


FORM OF ORDER SHEET

Court of _____

Appeal No. 661/2024


| S.No. | Date of order proceedings | Order or other proceedings with signature of judge |
|-------|---------------------------|--|
| 1 | 2 | 3 |
| 1- | 15/05/2024 | <p>The appeal of Mr. Asif resubmitted today by Mr. Taimur Ali Khan Advocate. It is fixed for preliminary hearing before Single Bench at Peshawar on 17.05.2024. Parcha Peshi given to the counsel for the appellant.</p> <p>By the order of Chairman</p>  <p>REGISTRAR</p> |

The appeal of Mr. Asif Khan received today i.e on 06.05.2024 is incomplete on the following score which is returned to the counsel for the appellant for completion and resubmission within 15 days.

- 1- Appeal has not been flagged/marked with annexures marks.
- 2- Annexures of the appeal are unattested.
- 3- Affidavit is not attested by the Oath Commissioner.
- 4- Three copies/sets of the appeal along with annexures i.e. complete in all respect for Tribunal and one for each respondent may also be submitted with the appeal.

No. 1131 /S.T,

Dt. 8-5- /2024.


REGISTRAR
SERVICE TRIBUNAL
KHYBER PAKHTUNKHWA
PESHAWAR.

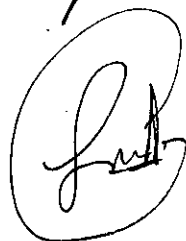
Mr. Taimur Ali Khan Adv.
High Court Peshawar.

Respected Sir,

Objection

- 1- Removed.
- 2- Removed.
- 3- Removed.
- 4- Removed.

Resubmitted, after codal formalities and after removing objections.



15-05-2024

**BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,
PESHAWAR.**

SERVICE APPEAL NO. _____/2024

Asif

V/S

Police Department

**APPLICATION FOR FIXING THE INSTANT
APPEAL AT PRINCIPLE SEAT AT PESHAWAR.**

RESPECTFULLY SHEWETH:

1. That the appellant has filed the instant appeal in this Honorable Service Tribunal against the order dated 26.05.2023, whereby the appellant was dismissed from service, against the order dated 05.04.2024, whereby the departmental appeal of the appellant was rejected.
2. That instant appeal is in the jurisdiction of Camp Court Abbottabad of this Honorable Tribunal, but the appellant engaged counsel who is doing legal practice at Peshawar and the appellant also wants to peruse his case at principle seat at Peshawar.
3. That it will be convenient for the appellant as well as for his counsel if the instant appeal is fix at principle seat at Peshawar.

It is therefore most humbly prayed that on the acceptance of this application, the instant appeal may kindly be fixed at principle seat at Peshawar of this Honorable Tribunal.

THROUGH:

Asif
APPELLANT

Taimur Ali Khan
TAIMUR ALI KHAN
ADVOCATE HIGH COURT

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,
PESHAWAR.

SERVICE APPEAL NO. 661/2024

Asif

V/S

Police Department

APPLICATION FOR FIXING THE INSTANT
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3. That it will be convenient for the appellant as well as for his counsel if the instant appeal is fix at principle seat at Peshawar.

It is therefore most humbly prayed that on the acceptance of this application, the instant appeal may kindly be fixed at principle seat at Peshawar of this Honorable Tribunal.

THROUGH:

APPELLANT


TAIMUR ALI KHAN
ADVOCATE HIGH COURT

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR

SERVICE APPEAL NO. 661 /2024

Asif

V/S

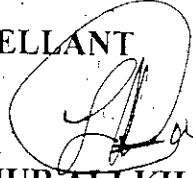
Police Department

INDEX

| S.No. | Documents | Annexure | P. No. |
|-------|--|-----------|--------|
| 1 | Memo of Appeal | ----- | 01-03 |
| 2 | Affidavit | ----- | 04 |
| 3 | Copy of medical report | A | 05-11 |
| 4 | Copies of charge sheet, statement of allegations, inquiry report, show cause notice and dismissal order dated 26.05.2023 | B,C,D,E&F | 12-17 |
| 5 | Copies of departmental appeal and order dated 08.04.2024 | G&H | 18-19 |
| 6 | Vakalat Nama | ----- | 20 |

