
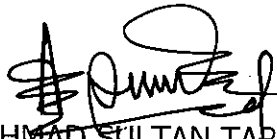


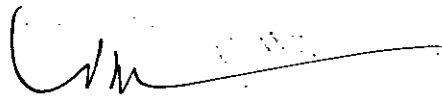
S.No.	Date of order/ proceedings	Order or other proceedings with signature of Judge or Magistrate and that of parties where necessary.
1	2	3
	25.11.2021	<p><u>Present.</u></p> <p>Mr. Muhammad Abdullah Balouch, ... For appellant Advocate</p> <p>Mr. Noor Zaman Khattak, District Attorney, ... For respondents.</p> <p>Vide our detailed judgment in connected Service Appeal No. 1090/2016, titled "Muhammad Zubair Vs. Commandant, F.R.P Khyber Pakhtunkhwa, Peshawar and others", the appeal in hand is dismissed. However, in order to prevent the multiplicity of proceedings and abuse of process of Tribunal it is apt to exercise jurisdiction under Rule 27 of the Khyber Pakhtunkhwa Service Tribunal Rules, 1974 to direct the respondents to process the case of promotion of police officers posted in FRP, in accordance with law, without delay. Parties are left to bear their own costs. File be consigned to the record room.</p> <div style="display: flex; justify-content: space-around; align-items: center;"> <div style="text-align: center;">  (SALAH-UD-DIN) Member(J) (Camp Court D.I.Khan) </div> <div style="text-align: center;">  (AHMAD SULTAN TAREEN) CHAIRMAN (Camp Court D.I.Khan) </div> </div> <p><u>ANNOUNCED</u> 25.11.2021</p>

23.11.2020

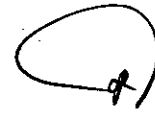
Appellant present through counsel.

Muhammad Jan learned Deputy District Attorney for respondents present.

A request for adjournment was made as issue involved in the present case is pending before Larger Bench of this Tribunal. Adjourned. To come for arguments on 25.01.2021, before D.B at Camp Court DI.Khan.



(Atiq-ur-Rehman Wazir)
Member (E)
Camp Court, D.I Khan



(Rozina Rehman)
Member (J)
Camp Court, D.I Khan

25-1-2021

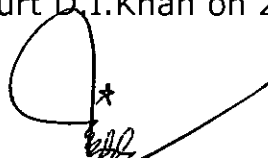
*Due to COVID 19, the case is adjourned
to 24-3-2021 for the same.*



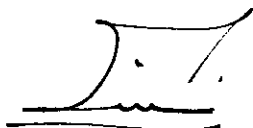
24.03.2021

Mr. Muhammad Abdullah Baloch, Advocate, for the appellant present. Mr. Muhammad Rasheed, Deputy District Attorney for the respondents present.

A request for adjournment was made as issue involved in the present case is pending adjudication before Larger Bench of this Tribunal. Adjourned. To come up for arguments before D.B at Camp Court D.I.Khan on 27.07.2021.



(MIAN MUHAMMAD)
MEMBER (EXECUTIVE)
CAMP COURT D.I.KHAN



(SALAH-UD-DIN)
MEMBER (JUDICIAL)
CAMP COURT D.I.KHAN

27-07-21

*Due to non-availability of bench, the
case is adjourned to 25-11-21*



Reacts

26/3/2020

Due to COVID-19 the case is adjourned. To come up for the same 22/4/2020 at Camp Court, D.I Khan


Reader

22/4/2020

Due to COVID-19 the case is adjourned. To come up for the same 24/9/2020 at Camp Court, D.I Khan


Reader

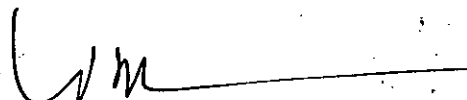
24.09.2020


Counsel for appellant present.

Mr. Muhammad Jan, learned Deputy District Attorney for respondents present.

Former requests for adjournment as issue involved in the present case is pending before the Larger Bench of this Tribunal.


Adjourned to 23.11.2020 before D.B at Camp Court D.I Khan.

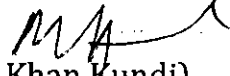

(Atiq-ur-Rehman Wazir)
Member (E)
Camp Court, D.I Khan


(Rozina Rehman)
Member (J)
Camp Court, D.I Khan

28.01.2020

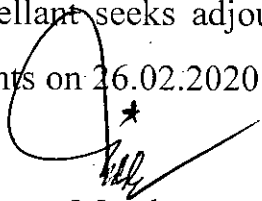
Clerk of counsel for the appellant and Mr. Usman Ghani, District Attorney for the respondents present. Clerk of counsel for appellant requested for adjournment on the ground that learned counsel for the appellant is not available today. Adjourned to 25.02.2020 for arguments before D.B at Camp Court D.I.Khan.


(Hussain Shah)
Member
Camp Court D.I.Khan


(M. Amin Khan Kundi)
Member
Camp Court D.I.Khan

25.02.2020

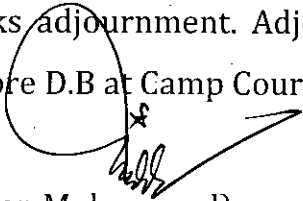
Counsel for the appellant present. Mr. Usman Ghani, District Attorney for respondents present. Learned counsel for the appellant seeks adjournment. Adjourned. To come up for arguments on 26.02.2020 before D.B at camp court D.I.Khan.



