

in the Daily Diary of the said Police Post. Resultantly, appellant was awarded penalty of deduction of two years of approved service.

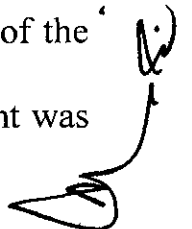
2. Feeling aggrieved, he filed departmental appeal, which was rejected, hence, the instant service appeal.

3. On receipt of the appeal and its admission to full hearing, the respondents were summoned. Respondents put appearance and contested the appeal by filing written reply raising therein numerous legal and factual objections. The defense setup was a total denial of the claim of the appellant.

4. We have heard learned counsel for the appellant and learned Assistant Advocate General for respondents.

5. The learned counsel for the appellant reiterated the facts and grounds detailed in the memo and grounds of the appeal while the learned Assistant Advocate General controverted the same by supporting the impugned order(s).

6. The allegations against the appellant Javed Iqbal are that he, while posted as Muharrir, Police Post Panian, District Haripur, on 10.11.2021, Head Constable Saeed Shah I/C PP Panian, picked up two innocent citizens namely Noman S/O Raja Khan Afzal R/O Narhtopa and Ihtesham S/O Jahangir R/O Narhtopa, and did not make any entry in the Daily Diary. The factum of making no entry in the Daily Diary was duly admitted by the appellant in his reply to the charge sheet and statement of allegations by stating that he had not made entry on the direction of the Incharge of the Police Post. The matter was enquired. The appellant was



KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR
AT CAMP COURT, ABBOTTABAD

BEFORE: **KALIM ARSHAD KHAN** ... CHAIRMAN
MUHAMMAD AKBAR KHAN ... MEMBER (Executive)

Service Appeal No.1720/2022

Date of presentation of Appeal.....30.11.2022
Date of Hearing.....23.04.2024
Date of Decision.....23.04.2024

Javed Iqbal, Constable No.465, District Police, Haripur
.....(*Appellant*)

Versus

1. **Provincial Police Officer**, Khyber Pakhtunkhwa, Peshawar.
2. **Regional Police Officer**, Hazara Region, Abbottabad.
3. **District Police Officer**, Abbottabad.....(*Respondents*)

Present:

Mr. Muhammad Aslam Tanoli, Advocate.....For the appellant
Mr. Shoaib Ali, Assistant Advocate General.....For respondents

.....
APPEAL UNDER SECTION 4 OF THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL ACT, 1974 AGAINST ORDER DATED 07.01.2022 OF THE DISTRICT POLICE HARIPUR WHEREBY APPELLANT HAS BEEN AWARDED PENALTY OF DEDUCTION OF TWO YEARS APPROVED SERVICE AND ORDER DATED 14.06.2022 (ISSUED ON 07.11.2022) OF THE REGIONAL POLICE OFFICER HAZARA REGION ABBOTTABAD WHEREBY APPELLANT'S DEPARTMENTAL APPEAL HAS BEEN FILED/REJECTED.

JUDGMENT

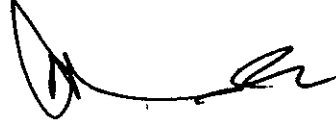
KALIM ARSHAD KHAN CHAIRMAN: Brief facts of the case, as enumerated in the memo and grounds of appeal are that appellant was serving as Constable in the Police Department. While posted at Police Post Panian, District Haripur, he was issued a charge sheet on the allegations that he had arrested two persons but had not made any entry



also associated with the inquiry proceedings. He could not substantiate his contention of not making the entry at the instance of the Incharge of Police Post during the inquiry. Fact remains the same that the appelliant was duty bound to make entry in the DD of the Police Post of every event of which he was a part. Admittedly, in this case, he has not performed his duty or has not done his job as was required from, therefore, he was rightly proceeded and was properly penalized.

7. Seeing no merit in this case, it is dismissed. Costs shall follow the event.Consign.

8. *Pronounced in open Court at Abbottabad and given under our hands and the seal of the Tribunal on this 23rd day of April, 2024.*



KALIM ARSHAD KHAN
Chairman
Camp Court Abbottabad



MUHAMMAD AKBAR KHAN
Member (Executive)
Camp Court Abbottabad

Mutazem Shah