THROUGH:

APPELLANT


(TAIMUR ALI KHAN)
ADVOCATE HIGH COURT
Cell# 0333-9390916


(SHAKIR ULLAH TORANI)
ADVOCATE

①

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR

SERVICE APPEAL NO. 661/2024

Khyber Pakhtunkhwa
Service Tribunal

Case No. 12555
Dated 06-05-2024

Asif, Ex-Constable No.77,
Police Lines Judbah, Torghar.

(APPELLANT)

VERSUS

1. The Regional police Officer Hazara Region, Abbottabad .
2. The District Police Officer Turghar.

(RESPONDENTS)

APPEAL UNDER SECTION 4 OF THE KHYBER
PAKHTUNKHWA SERVICE TRIBUNALS ACT, 1974
AGAINST THE ORDER DATED 26.05.2023, WHEREBY
THE APPELLANT WAS DISMISSED FROM SERVICE
AND AGAINST THE ORDER DATED 08.04.2024,
WHEREBY THE DEPARTMENTAL APPEAL OF THE
APPELLANT WAS REJECTED.

Filed to-day

at Peshawar

PRAYER:

THAT ON THE ACCEPTANCE OF THIS APPEAL, THE
IMPUGNED ORDERS DATED 26.05.2023 AND 08.04.2024
MAY KINDLY BE SET ASIDE AND APPELLANT MAY BE
REINSTATED INTO HIS SERVICE WITH ALL BACK AND
CONSEQUENTIAL BENEFITS. ANY OTHER REMEDY,
WHICH THIS HONORABLE TRIBUNAL DEEMS FIT AND
APPROPRIATE THAT, MAY ALSO BE AWARDED IN
FAVOUR OF APPELLANT.

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RESPECTFULLY SHEWTH:

FACTS:

1. That the appellant was appointed as constable in the respondent department in the year 2011 and completed all his due training and courses and since his appointment the appellant has performed his duty with devotion and honesty, whatsoever, assigned to him.
2. That some of the family members are residing in Karachi and the appellant wanted to go Karachi for some days therefore, he filed application for some days leave and after filing application the appellant went to Karachi and there he became sick due to which he could not come to his place of duty and was compelled to remain absent from his duty. **(Copy of medical report is attached as Annexure-A)**
3. That when the appellant was recovered from illness, he came from Karachi and went to join his duty but he was informed that he has been dismissed from service vide order dated 26.05.2023 and handed over dismissal order along with charge sheet, statement of allegations, inquiry report and show cause notice. **(Copies of charge sheet, statement of allegations, inquiry report, show cause notice and dismissal order dated 26.05.2023 are attached as Annexure-B,C,D,E&F)**
4. The appellant filed departmental appeal against the dismissal order dated 26.05.2023, which was rejected on 08.04.2024. **(Copies of departmental appeal and order dated 08.04.2024 are attached as Annexure-G&H)**
5. That the appellant now wants to file the instant appeal in this Honorable Tribunal for redressal of his grievance on the following grounds amongst others.

GROUND:

- A) That the impugned orders dated 26.05.2023 and 08.04.2024 are against the law, rules, facts, norms of justice and material on record, therefore, not tenable and liable to be set aside.
- B) That the appellant was never associated in inquiry proceeding and whole action was taken against him on basis of ex-parte proceeding which is against the law and rules and as such the impugned order is liable to be set aside.
- C) That charge sheet along with statement of allegations were not communicated to the appellant before passing dismissal order, which is violation of law and rules.