Member


Member
Camp Court D.I.Khan

26.02.2020


Mr. Muhammad Abdullah Baloch, Advocate on behalf of the appellant present and submitted Vakalat Nama which is placed on record. Mr. Ziaullah, Deputy District Attorney for the respondents present. Learned counsel for the appellant seeks adjournment. Adjourned to 26.03.2020 for arguments before D.B at Camp Court D.I.Khan.

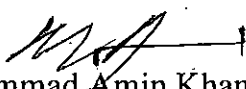

(Mian Mohammad)
Member
Camp Court D.I.Khan


(M. Amin Khan Kundi)
Member
Camp Court D.I.Khan

25.06.2019


Junior counsel for the appellant and Mr. Farhaj Sikandar, District Attorney for the respondents present. Junior counsel for the appellant requested for adjournment on the ground that learned senior counsel for the appellant is not available today. Case to come up for arguments on 27.08.2019 before D.B at Camp Court D.I.Khan.



(Hussain Shah)
Member
Camp Court D.I.Khan


(Muhammad Amin Khan Kundi)
Member
Camp Court D.I.Khan

27.08.2019

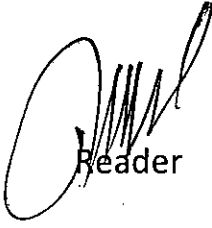
Counsel for the appellant and Mr. Farhaj Sikandar, District Attorney for the respondents present. Learned counsel for the appellant requested for adjournment. Adjourned to 21.10.2019 for arguments before D.B at Camp Court D.I.Khan.


(Hussain Shah)
Member
Camp Court D.I.Khan


(Muhammad Amin Khan Kundi)
Member
Camp Court D.I.Khan


21/10/2019


Since tour to D.I.Khan has been cancelled .To come for the same on 26/11/2019.


Reader

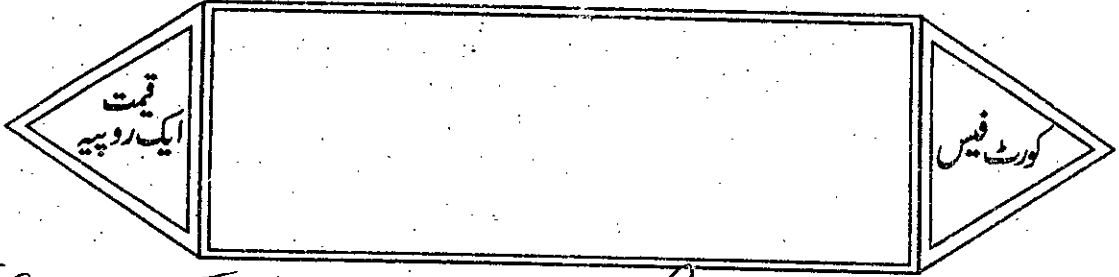
26.11.2019

Counsel for the appellant and Mr. Ziaullah, Deputy District Attorney for the respondents present. Learned counsel for the appellant requested for adjournment. Adjourned to 28.01.2020 for arguments before D.B at Camp Court D.I.Khan.


(Hussain Shah)
Member
Camp Court D.I.Khan


(M. Amin Khan Kundi).
Member
Camp Court D.I.Khan

وکالت نامہ



Before the Honorable JFC Service Tribunal
 Appellant: محمد نواز Commandant FRP etc
 Camp Diklan

دعویٰ یا جرم
 تفصیل دعویٰ یا جرم: Service Appeal # 1095/16

باعث تحریر آنکہ

مقدمہ مندرجہ بالا بعنوان میں اپنی طرف واسطے پیروی و جوابدہی برائے پیشی یا تصفیہ مقدمہ بمقام
 Diklan کیلئے
Muhammad Abdullah Baloch A/c

