

**BEFORE THE SERVICE TRIBUNAL KHYBER PAKHTUNKHWA**

**PESHAWAR**

CM No \_\_\_\_\_/2024

In

Service Appeal No 1421/2023

Zubair Shah .....Appellant.

**V E R S U S**

CCPO & Others .....Respondents.

**I N D E X**

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1.	Application for interim relief with affidavit		1-2
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Dated:-15.08.2024

*Zubair Shah*  
Appellant

Through

*Fazal Shah Mohmand*  
Fazal Shah Mohmand

Advocate Supreme Court  
Of Pakistan

**OFFICE:-** Cantonment Plaza Flat 3/B Khyber Bazar Peshawar

Cell# 0301 8804841

**BEFORE THE SERVICE TRIBUNAL KHYBER PAKHTUNKHWA**

①

**PESHAWAR**

CM No \_\_\_\_\_/2024

Khyber Pakhtunkhwa  
Service Tribunal

In

Diary No. 15041

Service Appeal No 1421/2023

Dated 16-08-24

Zubair Shah, Driver Constable No 483, Capital City Police, Peshawar.

...

.....**Appellant**

**V E R S U S**

1. Capital City Police Officer, Peshawar.
2. Provincial Police Officer, Khyber Pakhtunkhwa, Peshawar.
3. District Police Officer Charsadda.
4. District Police Officer Nowshehra.

.....**Respondents**

**APPLICATION FOR RESTRAINING RESPONDENTS FROM  
TAKING DEPARTMENTAL ACTION AGAINST THE  
APPELLANT, TILL THE FINAL DISPOSAL OF TITLED APPEAL.**

**Respectfully Submitted:-**

1. That the above titled appeal is pending adjudication before this honorable tribunal and is fixed for. Final arguments on 01-10-2024.
2. That the facts and grounds of appeal may kindly be considered as integral part of this application.
3. That the malafide of the respondents are crystal clear that since 2011 to 2020 the appellant was made rolling stone between respondent No 1 and 3 and during that period no action was taken by the respondents against the appellant and when the respondents came to know that the appellant had filed Service appeal for his adjustment/posting then they have used tactics to pressurize the appellant by issuing him charge sheet along with statement of allegation on 07-08-2024.(Copy of Charge Sheet & Statement of allegation are enclosed.)
4. That the applicant/appellant has got good prima facie case and is sanguine of its success.
5. That the balance of convenience also lies in favor of the applicant/appellant.

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6. That if respondents are not restrained from taking departmental action ,the applicant/appellant would suffer irreparable loss.

It is therefore prayed that on acceptance of this application, the respondents may kindly be restrained from taking any departmental action against the appellant, till the final disposal of titled service appeal.

*[Signature]*  
Applicant/Appellant

Dated:-15-08-2024

Through

*[Signature]*  
Fazal Shah Mohmand

Advocate Supreme Court

Of Pakistan

## AFFIDAVIT

I, Zubair Shah, Driver Constable No 483, Capital City Police, Peshawar, do hereby solemnly affirm and declare on oath that the contents of this **Application** are true and correct to the best of my knowledge and belief and nothing has been concealed from this honorable Tribunal.



*[Signature]*  
DEPONENT



(3)

**OFFICE OF THE  
INSPECTOR GENERAL OF POLICE  
KHYBER PAKHTUNKHWA  
CENTRAL POLICE OFFICE,  
PESHAWAR**

Phone: 091-9210927 Email:  
secretbranchcpo@gmail.com

No. SI/2025-26/24,

dated Peshawar the 07/1/08/2024

To:

The Ms. Sonia Shamroz Khan PSP,  
AIG Establishment CPO, Peshawar.

The Mr. Hukam Khan,  
Acting SP Training CPO Peshawar.

Subject: - **CHARGE SHEET/STATEMENT OF ALLEGATIONS**

Memo:

Enclosed, please find herewith Charge Sheet/Statement of Allegations duly signed by the Competent Authority (in-duplicate) in r/o the following Ministerial/Executive Staff with the request to conduct enquiry into the allegations and report within the stipulated period.

S. No.	Name & Designation
1.	Mr. Ubaid-ur-Rehman, AGC (BS-16)
2.	Mr. Ajmal Khan, Senior Clerk (BS-14)
3.	Ex-DFC Zubair Shah No. 229

  
(AFSAR JAN)

Registrar,

For Inspector General of Police,  
Khyber Pakhtunkhwa, Peshawar.