- 3
- D) That the appellant did not intentionally remain absent from his duty but due to his illness he was unable to come back from Karachi to perform his duty and was compelled to remain absent from his duty, therefore, needs to be treated with lenient view.
- E) That the penalty of dismissal from service imposed upon the appellant is very harsh, which is passed in violation of law and rule, therefore, the same is not sustainable in eyes of law and hence liable to be set aside.
- F) That the absence period was also treated as leave without pay, therefore, there remain no ground to penalize the appellant on that absence.
- G) That the appellant has not been treated in accordance with law and rules and has been condemned unheard throughout.
- H) That the appellant seeks permission of this Honorable Tribunal to advance others grounds and proofs at the time of hearing.

It is, therefore most humbly prayed that on the acceptance of this appeal, impugned orders dated 26.02.2023 and 08.04.2024 may kindly be set aside and appellant may be reinstated into his service with all back and consequential benefits. Any other remedy, which this Honorable Tribunal deems fit and appropriate that, may also, be awarded in favour of appellant.

THROUGH:

Asif
APPELLANT

Asif

(TAIMUR ALI KHAN)

ADVOCATE HIGH COURT

&

(SHAKIR ULLAH TORANI)

ADVOCATE

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR

SERVICE APPEAL NO. _____/2024

Asif

VS

Police Department

AFFIDAVIT

I, Asif, Ex-Constable No.77, Police Lines Judbah, Torghar (Appellant), do hereby affirm and declare that the contents of this service appeal are true and correct and nothing has been concealed from this Honorable Tribunal.

Asif
DEPONENT



A 5

B.S. DIAGNOSTICS

| | | | |
|---------|---------|------------|--------------|
| NAME: | MR ASIF | MR. No: | 002024101120 |
| S,D,W/O | MR | DEPTT. No. | 006 |
| AGE: | 36YEARS | REFERENCE | DR |
| SEX: | MALE | DATE: | 08/02/2023 |

DEPARTMENT OF BIO-CHEMISTRY

| TEST | RESULT | REFERENCE RANGE |
|-----------------------|--------|--------------------------------------|
| UREA | 21 | 10 - 50 mg/dl |
| CREATININE | 0.85 | 0.6 - 1.6mg/dl |
| ELECTROLYTES | | |
| SODIUM | 140 | 136 -149 MEq/L |
| POTASSIUM | 4.0 | 3.8 -5.2 MEq/L |
| CLORIDE | 104 | 98 - 107 MEq/L |
| LFT | | |
| Total bilirubin | 0.62 | (<1.3 mg/dl) |
| Direct bilirubin | 0.16 | (<0.3 mg /dl) |
| SGPT(ALT) | 32 | (Upto 31 IU/L) |
| Alk. Phosphates (ALP) | 75 | Child (117-390),adult: (39-117) IU/L |
| Gamma GT | 40 | (11-50)IU/L |

This is a computer generated report and this does not need a signature.

S.N.P.A., 17-J, Block-3, K.C.H.S. Union, - Karachi, Pakistan.

Tel: +92 (21) 34 55 3834-6, Fax +92 (21) 34 55 3942

E-mail: bsdiagnosutics@baitulsukoon.com, www.baitulsukoon.org

For Reporting

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B.S. DIAGNOSTICS

| | | | |
|-------|---------|------------|--------------|
| NAME: | MR ASIF | MR. No. | 002023101120 |
| D/O | MR | DEPTT. No. | 006 |
| AGE: | 36YEARS | REFERANCE | DR |
| SEX: | MALE | DATE: | 08/04/2023 |

DEPARTMENT OF MICROBIOLOGY

SAMPLE : MICROBIOLOGY
 Sputum AFB
 Pus cells (++)Eppithelial cells(++)
 AFB Seen

This is a computer generated report and does not require signature.