کو حسب ذیل شرائط پر وکیل مقرر کیا ہے، کہ میں ہر پیشی پر خود بذریعہ اختیار خاص رو برو عدالت حاضر ہوتا ہوں گا۔ اور ہر وقت پکارتے جانے مقدمہ وکیل صاحب
 موصوف کو اطلاع دیکر حاضر عدالت کروں گا، اگر پیشی پر منظر حاضر نہ ہوں اور مقدمہ میری غیر حاضری کی وجہ سے کسی طور پر میرے برخلاف ہو گیا۔ تو صاحب موصوف
 اسکے کسی طرح ذمہ دار نہ ہوں گے، نیز وکیل صاحب موصوف صدر مقام کچہری کے علاوہ کسی جگہ یا کچہری کے اوقات سے پہلے یا پیچھے یا بروز تعطیل ہی رہی کرنے کے
 ذمہ دار نہ ہوں گے۔ نیز وکیل صاحب موصوف صدر مقام کچہری کے علاوہ کسی جگہ یا کچہری کے اوقات سے پہلے یا پیچھے یا بروز تعطیل ہی رہی کرنے کے ذمہ دار نہ
 ہوں گے۔ اور مقدمہ صدر کچہری کے علاوہ اور جگہ ساعت ہونے یا بروز تعطیل یا کچہری کے اوقات کے آگے پیچھے پیش ہونے پر منظر کو کوئی نقصان پہنچے تو اس کے ذمہ
 دار یا اس کے واسطے کسی معاوضہ کے ادا کرنے یا عتقاندہ واپس کرنے کے بھی موصوف ذمہ دار نہ ہوں گے۔ مجھ کو کل ساختہ پروا خط صاحب موصوف مثل کردہ
 ذات خود منظور قبول ہوگا۔ اور صاحب موصوف کو مرضی دعویٰ، یا جواب دعویٰ یا درخواست اجراءے ڈگری و نظر ثانی اکیلی گمانی و ہر قسم درخواست پر دخل و تصرف کرنے کا
 بھی اختیار ہوگا۔ اور کسی حکم یا ڈگری کرنے اور ہر قسم کاروبار وصول کرنے اور رسید دینے اور داخل کرنے اور ہر قسم کے بیان دینے اور اس پر ناشی یا رضی نامہ دینے پر
 حلف کرنے، اقبال دعویٰ کا بھی اختیار ہوگا۔ اور بصورت مقرر ہونے تاریخ پیشی مقدمہ مذکورہ بیرون از کچہری صدر ہی دی مقدمہ مذکورہ نظر ثانی و اکیلی گمانی و برآمدگی
 مقدمہ یا مشورتی ڈگری کی طرف یا درخواست حکم انتہائی یا قرنی یا گرفتاری قبل از فیصلہ اجراءے ڈگری بھی صاحب موصوف کو بشرط ادا کلی طبعہ عتقاندہ ہی دی کا اختیار ہوگا
 اور تمام ساختہ پروا خط صاحب موصوف مثل کردہ ذات خود منظور و قبول ہوگا۔ اور بصورت ضرورت صاحب موصوف کو یہ بھی اختیار ہوگا کہ مقدمہ مذکورہ یا اسکے کسی جزو
 کی کارروائی یا بصورت درخواست نظر ثانی اکیلی یا گمانی یا دیگر معاملہ مقدمہ مذکورہ کسی دوسرے وکیل یا پیر منکر کو اپنے بجائے یا اپنے ہمراہ مقرر کریں۔ اور ایسے مشیر قانون کو
 بھی ہر امر میں وہی اور ویسے اختیارات حاصل ہوں گے، جیسے صاحب موصوف کو حاصل ہیں، اور دوران مقدمہ میں جو کچھ ہر جائز التواء ہوگا، وہ صاحب
 موصوف کا حق ہوگا۔ مگر صاحب موصوف کو پوری پیشی تاریخ پیشی سے پہلے ادا نہ کروں گا۔ تو صاحب موصوف کو پورا اختیار ہوگا کہ وہ مقدمہ کی پیروی نہ کریں اور ایسی
 صورت میں میرا کوئی مطالبہ کسی حکم کا صاحب موصوف کے برخلاف نہیں ہوگا۔

لہذا وکالت نامہ لکھنا ہے تاکہ سند ہے
 مورخہ 26 مارچ 2020ء

مضمون وکالت نامہ سن لیا ہے۔ اور اچھی طرح سمجھ لیا ہے اور منظور ہے۔
 العبد العبد العبد
 محمد نواز
 Appellant
 M. Baloch

1210116768505


25.03.2019

21.01.2019

Counsel for the appellant and Mr. Farhaj Sikandar,
Junior to counsel for the appellant and Mr. Farhaj
Sikandar, District Attorney for the respondents present.

The court time is over, therefore case adjourned to
25.03.2019 before the D.B at Camp court, D.I.Khan.


Member
Member



Chairman
Chairman
Camp Court, D.I.Khan
Camp Court, D.I.Khan

25.03.2019

Counsel for the appellant and Mr. Farhaj Sikandar,
District Attorney for the respondents present.


The court time is over, therefore case adjourned to
23.04.2019 before the D.B at camp court, D.I.Khan.



Member


Chairman
Camp Court, D.I.Khan

23.04.2019


Clerk of counsel for the appellant and Mr. Farhaj
Sikandar, District Attorney for the respondents present. Due to
strike of Khyber Pakhtunkhwa Bar Council, learned counsel for
the appellant is not available today. Adjourn. To come up for
arguments on 25.06.2019 before D.B at Camp Court D.I.Khan.


(M. Amin Khan Kundi)
Member
Camp Court D.I.Khan


(M. Hamid Mughal)
Member
Camp Court D.I.Khan

28.11.2018

Counsel for the appellant Mr. Malik Hussain, Advocate present and submitted Vakalat Nama on behalf of the appellant. Vakalat Nama is placed on record. Mr. Usman Ghani, District Attorney on behalf of the respondents present and submitted written reply, copy of the same is handed over to learned counsel for the appellant. Adjourned. To come up for rejoinder and arguments on 18.12.2018 before D.B at Camp Court D.I.Khan.


(Muhammad Amin Khan Kundi)
Member
Camp Court D.I.Khan


18.12.2018


As per direction of the worthy Chairman Khyber Pakhtunkhwa Service Tribunal, D.I.Khan tour dated 18.12.2018 has been rescheduled and the case is re-fixed for 27.12.2018.

Reader

27.12.2018


Counsel for the appellant present. Mr. Farhaj Sikandar, District Attorney for the respondents present. Learned counsel for the appellant submitted rejoinder requested for adjournment for arguments. Adjourned. To come up for arguments on 22.01.2019 before D.B at Camp Court D.I.Khan.


