the appellant is 1970 according to CNIC providing at the time of appointment to department concerned. (Copy of CNIC is attached).
2. That after appointment the appellant performed his duty with full devotion and hard work and no complaint whatsoever has been made against the appellant.
3. That the appellant performed his duty with Respondent department concerned till July, 2023. while the Respondent department pre-maturely retired the appellant from service on 26.06.2023 and the appellant came to know regarding the order dated 26.06.2023 on

11.08.2023 when the appellant visited to draw the salary of the month of July, 2023.

4. That according to the relevant law and rules for retirement as per date of birth mention in CNIC i.e 1970 of the appellant, the retirement of the appellant at the year of 2023 is incorrect and clear cut malafidely on part of the department.
5. That the pre-mature order dated 26.06.2023 may be liable for setting aside on the following grounds:-

GROUND

- A. That the impugned retirement is come under the definition of void and illegal order because it has not been passed according to law and rules.
- B. That according to the date of birth mention in CNIC of the appellant the exist date of birth of the appellant is 1970 but due to the mistake of the department in Service Book the date of birth of the appellant mention in 1963 while the appellant at the time of appointment as Khasadar submitted his CNIC in which the date of birth of the appellant was 1970 instead of 1963. This fact is came to know the appellant on 11.08.2023 on the ground of issuing the impugned retirement order dated 26.06.2023.
- C. That the department is legally bound to correct the date of birth of the appellant according to the CNIC of the appellant.

(23)

D. That it is a well settled principal of law that nobody should be penalized for the act of other. So due to mistake of department while enter is incorrect date of birth in service book is an illegality on part of department.

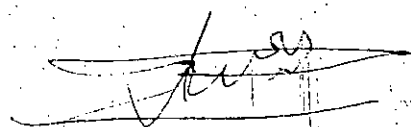
It is therefore, most humbly prayed that On acceptance of this Departmental appeal the impugned pre-mature retirement order dated 26.06.2023 may kindly be set aside by declaring the same as illegal, unconstitutional, void-ab-initio and ineffective upon the rights of the appellant and the Respondent may kindly be directed to retired the appellant as per date of birth 1970 mention in CNIC of the appellant.

Dated 25/10/2023

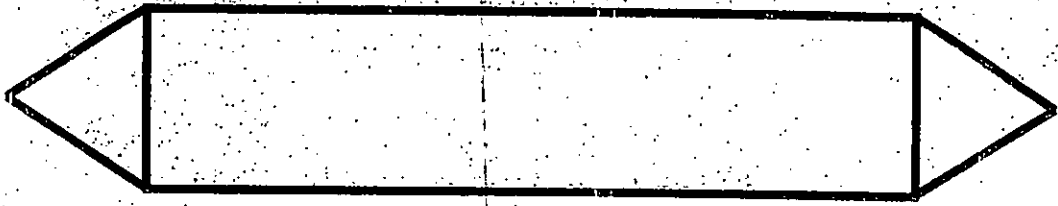
Your Sincerely

Appellant

Abdul Jalal Khan



بعدالت مناجات سے درخواست کے لئے



2 ص 2 مناجات اللہ

عبدالحمید خان بنام گورنمنٹ

مورخہ

مقدمہ

دعویٰ

جرم

باعث تحریر آنکہ

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

کیلئے کیوں آئے تھے، لہذا

آن مقام

مقرر کر کے اقرار کیا جاتا ہے۔ کہ صاحب موصوف کو مقدمہ کی کل کارروائی کا کامل اختیار ہوگا۔ نیز وکیل صاحب کو راضی نامہ کرنے ق 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 محتاج ہوگا۔ از بصورت ضرورت مقدمہ مذکور کے کل یا جزوی کارروائی 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 مذکور با اختیارات حاصل ہوں گے اور اس کا ساختہ پر داختم منظور و قبول ہوگا دوران مقدمہ میں جو خرچہ ہر جانہ التوائے مقدمہ ہوں گے سب سے وہوگا۔ 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 سندر ہے۔

20 26

المرقوم

العبد گ گ واہ العبد

Handwritten signature