For Reporting On

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B.S. DIAGNOSTICS

| | | | |
|-------|---------|------------|--------------|
| NAME: | MR ASIF | MR. No. | 002023101120 |
| D/O | MR | DEPTT. No. | 006 |
| AGE: | 36YEARS | REFERANCE | DR |
| SEX: | MALE. | DATE: | 08/05/2023 |

DEPARTMENT OF MICROBIOLOGY

| | |
|----------|-------------------------------------|
| SAMPLE : | MICROBIOLOGY |
| Sputum | AFB |
| AFB Seen | Pus cells (++)Eppithelial cells(++) |

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For Reporting On

8

B.S. DIAGNOSTICS

| | | | |
|-------|---------|------------|--------------|
| NAME: | MR ASIF | MR. No. | 002023101020 |
| D/O | MR | DEPTT. No. | 008 |
| AGE: | 36YEARS | REFERANCE | DF |
| SEX: | MALE | DATE: | 19/09/2020 |

DEPARTMENT OF MICROBIOLOGY

SAMPLE: MICROBIOLOGY
 Sputum AFB
 Pus cells (++)Eppithelial cells(++)
 AFB Seen

This is a computer generated report and does not require signature

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SINDH GOVERNMENT
LYARI GENERAL HOSPITAL KARACHI.



OPD SLIP

NOT VALID FOR COURT

OPD NO: 4178 Date: 08-05-2023
 CR. NO: 931 Date: _____
 Name: Mr. Asif F/Name W/o: _____
 Address: _____
 Age: 36 yrs Sex: Male

Vital Sign

R_x Follow up case of Pulmonary
 Koch's.
 3 months of initial therapy completed.
 Sputum for AFB sent -> Negative.
 General Condition improving.
 Continuous Phase for 6 months.

Investigation

CBC -> WNL
 ESR 35
 LFT -> WNL

- Plz continue Isoniazid
 Rifampicin
 4 tabs PO x OD
 for 6 months.

Tab Pyridoxine 1x OD
6 months

10



SINDH GOVERNMENT
LYARI GENERAL HOSPITAL KARACHI.



OPD SLIP

NOT VALID FOR COURT

68109

OPD NO: 3142 Date: 08-02-2023
 CR. NO: 540 Date: _____
 Name: Mr. Asif F/Name W/o: _____
 Address: _____
 Age: 36 yrs Sex: Male

Vital Sign

Rx - Hx of Productive cough for
 1 month.
 - low grade fever
 - weight loss
 - Night sweat
 Respiratory symptoms not responsive
 to conventional antibiotics.

Investigation

Sputum for AFB → POSITIVE
 Mantoux Test → 10mm
 CXR → Chronic Infection & Cavitation

CBC
 ESR
 CRP AUCW
 Sputum for AFB
 Mantoux Test
 LFT

Start RHZE 4 tabs PO before
 Breakfast
 for 3 months

Tin Pyridoxine 1 x OD

Repeat LFT each month

Dr. Qasim Qureshi
 Medical Officer
 Sindh Govt. Lyari General Hospital
 Karachi



SINDH GOVERNMENT
LYARI GENERAL HOSPITAL KARACHI.



OPD SLIP

NOT VALID FOR COURT

OPD NO: 5190 Date: 08-11-2023
CR. NO: 336 Date: _____
Name: Mr. Asif F/Name W/o: _____
Address: _____
Age: 36 yrs Sex: Male

Vital Sign

Rx Cure of Pulmonary Koch's.
9 month course of ATT
Completed.
Patient General Condition
Improved.
No Constitutional symptoms

Investigation

On the Basis of Clinical Condition
and investigation, Patient
declared Cure Case of TB

No Further Rx required
Repeat CXR After 3 months

CHARGE SHEET

8
12

I, **Arbab Shafiullah, District Police Officer, Torghar** as competent authority hereby charge FC Asif No.77 while posted at Police lines, Judbah for the allegation explained in the attached statement of allegations:

You appear to be guilty of misconduct under Khyber Pakhtunkhwa, Police Rules, 1975 (with amendment 2014) and have rendered yourself liable to all or any of the penalties specified in the said rules.

You are therefore directed to submit your written defence within (07) Seven days on receipt of the charge sheet to the Enquiry officer.

Your written defense, if any, should reach the enquiry officer within the specified period, failing which it shall be presumed that you have no defence to put in hand and in the case ex-parte action shall follow against you.

Intimate whether you desire to be heard in person or otherwise.

Summary of allegation is also enclosed.