(Hussain Shah)
Member
Camp Court D.I.Khan


(Muhammad Amin Khan Kundi)
Member
Camp Court D.I.Khan

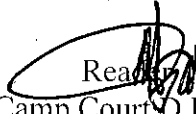
15.03.2018

Counsel for the appellant and Mr. Ziaullah, DDA for respondents present. Written reply not submitted despite last opportunities. Requested for further adjournment. Last opportunity further extended subject to payment of cost of Rs. 500/- which shall be borne by respondents from their own pockets. To come up for written reply on 28.06.2018 before S.B at camp court D.I.Khan.


(Ahmad Hassan)
Member
Camp Court D.I.Khan

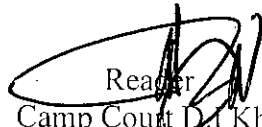
28.06.2018

Tour is hereby cancelled, Therefore the case is adjourned for the same on 30.08.2018 before S.B.


Reader
Camp Court D.I Khan


01.08.2018

Appellant present in person. Tour is hereby cancelled. Therefore the Case is adjourned for the same on 11.09.2018 before S.B.


Reader
Camp Court D.I Khan

11.09.2018

Counsel for the appellant and Mr. Ziaullah, Deputy District Attorney for the respondents present. Representative of the department is not in attendance therefore, learned Deputy District Attorney is directed to contact the respondents for filing of written reply on the next date positively. Adjourned. To come up for written reply/comments on 28.11.2018 before S.B at Camp Court D.I.Khan.


(Muhammad Amin Khan Kundi)
Member
Camp Court D.I.Khan

Service Appeal No. 1096/2016

29.12.2017

Clerk of the counsel for appellant present. Mr. Farhaj Sikandar, District Attorney for the respondents also present. Representative of the department is not in attendance therefore, notice be issued to the respondents with the direction to direct the representative to attend the court and submit written reply on the next date positively. Adjourned. To come up for written reply/comments on 25.01.2018 before S.B at Camp Court D.I.Khan.



(Muhammad Amin Khan Kundi)
Member
Camp Court D.I. Khan

25.01.2018

Appellant with counsel present. Mr. Farhaj Sikandar, District Attorney for the respondents also present. Representative of the department is not in attendance therefore, notice be issued to the respondents with the direction to direct the representative to attend the court and submit written reply on the next date positively by way of last chance. Adjourned. To come up for written reply/comments on 15.03.2018 before S.B at Camp Court D.I.Khan.



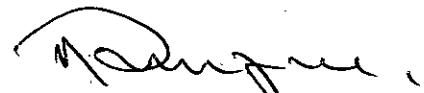
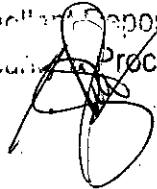
(Muhammad Amin Khan Kundi)
Member
Camp Court D.I. Khan

22.02.2017

Mr. Muhammad Anwar Awan learned counsel for appellant present. Preliminary arguments heard. The promotion was granted to appellant Mr. Muhammad Nadeem. was taken back and he was reverted without any proper inquiry and procedure. He has been condemned unheard and in this course they have challenged the impugned orders.

Point raised needs consideration, the appeal is admitted for regular hearing. The appellant is directed to deposit the security and process fee within 10 days there-after notices be issued to the respondents for written reply/comments for 26.07.2017 before S.B at Camp Court D.I.Khan.


Appellant Deposited
Security Process Fee



(ASHFAQUE TAJ)
MEMBER
Camp Court D.I.Khan

26.07.2017

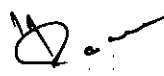
Counsel for the appellant present. Mr. Farhaj Sikandar, District Attorney for official respondents also present. Representative of the respondent-department is not in attendance, therefore, notice be issued to the respondents with the direction to direct the representative to attend the court on the next date positively. Adjourned. To come up for written reply/comments on 23.10.2017 before S.B at Camp Court D.I.Khan.



(Muhammad Amin Khan Kundi)
Member
Camp Court D.I. Khan

26.10.2017

Appellant in person present. Mr. Farhaj Sikandar, District Attorney for the respondents present. None present on behalf of the respondent department. Notice be issued to the respondent department. To come up for written reply on 29.12.2017 before S.B at camp court D.I.Khan

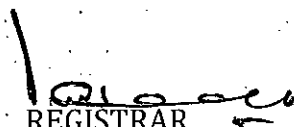




(Muhammad Hamid Mughal)
Member
Camp Court D.I.Khan

Form- A
FORM OF ORDER SHEET

Court of _____

Case No. 1095/2016

S.No.	Date of order proceedings	Order or other proceedings with signature of judge or Magistrate
1	2	3
1	25/10/2016	<p>The appeal of Muhammad Nadeem received today by post through Muhammad Anwar Awan Advocate may be entered in the Institution Register and put up to the Worthy Chairman for proper order please.</p> <p> REGISTRAR</p>
2		<p>This case is entrusted to Touring S. Bench at D.I.Khan for preliminary hearing to be put up there on <u>28.11.16</u>.</p> <p> CHAIRMAN</p>
	<u>28.11.16</u>	<p>Since D.I.Khan tour dated 28.11.2016 has been cancelled, therefore, case to come up for preliminary hearing on 22.02.2017 before S.B at Camp Court D.I.Khan.</p> <p> Reader</p>

**BEFORE THE KPK SERVICE TRIBUNAL PESHAWAR
CAMP COURT D.I.KHAN.**

Appeal no. 1095... of 2016.

