

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

**SERVICE APPEAL NO. 590/2024**

**Khyber Pakhtunkhwa  
Service Tribunal**

Diary No. 15084

Dated 20/8/24

Muhabbat Khan

V/S

Police Department

**APPLICATION FOR PERMISSION TO SEEK AMENDMENT IN**  
**THE INSTANT APPEAL DUE TO PASSING THE ORDER DATED**  
**05.07.2024**

**RESPECTFULLY SHEWETH:**

1. That the appellant has filed the instant appeal in this Honorable Tribunal against the order dated 29.12.2023, whereby the appellant was dismissed from service and against the order dated 20.03.2024 whereby the departmental appeal of the appellant was also rejected along with the prayer to reinstate him with all back benefits.
2. That the appellant also filed revision before the Provincial Police Officer which was decided on 05.07.2024, wherein the revision of the appellant was partially accepted and his major punishment of dismissal from service was modified into minor punishment of stoppage of one (01) with cumulative effect and was reinstated into service with immediate effect and his intervening period was treated as leave without pay. **(Copy of order dated 05.07.2024 is attached as Annexure-A).**
3. That the appellant has filed the instant appeal with the prayer to reinstate him with all back and consequential benefits, but he was reinstated into service by modifying his major punishment of dismissal from service into minor punishment of stoppage of one annual increment with cumulative effect and his intervening period was treated as leave without pay in the order dated 05.07.2024. Therefore, the appellant wants to amend the instant appeal by impugning the order 05.07.2024 in this Honorable Tribunal.

It is therefore, most humbly prayed that on the acceptance of this application, the appellant may kindly be allowed to the extent that the instant appeal by impugning the order dated 05.07.2023.

APPELLANT

THROUGH:



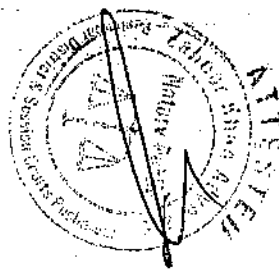
TAIMUR ALI KHAN  
ADVOCATE

**AFFIDAVIT**

it is solemnly affirm that the contents of this application is true and correct and nothing has been concealed from this Honorable Tribunal.



DEPONENT





OFFICE OF THE  
INSPECTOR GENERAL OF POLICE  
KHYBER PAKHTUNKHWA  
PESHAWAR.

ORDER

This order is hereby passed to dispose of Revision Petition under Rule 11-A of Khyber Pakhtunkhwa Police Rule-1975 (amended 2014) submitted by Kt-PC Muhabbat Khan No. 6584. SSP/Operations awarded the petitioner major punishment of dismissal from service vide Order Fndst. No. 2194-99/PA, dated 29.12.2023 on the allegations that he while posted as gunner I/C PP Science College, PS AMJ-Shah Peshawar was held responsible that as per recommendation of SPACcy, Peshawar vide his office memo No. 2791/R, dated 29.12.2023, that an audio message between 02 parties regarding bargaining for release of 02 accused of narcotics were widely viral on social media which were tasked to the EO for proper enquiry by high-ups. To trace the involved individuals, a special team comprising of SDPO Pishatkhan and SHO Sarhand was constituted who contacted the dealing hands and fixed 02 tac in lieu of release of arrested accused. The dealer fixed the venue for receiving the money and reached to the venue where the team succeeded to apprehend the dealer red handed. After interviewing, the dealer disclosed his name Younis s/o Sifai Shah r/o Superior Science College PS AMJ-Shah and disposed that he made bargaining on the direction of ASI Zeehan I/C PP Science College and his gunner Constable Muhabbat in connection with the release of arrested accused i.e. Gul Nazar and Musaqueem resident of Tirah.

The Appellate Authority i.e. CCPO/Peshawar heard the appellant in OR & rejected his appeal vide order fndst. No. 1194-1202/PA, dated 20.03.2024.

Meeting of Appellate Board was held on 27.06.2024 wherein petitioner was heard in person. The petitioner contended that the concerned SHO directed to arrest the main drug dealer.

The petitioner was heard in person. The Board by taking lenient view decided that his revision petition is hereby accepted by modifying his major punishment of dismissal from service into minor punishment of stoppage of one increment without cumulative effect. He is reinstated into service with immediate effect. The period he remained out of service be treated as leave without pay.


Sd/-

AWAL KHAN, PSP  
Additional Inspector General of Police,  
HQs: Khyber Pakhtunkhwa, Peshawar.

No. SI 1693-97 /24, dated Peshawar, the 05-07-2024.

Copy of the above is forwarded to the:

1. Capital City Police Officer, Peshawar. One Service Roll and One Enquiry File of the above named PC received vide your office Memo: No. 7312/GRC, dated 29.01.2024 is returned herewith for your office record.
2. SSP Operations, CCP Peshawar.
3. AIG/Legal, Khyber Pakhtunkhwa, Peshawar.
4. PA to Addl: IGP/HQs: Khyber Pakhtunkhwa, Peshawar.
5. PA to DIG/HQs: Khyber Pakhtunkhwa, Peshawar.

  
(SONTY SHAHROZ KHAN)  
PSP  
AIG/Establishment,  
For Inspector General of Police,  
Khyber Pakhtunkhwa, Peshawar