District Police Officer,
Torghar

C (13)

DISCIPLINARY ACTION

I. Arbab Shafiullah, District Police Officer, Torghar as competent authority of the opinion that FC Asif No.77 posted at Police Lines, Judbah has rendered himself liable to be proceeded against departmentally as you committed the following act/omission within the meaning under the Khyber Pakhtunkhwa, Police Rules, 1975 (with amendment 2014).

SUMMARY OF ALLEGATION

Perusal of report of LO Police lines, Judbah vide DD No.08 dated 31.01.2023, revealed that you were ordered to be closed to Police Lines, Judbah with immediate effect but you did not reported and absented yourself from your official duty without any leave or permission of the competent authority w.e.f 31.01.2023 to till date which shows gross misconduct on your part.

For the purpose of scrutinizing the conduct with reference to the above allegation.

Mr. Havat Khan SDPO, Judbah is deputed as Enquiry Officer.

The Enquiry Officer shall in accordance under the provision of this above mentioned rules, provide reasonable opportunity of hearing to the accused, record finding and make within 25 days of the receipt of this order, recommendation as to punishment or take other appropriate action against the accused.

The accused shall appear in the departmental proceedings on the date, time and place fixed by the Enquiry Officer/Committee.


District Police Officer,
Torghar

No. 328-28/PA, dated Torghar the 17/07/2023

FC Asif No.77 posted at Police Lines Judbah with the direction to submit his written statement to the Enquiry Officer, the receipt of the charge sheet/statement of allegations and also to appear before Enquiry Officer on the date, time and place fixed, for purpose of departmental proceedings.

خانم ایلوٹری ریلوے

ضلع لوہاریں

خدا علی

خواجہ مستویم ایلوٹری برصغیر گائٹھیل ٹریڈ آرٹس ہائیڈ 77 صفحہ
 لوہاریں لوہاریں لوہاریں لوہاریں لوہاریں لوہاریں لوہاریں لوہاریں
 خواجہ صید 8 روزہ 23 | 31 لوہاریں لوہاریں سے غیر طاؤس اور انکا مذکورہ کہد
 چارج سٹیٹ جاری ہو کر ان ایلوٹری صہب نام کاٹک اور مذکورہ ماہر گائٹھیل
 کی طلبی کے لئے فرم 23 17 پر نام جاری فرم 23 24 کو برائے قلمبندی
 بیان طلب کیا گیا مذکورہ گائٹھیل بدستور غیر طاؤس اور اندر صفا دین
 اور دوبارہ فرم 23 24 کو فرم جاری کر کے فرم 23 03 کے لئے فرم
 فرم اندر ان کے قلمبندی بیان دیا گیا مذکورہ فرم میں فرم اندر ان کے
 غیر طاؤس مذکورہ کا سالانہ ریکارڈ بھی حاصل کر کے ایلوٹری کے
 سالانہ ریکارڈ سے مذکورہ ماہر گائٹھیل جاری غیر طاؤس اور ان کے
 مرتبہ کافی غیر طاؤس مذکورہ گائٹھیل جاری غیر طاؤس اور ان کے
 سرانسی کی گئی ہیں صفحہ معلومات سے یہ ہے خلا کے غیر طاؤس ماہر
 گائٹھیل راجی ہیں راجی راجی راجی راجی راجی راجی راجی راجی راجی
 اور راجی راجی ہیں راجی راجی راجی راجی راجی راجی راجی راجی راجی
 گھر زیادہ تر جم دہا مذکورہ کا حکم نو وقت ہم اور
 جو سالانہ ریکارڈ سے بیان ہے فرم مذکورہ 2011 کا کوئی باندھ فرم
 سے عدوہ کل سالانہ 221 ایک غیر طاؤس

خدا علی
 خانم ایلوٹری ریلوے
 گائٹھیل آرٹس ہائیڈ 77 کا فرم اور اس نام کی بجاری کرنا صحیح
 مذکورہ لوہاریں راجی راجی راجی راجی راجی راجی راجی راجی راجی

س SDPO کے دفتر بار بار رابطہ کیا گیا لیکن کوئی کارروائی نہیں ہوئی
 اسٹیٹس کی بنا پر دفتر کا ایسیل آفیسر 77 نمبر کی طرف بطور
 حوالہ کارروائی Major Punishment کی سزا دینے کی خاطر
 کیا گیا ہے۔

SDPO Juddah
 04-03-2023



SHOW CAUSE NOTICE.