Muhammad Nadeem VERSUS Commandant FRP & Others

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3	Copy of Pay Roll	B	5
4	Copy of Order 26-08-2016.	C	6
5	Copy of departmental appeal and order	D	7-8
6	Wakalat Nama	E	9

Your humble Petitioner



Muhammad Nadeem

Dated: 22.10.2016



Mohammad Anwar Awan
Advocate Supreme Court.

✓ **BEFORE THE KPK SERVICE TRIBUNAL PESHAWAR
CAMP COURT D.I.KHAN.**

Appeal no. 1095 of 2016.

Muhammad Nadeem No.947/FRP, D.I.Khan Range D.I.Khan.

VERSUS

1. Commandant Frontier Reserve Police Khyber Pakhtunkhwa Peshawar.
2. Superintendent of Police FRP D.I.Khan Range D.I.Khan.
3. Government of KPK through Secretary Interior Khyber Pakhtunkhwa Peshawar.

Khyber Pakhtunkhwa
Service Tribunal

Diary No. 1124

Dated 25-10-2016

**APPEAL UNDER SECTION 4 OF KPK SERVICE TRIBUNAL
ACT AGAINST ILLEGAL CANCELLATION ORDER
DATED: 28.06.2016 ON THE BACK OF APPELLANT.**

That the brief facts of the case are as under:

1. That the appellant is serving in the Frontier Reserve Police Department and deputed in FRP D.I.Khan Range as a constable since 2006.
2. That appellant was promoted to the rank of head constable with immediate effect on 19-04-2016 by respondent No.02 having good performance, clean record and passed his courses of civil defence etc.
Copy of order dated: 19-04-2016 is annexure A.
3. That after promotion order, the appellant took the charge, which was duly entered in his service book and appellant received the pay of head constable. Copy of pay roll is annexure B.
4. That respondent No.01 without giving any notice and conducting inquiry, issued letter dated: 28.06.2016 in the absence of appellant by cancelling his promotion as head constable along with others with retrospective effect. Copy of order is annexure C.

Filed to-day

25/10/16

25/10/16

5. That feeling aggrieved after communication of above said illegal order on 20-08-2016, appellant filed departmental appeal dated 26-08-2016 which was also rejected. Copy of departmental appeal and order are Annexure D.
6. That order in appeal is communicated to appellant on 06.10.2016, so feeling aggrieved from above said action appellant is constrained to approaches this honorable court on the following amongst other:

GROUND:

1. That the appellants are not treated in accordance with law and the actions of the respondents are malafide besides being discriminatory and harsh.
2. That respondent No .02 according to rules promoted the appellant after considering application for promotion. The appellant was appointed as constable on 31.05.2006, during his service he passed five course of civil defense and also pass A-1 course and became senior most constable in FRP D.I.Khan range. The promotion order of appellant was in accordance with law and rules framed by the government which was dually implemented and respondent No.01 has no authority to cancel the same without giving any notice or opportunity of hearing.
3. That standing order 2 of 2016 does not restrict the respondent No.02 to not promote the appellant and any irregularity committed by authority does not harm the appellant in any manner.
4. That appellant is not being penalized without giving them any opportunity of hearing nor has given any show cause notice by the department, which is against the principal of natural justice.

In view of the above, It is, therefore, most respectfully prayed that on acceptance this appeal this honorable court may

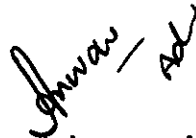
pleased to declare the order dated: 28.06.2016 being illegal, void and without lawful authority and has no legal effect and appellant may kindly be reinstated at the post of head constable with all back benefits.

YOUR HUMBLE APPELLANT



Muhammad Nadeem
Through Counsel

Dated: 22.10.2016



Mohammad Anwar Awan
Advocate Supreme Court

AFFIDAVIT

Muhammad Nadeem do hereby solemnly affirm and declare on OATH that the contents of the same are true and correct to the best of my knowledge and belief and that nothing has been concealed from this honorable court.

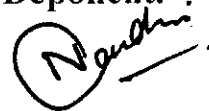
Oath Commissioner

R.C. & A.C.

Attested

No. _____

Deponent.

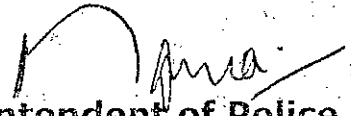


A-4-

ORDER:

Keeping in view his good performance, Clean record and Course passed i.e Civil Defence Basic General Instructor by the Constable Mohammad Nadeem No. 947/FRP (Old SPL) promoted to the rank of Head Constable (BPS-07) against the existing vacancy of FRP D.I.Khan Range.

On his promotion as Head Constable allotted Head Constabulary No. 7134/FRP, with immediate effect.


**Superintendent of Police,
FRP, D.I.Khan Range, D.I.Khan.**

No. 809-10 /FRP, Dated of D.I.Khan 18 /04/2016.

