

Next date 30/4/24

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

In SA No. 203 /2024

Shabir Khan  
\*\*\*\*\*V/S\*\*\*\*\*  
Inspector General of Police and others

Khyber Pakhtunkhwa  
Service Tribunal

Diary No. 11924

Dated 26/3/24

**APPLICATION FOR CORRECTION OF COURT NAME I.E  
FEDERAL SERVICE TRIBUNAL INSTEAD OF SERVICE  
TRIBUNAL KHYBER PAKHTUNKHWA IN THE ABOVE  
TITLED CASE.**

**Respectfully Sheweth:**

1. That the above titled case was fixed for preliminary hearing before the court of Learned Service Tribunal K.P, Peshawar on dated 19/03/2024.
2. That the Learned Court noticed that the Court Name wrongly been mentioned as Federal Service Tribunal instead of Service Tribunal Khyber Pakhtunkhwa which is misconception.
3. That the Learned Court directed the counsel to correctly mention the name of the court.
4. That there is no bar under the law if the court name be corrected in the heading of the appeal.

*It is therefore, requested that on acceptance of this application, the court name in the appeal been mentioned as a Service Tribunal, Khyber Pakhtunkhwa, Peshawar.*

Dated 19/03/2024

**APPELLANT**

Through

*Kifayat Ullah Shahabkhel*

Advocate, High-Court, Peshawar.

**VERIFICATION**

Verified that the contents of this application are true and correct to the best of my knowledge and nothing has been concealed from this Hon'ble Court either intentionally or otherwise.

*[Signature]*  
**DEPONENT**

*[Signature]*  
19 - 3  
Zahir Ullah  
Commissioner

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

In SA No. \_\_\_\_\_ / 2024

Shabir Khan, Constable KP Police, Belt No. 4091

**VERSUS**

Inspector General of Police, Khyber Pakhtunkhwa, Peshawar  
and others

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Dated: 25/01/2024

**APPELLANT**

Through



**Kifayat Ullah Shahabkhel**

Advocate, High Court

Peshawar

&   
**Noor Rahman Wazir**

Advocate, Peshawar.

①

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

In SA No. \_\_\_\_\_ / 2024

Shabir Khan, Constable KP Police, Belt No. 4091, S/o Gul Bahadar R/o Shaikh Muhammadi, Tehsil & District Peshawar.

*.....Appellant*

**VERSUS**

1. Inspector General of Police, Khyber Pakhtunkhwa, Peshawar.
2. CCPO, Khyber Pakhtunkhwa, Peshawar.
3. District Police Officer, Peshawar.
4. Superintendent of Police, Headquarter, Peshawar.

*.....Respondents*

**A. APPEAL UNDER SECTION 4 OF SERVICE**  
**TRIBUNAL ACT 1974 AGAINST THE ORDER**  
**DATED 08/02/2021 PASSED BY THE RESPONDENT**  
**NO. 4 AND RESPONDENT NO. 2 DATED**  
**19/09/2023, WHEREBY THE APPELLANT WAS**  
**DISMISSED FROM SERVICE.**

*Prayer:*

7

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

In SA No. \_\_\_\_\_ / 2024

Shabir Khan, Constable KP Police, Belt No. 4091

**VERSUS**

Inspector General of Police, Khyber Pakhtunkhwa, Peshawar  
and others

**AFFIDAVIT**

I, *Shabir Khan, Constable KP Police, Belt No. 4091, S/o Gul Bahadar R/o Shaikh Muhammadi, Tehsil & District Peshawar*, do hereby solemnly affirm and declare on Oath that all the contents of this Service Appeal are true and correct to the best of my knowledge and belief and nothing has been concealed or mis-stated.

**DEPONENT:** Shabir Khan



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

In SA No. \_\_\_\_\_ / 2023

Shabir Khan, Constable KP Police, Belt No. 4091

**VERSUS**

Inspector General of Police, Khyber Pakhtunkhwa,  
Peshawar and others

**APPLICATION FOR CONDONATION OF DELAY**

*Respectfully Sheweth:*

- 1) That the instant appeal has been filed today before this Hon'ble Court.
- 2) That the appellant was charged in Case FIR No: 2721, dated 28/12/2019, Under Section 17(4) Haraba, Police Station Chamkani and the appellant was firstly behind the bar and then after the grant of bail, the appellant suffered mental agony and serious depressive disorders. It is pertinent to mentioned here that due to the above mentioned situation, the appellant unfortunately cannot approach this Hon'ble Court with in time.
- 3) That as per the phenomenon of natural justice as well as various judgments of the Superior Court, the case should be decided on merits rather than the technicalities of law.

- 4) That the appellant have genuine cause for condoned the delay.
- 5) That it is the interest of justice to condone delay for filing the instant appeal.

*It is, therefore, upon acceptance of the instant application, the appeal may kindly be entertained in the pretext of justice.*

Dated: 30/04/2024

**APPELLANT**

Through



**Kifayat Ullah Shahabkhel**

Advocate, High Court

Peshawar

& 

**Noor Rahman Wazir**

Advocate, Peshawar.

**VERIFICATION:-**

It is verified that the contents of this plaint are true and correct to the best of my knowledge and belief and nothing has been intentionally concealed from this Hon'ble Court.



**Verifier**

**NOTE:-**

As per information supplied to me by my client no suit regarding the instant matter has earlier been filed or pending in any court of law between the parties.



**Advocate**



①

**BEFORE THE HON'BLE FEDERAL SERVICE**  
**TRIBUNAL, ISLAMABAD**



In SA No. 203 / 2023

Shabir Khan, Constable KP Police, Belt No. 4091, S/o Gul Bahadar R/o Shaikh Muhammadi, Tehsil & District Peshawar.

.....*Appellant*

**VERSUS**

1. Inspector General of Police, Khyber Pakhtunkhwa, Peshawar.
2. CCPO, Khyber Pakhtunkhwa, Peshawar.
3. District Police Officer, Peshawar.
4. Superintendent of Police, Headquarter, Peshawar.

.....*Respondents*

A. APPEAL UNDER SECTION 4 OF SERVICE TRIBUNAL ACT 1973 AGAINST THE ORDER DATED 08/02/2021 PASSED BY THE RESPONDENT NO. 4 AND RESPONDENT NO. 2 DATED 19/09/2023, WHEREBY THE APPELLANT WAS DISMISSED FROM SERVICE.

**PRAYER:**

Certified to be true copy

F. H. KHAN  
Khyber Pakhtunkhwa  
Service Tribunal  
Peshawar

N

Appeal No. 203/2024  
Shabir Khan vs Govt



19<sup>th</sup> Mar, 2024

1. Learned counsel for the appellant present.
2. The learned counsel for the appellant submits that inadvertently instead of addressing the appeal to this Tribunal, he addressed it to the Federal Service Tribunal, Islamabad. He wants to make correction in the memo and grounds of appeal. He may make the same within a week. To come up for preliminary hearing on 30.04.2024 before S.B. P.P given to the appellant.

(Kalim Arshad Khan)  
Chairman

Certified to be true copy

\*Adnan Shah\*

Khyber Pakhtunkhwa  
Service Tribunal  
Peshawar

Date of Presentation of Application 26-3-24

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Name of Applicant Shabir Khan

Date of Submission 26-3-24

Date of Delivery of Copy 26-3-24