E
= (16)

(Rule (3) KPK Police Rules,1975 (with amendment 2014).

1. That you FC Asif No.77 posted as Gunner of Tehsil Nazim, Judbah, Haji Mohammad, rendered yourself liable to be proceed under Rule 5 (3) of the Khyber Pakhtunkhwa Police Rules 1975 (with amendment 2014) for the following misconduct.

i. Perusal of report of LO, Police Lines vide DD No.12 dated 30.01.2023, revealed that you were ordered to be closed to Police Lines, Judbah with immediate effect & make your arrival report at Police Lines at the earliest but in vain. You have not reported till date and absented yourself w.e.f 30.01.2023 to till date. Which shows lack of interest towards your duties and gross misconduct on your part.

2. That by reason of above as sufficient material is placed before the undersigned therefore is decided to proceed against you in general Police proceedings without aid of enquiry officer.

3. That the misconduct on your part is prejudicial to good order of discipline in the Police Force.

4. That your retention in the police force will amount to encourage inefficient and unbecoming of good Police Officer.

5. That by taking cognizance of the matter under enquiry, the undersigned as competent authority under the said rules, proposes stern action against you by awarding one or more kind of the punishments as provided in the rules.

6. You are, therefore, called upon to Show Cause Notice as to why you should not be dealt strictly in accordance with the Khyber Pakhtunkhwa Police Rule, 1975 for the misconduct referred to above.

7. You should submit reply to this Show Cause Notice within 07 days of the receipt of the notice failing which an ex-parte action shall be taken against you.

8. You are further directed to inform the undersigned that you wish to be heard in person or not.


District Police Officer,
Torghar

ORDER

F

(17)

(Continued)

This order will dispose of the departmental enquiry initiated against Constable Asif No.77 while posted at Police Lines Judbah who absented himself from his official duties w.e.31.01.2023 till now without any leave or permission of the competent authority.

He was charge sheeted for the allegations mentioned above by the than DPO, of Torghar vide Memo No.328-29/PA dated 17.02.2023 and enquiry was entrusted to Muhammad Hayat, Khan SDPO, Circle Judbah. He after conducting detailed enquiry into the allegations recommended him for major punishment in his report as he has been proved guilty for the allegations mentioned in the Charge sheet and statement of allegations. He was served with Final Show Cause Notice in response to which he did not submit his written explanation. He was called in the OR but he did not appear before the undersigned to prove him innocent.

After going through enquiry file, his long absence mentioned above and in the light of recommendation of Enquiry Officer, I, **Bilal Ahmad (PSP), District Police Officer, Torghar**, being competent authority in exercise of power under the relevant provision of KPK Police Rules, 1975 (with amendment 2014) am constrained to award him major punishment. Therefore, Constable Asif No.77 is hereby awarded major punishment of "Dismissal from service" with immediate effect. His period of absence from 31.01.2023 to till the date of dismissal is treated as leave without pay.

Order announced in his absence.

District Police Officer,
Torghar

OB No. 131

Dated. 26.05 2023

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

1. Pay Officer, Torghar.

2. SRC Torghar.

2
Mo, 1/

بخدمت جناب لیڈی الیکٹریسیٹل آف پولیس ہزارہ ریجن ایبٹ آباد

9

18

درخواست برآمد بحالی سروس

13111

2/2/24

جناب عالی

ذیل درخواست عرض ہے۔

1 یہ کہ سال مورخہ 06.07.2011 کو بطور کنسٹیبل شائع ہو فرمیں برقی درختوں سے ٹکرائے گئے۔ سالوں کی تہیاتی پولیس ایجنٹ شائع ہو فرمیں تھی۔