Copy of above is sent to the:-

1. Pay Officer FRP D.I.Khan.
2. OHC/SRC FRP D.I.Khan.


**Superintendent of Police,
FRP, D.I.Khan Range, D.I.Khan.**


**M. ANWAR AWAN
Advocate**

OB. 429

off 19. 04. 2016

R

Accounts Office D.I. Khan
PAYROLL REGISTER
For the month of June, 2016

Page : 265
Date : 25.06.2016

M. ANWAR AWAN
ADVOCATE

000 :	BI4051	XP	LFRP3	DIKHAN
1646	Constabulary R Allow			300.00
1901	Risk Allowance (Poli			5,295.00
1902	Special Incentive AI			775.00
2148	15% Adhoc Relief All			1,110.00
2168	Fixed Daily Allowanc			2,730.00
2174	Adhoc Relief Allow-2			740.00
2199	Adhoc Relief Allow B			1,039.00

Payroll Section : 002 Payroll 2

PAYMENTS
Branch Code: 221540
RACHAIN SHOPPING CENTER, D.I. KHAN. Habib Bank Limited

DEDUCTIONS
910.00-
RACHAIN SHOPPING CENTER, D.I. KHAN. I. KHAN

NET PAY
26,688.00 01.06.2016 30.06.2016
Accnt.No: 15407900553601

PAYMENTS	AMOUNT	DEDUCTIONS	AMOUNT	Grade: (80167852)	Grade: (80167852)	Booklet No.: PRINCIPAL	Gazetted/Non-Gazetted: N	
							REPAYD	BALANCE
0001 Basic Pay	10,395.00	3007 EPF Subscription - Rs	536.00-					
1000 House Rent Allowance	1,059.00	3511 Ad41 Group Insurance	7.00-					
1210 Convey Allowance 20	1,932.00	3530 Police wcl:Fud NS-i t	238.00-					
1300 Medical Allowance	1,580.00	3604 Group Insurance	57.00-					
1547 Ration Allowance	681.00							
1567 Washing Allowance	100.00							
1646 Constabulary R Allow	300.00							
1901 Risk Allowance (Poli	5,295.00							
1902 Special Incentive AI	775.00							
2148 15% Adhoc Relief All	1,110.00							
2168 Fixed Daily Allowanc	2,730.00							
2174 Adhoc Relief Allow-2	740.00							
2199 Adhoc Relief Allow B	1,039.00							

89

PAYMENTS
Branch Code: 231545
PARDA ROAD D.I. KHAN

DEDUCTIONS
568.00-
National Bank of Pakistan
PARDA ROAD D.I. KHAN

NET PAY
26,688.00 01.06.2016 30.06.2016
Accnt.No: 4948-i

PAYMENTS	AMOUNT	DEDUCTIONS	AMOUNT	Grade: (80167852)	Grade: (80167852)	Booklet No.: PRINCIPAL	Gazetted/Non-Gazetted: N	
							REPAYD	BALANCE
0001 Basic Pay	7,705.00	3005 EPF Subscription - Rs	536.00-					
1000 House Rent Allowance	1,082.00	3511 Ad41 Group Insurance	7.00-					
1210 Convey Allowance 20	1,932.00	3530 Police wcl:Fud NS-i t	194.00-					
1300 Medical Allowance	1,580.00	3604 Group Insurance	57.00-					
1547 Ration Allowance	681.00							
1567 Washing Allowance	100.00							
1646 Constabulary R Allow	300.00							
1901 Risk Allowance (Poli	5,010.00							
1902 Special Incentive AI	775.00							
2148 15% Adhoc Relief All	1,065.00							
2168 Fixed Daily Allowanc	2,730.00							
2174 Adhoc Relief Allow-2	570.00							
2199 Adhoc Relief Allow B	970.00							

155

PAYMENTS
Branch Code: 220231
LIDGAN KALAN, D.I. KHAN.

DEDUCTIONS
872.00-
Habib Bank Limited
LIDGAN KALAN, D.I. KHAN.

NET PAY
25,598.00 01.06.2016 30.06.2016
Accnt.No: 790094001

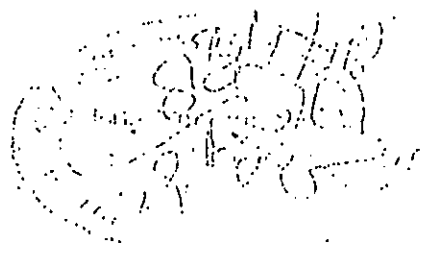
PAYMENTS	AMOUNT	DEDUCTIONS	AMOUNT	Grade: (80167854)	Grade: (80167854)	Booklet No.: 2285 PRINCIPAL	Gazetted/Non-Gazetted: N	
							REPAYD	BALANCE
0001 Basic Pay	10,310.00	3007 EPF Subscription - Rs	536.00-					
1000 House Rent Allowance	1,059.00	3511 Ad41 Group Insurance	7.00-					
1210 Convey Allowance 20	1,932.00	3530 Police wcl:Fud NS-i t	214.00-					

89

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B-5-

C-6-



ORDER

SP FRP DI Khan Range office orders so far as relates to the promotion of following officials to the rank of Head Constables which were made in volition of standing order No.2/2016 is hereby cancelled with retrospective effect.