Charge Sheet/Statement of Allegations to:

1. Mr. Ubaid-ur-Rehman, AGC (BS-16), posted at Training Branch CPO.
2. Mr. Ajmal Khan, Senior Clerk (BS-14), posted at Complaint Cell, CCP Office Peshawar.
3. Ex-Driver Constable Zubair Shah No. 229.

**ATTESTED**  
TO BE TRUE COPY



OFFICE OF THE  
INSPECTOR GENERAL OF POLICE  
KHYBER PAKHTUNKHWA  
Central Police Office, Peshawar

Phone: 091-9210927 Email: [secretbranchcpo9@gmail.com](mailto:secretbranchcpo9@gmail.com)

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No. \_\_\_\_\_

**CHARGE SHEET**

I, RIZWAN MANZOOR PSP, Deputy Inspector General of Police, Headquarters Khyber Pakhtunkhwa as Competent Authority, under Khyber Pakhtunkhwa Police Rules, 1975 (amended 2014) hereby charge you, Driver Constable Zubair Shah No. 229, as follows:-

- i. You while posted to Charsadda District Police were transferred to CCP, Peshawar vide Order Endst: No. 4681/OASI, dated 10.09.2011. However, you failed to report to CCP, Peshawar in compliance of the order ibid and remained absent with effect from 10.09.2011 to 17.06.2020 (08-years and 07-months), without any leave or permission from the Competent Authority. During this period, you were present in your village, driving your own flying coach, and allegedly were involved in the smuggling of NCP vehicles.

By reason of the above, you appear to be guilty of misconduct under the Khyber Pakhtunkhwa Police Rules, 1975 (amended 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 defense within seven (07) days of the receipt of this 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 defense to put in and in that case *ex-parte* action shall be taken against you.

You are directed to intimate whether you desire to be heard in person or otherwise.

A statement of allegation is enclosed.

**ATTESTED**  
TO BE TRUE COPY

(RIZWAN MANZOOR) PSP  
Deputy Inspector General of Police  
Headquarters, Khyber Pakhtunkhwa



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OFFICE OF THE  
INSPECTOR GENERAL OF POLICE  
KHYBER PAKHTUNKHWA

Central Police Office, Peshawar  
Phone: 091-9210927 Email: [secretbranchcpo9@gmail.com](mailto:secretbranchcpo9@gmail.com)

DISCIPLINARY ACTION

I, RIZWAN MANZOOR PSP, Deputy Inspector General of Police, Headquarters Khyber Pakhtunkhwa being Competent Authority, am of the opinion Diver Constable Zubair Shah No. 229 has rendered himself liable to be proceeded against, as he has committed the following acts of omissions/commissions within the meaning of the Khyber, Pakhtunkhwa Police Rules, 1975 (amended 2014).

STATEMENT OF ALLEGATIONS

- i. He while posted to Charsadda District Police was transferred and posted to CCP, Peshawar vide Order Endst: No. 4681/OASI, dated 10.09.2011. However, he failed to report to CCP, Peshawar in compliance of the order ibid and remained absent with effect from 10.09.2011 to 17.06.2020 (08-years and 07-months), without any leave or permission from the Competent Authority. During this period he was present in his village, driving his own flying coach, and allegedly was involved in the smuggling of NCP vehicles.

The said act of negligence depicts inefficiency, disobedience, indiscipline and lack of professionalism which amounts to grave misconduct on his part warranting stern disciplinary action against him.

For the purpose of scrutinizing the conduct of the said officer with reference to the above allegations, an Enquiry Committee of following officer (s) of Khyber Pakhtunkhwa is hereby constituted under Police Rules, 1975 (amended 2014):-

- i. Mrs. Sonia Shamroz Khan AIG Establishment CPO Peshawar.
- ii. Mr. Hukam Khan Acting SP Training, Directorate of Training CPO Peshawar.

The Inquiry Committee/officer (s) shall, in accordance with the provision of the said Rules, provide reasonable opportunity of hearing to the accused officer, record and submit its finding within 25 days of the receipt of this order, recommendations as to punishment or other appropriate action against the accused official.

**ATTESTED**  
TO BE TRUE COPY

RIZWAN MANZOOR, PSP  
Deputy Inspector General of Police,  
Headquarters, Khyber Pakhtunkhwa