2 یہ کہ سالوں کو بوجہ غیر ماضی جناب ای بی صاحب تو فرمے بحال آراؤ ایک نمبری 131 مورخہ 26.05.2023 نوٹری سے برآمد کروا رہا تھا۔

یہ سالوں سے انتہائی مجبوری کی وجہ سے غیر ماضی کی تھی اور ہمیں دیکھنے کوئی غیر اسٹین حرکت نہیں کر رہا۔

سالوں ایک فریب مہران اور تو فرمے کے ایک ہمسامہ مانات سے تعلق رکھتے آپ جناب سے بذریعہ درخواست استدعا ہے کہ سالوں کو نوٹری بحال کرنے کا حکم جاری کریں۔

سالوں آپ جناب کیلئے ہیڈ و ماکوڑے گا۔

اعراض

AGF

آصف خان ولد امین

سٹریٹ نمبر 4، شائع ہو فرم

نشانی: 42101-1988881-5

تاریخ: 17.01.2024

No 1003/PA,
serial 9

1003/PA

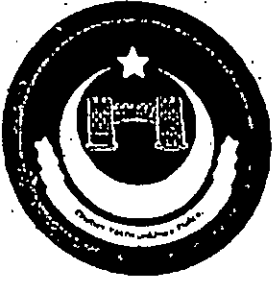
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OFFICE OF THE REGIONAL POLICE OFFICER
HAZARA REGION, ABBOTTABAD

☎ 0992-9310021-22

☎ 0992-9310023

✉ r.rpohazara@gmail.com

NO: 1986 /PA DATED: 8 /04/2024

ORDER

This order will dispose of departmental appeal under Rule 11-A of Khyber Pakhtunkawa Police Rules, 1975 submitted by Ex-Constable Asif No. 77 of district Torghar against the order of punishment i.e. dismissal from service awarded by DPO Torghar vide OB No: 131 dated 26-05-2023.

“Brief facts leading to the punishment are that the appellant while posted as GD at Police Lines, Judbah absented himself from official duty from 31-01-2023 to 26-05-2023 (115 days) without any leave or permission.

The appellant was issued charge sheet along with summary of allegations and DSP, Judbah was deputed to conduct departmental enquiry. The EO held the appellant responsible of misconduct and recommend for major punishment. Consequently, DPO Torghar awarded him major punishment of dismissal from service. Hence, the appellant submitted this present appeal.

After receiving his appeal, comments of DPO Torghar were sought and examined/perused. The undersigned called the appellant in OR, however, he failed to appear before the undersigned and advance any justification in this defense. The Instant appeal is also time barred as appellant submitted appeal after lapse of 08 months and 12 days. Reportedly, he is residing at Karachi and it seems that he has no keen interest in Government service. Therefore, in exercise of the powers conferred upon the undersigned under Rule 11-4 (a) of the Khyber Pakhtunkawa Police Rules, 1975 the appeal is hereby rejected/filed with immediate effect.

MUHAMMAD IJAZ KHAN (PSP)
Regional Police Officer
Hazara Region, Abbottabad

No: 1987 /PA, dated Abbottabad the 8 /04 /2024

DPO Torghar for information and necessary action with reference to his office Memo No 13/OP dated 27-02-2024. Service roll and four missal containing enquiry file are returned herewith for record.

VAKALAT NAMA

NO. _____/2024

IN THE COURT OF K.P Service Tribunal Peshawar

Asif (Appellant)
(Petitioner)
(Plaintiff)

VERSUS
Police Deptt (Respondent)
(Defendant)

I/We, Asif

Do hereby appoint and constitute **TAIMUR ALI KHAN, ADVOCATE HIGH COURT AND SHAKIR ULLAH TORANI ADVOCATE**, 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 _____/2024

Asif
(CLIENT)

ACCEPTED

Taimur Ali Khan
TAIMUR ALI KHAN
Advocate High Court

BC-10-4240
CNIC: 17101-7395544-5
Cell No. 03339390916

& Shakir Ullah Torani
SHAKIR ULLAH TORANI
Advocate Peshawar
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