S No	Name of Official	Promotion Book	Order	Dated
1	Muhammad Zubair No.7125	390		15.04.2016
2	Malik Fida Hussain No.7214	388		15.04.2016
3	Muhammad Waseem No.7171	392		15.04.2016
4	Islam Ullah No.7120	394		15.04.2016
5	Qayoum Nawaz No. 7129	413		18.04.2016
6	Muhammad Nadeem No.7134	429		19.04.2016
7	Khalid Naveed No.7148	437		19.04.2016
8	Muhammad Ramzan No.7127	396		15.04.2016
9	Faisal Nawaz No.7141	415		18.04.2016

M. ANWAR AWAN
Advocate

Commandant
Frontier Reserve Police
Khyber Pakhtunkhwa/Peshawar

No. 5477 /EC, dated Peshawar the 28 10/6/2016.

Copy of above is forwarded to the SP FRP DI Khan Range for necessary

action:
OHC/OB/SRC/PO
For n/action

[Signature]
SP FRP DI Khan

OB-615
29-06-2016

18/E
116

مدرسہ خیریتہ، کما ٹنڈہ، حیات الف آئی آر پی خیمبر پختون خواہ پشاور

جناب صاحب! گزارش ہے کہ ہم نے کورسز اور سہارا کی بنیاد پر پبلک ٹیبلز ترقیب کیا گیا تھا۔ ایف آر پی
 کی بنیاد پر ترقیب کی گئی۔ ہم سالانہ ہیڈ کا ٹیبلز کے برابر ترقیب لیتے رہیں ہیں۔ اور
 ایف آر پی ذمہ داری۔ اس سال ہوا کہ ہم کا ٹیبلز کو ترقیب آرڈر لیٹر نمبر 5477/EC مورخہ
 27.08.2016 جاری کیا گیا۔ جناب صاحب! ایف آر پی خیمبر پختون خواہ پشاور کو بعد ہیڈ کا ٹیبلز کے ٹیبلز
 کی بنیاد پر ترقیب لیتے رہیں ہیں۔ اسٹیڈنگ آرڈر 02/20 کی خلاف ورزی کا تذکرہ کیا گیا ہے۔ جبکہ جنرل میں 02/2016
 کی خلاف ورزی تحریر کیا گیا جس پر اسٹیڈنگ آرڈر کی پالیسی ذمہ داری اسماعیل خان کے جوہر ٹیبلز کو ہیڈ کا ٹیبلز ترقیب
 کیا گیا۔ اسٹیڈنگ آرڈر 02/2016 کا اطلاق نہیں ہوتا؟ جو کہ تاحال ہیڈ کا ٹیبلز اپنے فرائض منصبی سر انجام

عالی جاہ! ہم کا ٹیبلز ان بذریعہ درخواست استدعا کرتے ہیں کہ اسٹیڈنگ آرڈر 02/2016 کی
 خلاف ورزی کا ہماری پروڈکشن سے کوئی تعلق نہیں ہے۔ یہ سب دفتری تقاضے ہیں۔

لہذا ہم ذیل کارروائیوں پر امدت فرماتے ہوئے اور ہمارے بچوں پر رحم فرماتے ہوئے ہمیں
 ہیڈ کا ٹیبلز بحال کرنے کی ہدایت فرمائیں۔ ہم سالانہ آپ کے بال بچوں کے دعا گو رہتے۔

عین نوازش ہوگی۔

فقط مورخہ 26.08.2016

ارضیٰ

Sis Forwarded
 @
 Lo/IRP/Dik

1. کا ٹیبلز محمد زبیر بلٹ نمبر 7544
2. کا ٹیبلز محمد وسیم بلٹ نمبر 7520
3. کا ٹیبلز ملک نداء حسین بلٹ نمبر 7795
4. کا ٹیبلز خالد نوید بلٹ نمبر 7338
5. کا ٹیبلز اسلام اللہ بلٹ نمبر 7619
6. کا ٹیبلز محمد ندیم بلٹ نمبر 7528
7. کا ٹیبلز قیوم نواز بلٹ نمبر 7253
8. کا ٹیبلز محمد فیصل بلٹ نمبر 7800
9. کا ٹیبلز محمد رمضان بلٹ نمبر 7801

Amir

P-16

17.9

Sr.

A joint application submitted by the following lower subordinates of FRP DI Khan Range DI Khan stating therein that on the basis of courses and seniority, they were promoted to the rank of Head Constable.

S.No	Name	No.
1.	FC Muhammad Zubair	7544
2.	FC Muhammad Waseem	7380
3.	FC Malik Nida Hussain	7795
4.	FC Khalid Naveed	7358
5.	FC Islam Ullah	7919
6.	FC Muhammad Nadeem	7328
7.	FC Qayoum Nawaz	7288
8.	FC Muhammad Faisal	7600
9.	FC Muhammad Ramzan	7840

Now vide this office order No.5477/EC, dated 28.06.2016 they were reverted back to the rank of Constables as their promotion orders were made in-violation of standing order No. 2/2016.

At last they had prayed for setting aside their reversion orders.

Submitted for kind order please.

19.9.16
E.C

Office Supdt: 19.9.16

Anwar

Commandant FRP KP

Rejected

- 9 -

VAKALATNAMA

IN THE COURT OF KPK service Tribunal D.I.KHAN.

M. Nadceem VERSUS Commandant FRP etc

TITLE Appeal

I/WE APPEALANT

the above named M. Nadceem hereby appoint

MUHAMMAD ANWAR AWAN ADVOCATE SUPREME COURT, D.I.KHAN

in the above Captioned Case to all or any of the following Acts Deeds & Things.

- ✓ To Appear, Act & Plead for Me/Us in the above mentioned cases in this Court/Tribunal in which the same may be tried or heard or any other proceedings out of our connected therewith.
- ✓ To Sign, Verify, File OR Withdraw all Proceedings, Petitions, Appeals, Affidavits, Applications for Compromise OR Withdrawals OR for the Submission of Arbitration of the said case OR any other Documents may be Deemed Necessary OR Advisable by them by the Conduct, Prosecution OR Defense of the above case at all its stages.
- ✓ To Receive Payments, Issue Receipts for all moneys that may be OR Become Due & Payable to us during the course on Conclusion of the Proceedings.
- ✓ To do all other Acts & Things, Which may be Deemed Necessary OR Advisable during the course of Proceedings.

AND HEREBY AGREE:

- To Ratify Whatever Advocates may do the Proceedings.
- Not to Hold the Advantages Responsibilities if the said case be proceed Ex-parte OR Dismissed in Default in Consequence of their Absence from the Court when it is called for Hearing.
- That the Advocates shall be entitled to withdraw from the Prosecution of the said case if the Whole or any part of the Agreed Fee Remain Un-Paid.
- That Advocates may be Permitted to argue any other point at the time of Arguments.

In Witness Whereof I/We have signed this Vakalatnama here under the Contents of which have been Read/Explained to Me/Us which is fully understood by Me/Us.

Dated: 24/10/16

Accepted By:

Muhammad Anwar Ad

MUHAMMAD ANWAR AWAN
ADVOCATE SUPREME COURT

Phone Office: 0966-730828

Cell No: 03339962231

Naqvi
SIGNATURE OF EXECUTANT (S)

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

Service Appeal No.1095/2016.

Muhammad Nadeem No. 947/DIK RangeAppellant.

VERSUS

1. Commandant, Frontier Reserve Police,
Khyber Pakhtunkhwa, Peshawar.
2. Superintendent of Police FRP Dik Range, DIK.
3. Govt: of Khyber Pakhtunkhwa through Secretary interior Peshawar.
..... Respondents.

PRELIMINARY OBJECTIONS

1. That the appeal is badly time barred.
2. That the appeal is bad for mis-joinder and non-joinder of necessary parties.
3. That the appellant has no cause of action to file the instant appeal.
4. That the appellant has not come to this Honorable Tribunal with clean hands.
5. That the appellant is estopped due to his own conduct to file the instant Service Appeal.
6. That the appellant is trying to conceal material facts from this Honorable Tribunal.

WRITTEN REPLY ON BEHALF OF RESPONDENTS.

RESPECTED SHEWETH.

FACTS:-

1. Para No.1 pertains to the appellant record, hence needs no comments.
2. Incorrect, that the appellant is concerned to FRP establishment and according to Standing Order No. 2/2104 issued by CPO Peshawar, all promotions were restricted in FRP. The promotion of officers posted in FRP shall be done by DPO/RPOs in accordance with Chapter No. 13 of Police Rules 1934. In the light of Standing Order mentioned above the promotion order of the appellant has been cancelled as per law. (Copy of Standing Order attached herewith as annexure " A")
3. Incorrect, the promotion of the appellant as Head constable was found against the rules.
4. Incorrect, the promotion order as Head constable of the appellant was found violation of Standing order No. 2/2014, by the Competent Authority, therefore, cancelled.
5. Correct to the extent that departmental appeal of the appellant was thoroughly examined and rejected on sound grounds.
6. The appellant has not come to this Honorable Tribunal with clean hands.

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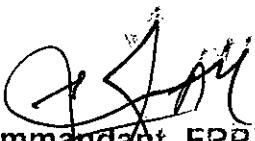
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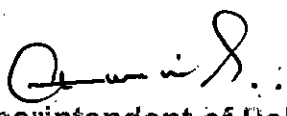
Grounds:-

1. Incorrect as the promotion order of the appellant was passed in hastily manner and which subsequently found violation of the Standing Order No.2/2014, thus the action of the respondents are legally justified and in accordance to law.
2. Incorrect, that after issuance of Standing Order No.2/2014, there is no criteria existed for promotion in FRP Establishment. Moreover according to Standing Order No. 2/2014 the promotion lists shall no more be maintained in FRP unit. The promotion of officers posted in FRP shall be done by DPO/RPOs in accordance with Chapter No. 13 of Police Rules 1934. In the light of Standing Order mentioned above, the promotion order of the appellant has been cancelled as per law.
3. Incorrect, Standing Order No. 2/2014 clause 11, 12, 12.1 & 12.2 provide that all kinds promotion to the next higher rank of the personals of FRP shall be maintained by DPO/RPOs, thus respondent No. 2 is not competent to pass promotion order of a Police Officers posted in FRP.
4. Incorrect, as explained in the preceding Paras, the promotion order of the appellant examined and found against the law. Moreover, the appellant is well known regarding to standing order No. 02/2014.

PRAYERS:-

It is therefore, most humbly prayed that in the light of aforesaid facts/submission the service appeal may kindly be dismissed with cost.


Commandant, FRP,
Khyber Pakhtunkhwa, Peshawar
(Respondent No.1)


Superintendent of Police FRP
DIKhan Range, DIKhan
(Respondent No.2)


Secretary Interior
Govt: of Khyber Pakhtunkhwa, Peshawar
(Respondent No.3)