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KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR

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Mamrez Khan

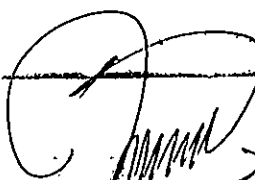
VS

Police Department

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Muharir  Compilation

 29/5/24
Incharge Judicial Branch



OFFICE OF THE
SUPERINTENDENT OF POLICE, FRP
PESHAWAR RANGE, PESHAWAR.

Ph: No. 091-9210467

No. 307 /PA, dated 28/07/2020.

CHARGE SHEET

I, Jehanzeb Khan, Senior Superintendent of Police, Frontier Reserve Police, Peshawar Range, Peshawar empowered by the competent authority, under E&D rules 2011 and vide this office letter No.303/PA dated 24.07.2020, the remarks of Commandant FRP/KP Agreed and Suggested conduct proceed accordingly in accordance with law, you Senior Scale Stenographer Fawad Khan (PA to Deputy Commandant FRP/KP) hereby charge as follows:-

- i) Constables Amir Waseem, No.6090/6019 and Rehmat Zameer No.5138 have managed their transfer/Posting orders under the fake signature of AIG Establishment CPO Peshawar. In this regard preliminary enquiry was conducted through Inquiry Committee comprising by DSP/FRP/HQrs. and RI/FRP/PR wherein you were found guilty and involved in submission of the same orders in the office of office Superintendent FRP/KP.
 - ii) All this speaks highly adverse on your part warranting stern disciplinary action you.
2. By reasons of the above, you appear to be guilty of misconduct under Ru 4 of Khyber Pakhtunkhwa Govt. Servants Efficiency and Discipline Rules 2011 and have rendered yourself liable to all or any of the penalties specified in the Rules ibid.
 3. You are, therefore, required to submit your written defense within seven days of the receipt of this charge sheet to the inquiry committee/inquiry officer as the case may be.
 4. Your written defense, if any should reach the inquiry officer/inquiry committee 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 follow against you.
 5. Intimate whether you desire to be heard in person.
 6. A statement of allegations is enclosed.

(Jehanzeb Khan)
Superintendent of Police, F.R.P
Peshawar Range, Peshawar.

Service Appeal No. 1192/2022 titled "Mamrez Khan Vs. Inspector General of Police, Khyber Pakhtunkhwa, Peshawar and others", decided on 08.05.2024 by Division Bench comprising of Mr. Kalim Arshad Khan, Chairman, and Mr. Mohammad Akbar Khan, Member Executive, Khyber Pakhtunkhwa Service Tribunal, Peshawar.

KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR

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

Service Appeal No.1192/2022

Date of presentation of Appeal.....29.07.2022
Date of Hearing.....08.05.2024
Date of Decision.....08.05.2024

Mr. Mamrez Khan, Head Constable No.769, Police Station SNGPL, Karak.....(*Appellant*)

Versus

1. **Inspector General of Police**, Khyber Pakhtunkhwa, Peshawar.
2. **Regional Police Officer**, Kohat.
3. **District Police Officer**, Karak.....(*Respondents*)

Present:

Dr. Fawad Ullah, AdvocateFor the appellant
Mr. Asif Masood Ali Shah, Deputy District Attorney....For respondents

.....
APPEAL UNDER SECTION 4 OF THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL ACT, 1974 AGAINST THE IMPUGNED ORDER DATED 20.092021 OF THE DISTRICT POLICE OFFICER KARAK (RESPONDENT NO.3) WHEREBY PENALTY OF REMOVAL FROM SERVICE WAS IMPOSED ON THE APPELLANT AND THE IMPUGNED ORDER DATED 16.11.2021 PASSED BY THE REGIONAL POLICE OFFICER (RESPONDENT NO.2) VIDE WHICH DEPARTMENTAL APPEAL OF THE APPELLANT WAS REJECTED AND IMPUGNED ORDER DATED 11.04.2022 OF THE INSPECTOR GENERAL OF POLICE (RESPONDENT NO.1) VIDE WHICH THE REVISION PETITION OF APPELLANT FILED UNDER POLICE RULE 11-A OF POLICE RULES 1975 WAS PARTIALLY ACCEPTED AND PENALTY OF REMOVAL FROM SERVICE WAS CONVERTED INTO MAJOR PENALTY OF COMPULSORY RETIREMENT FROM SERVICE.

SCANNED
KPSST
Peshawar



JUDGMENT

KALIM ARSHAD KHAN, CHAIRMAN: Brief facts of the case are that appellant was serving as Head Constable in the Police Department; that on the basis of complaint, he was proceeded against departmentally and charge sheet/statement of allegations were issued followed by inquiry; that resultantly, he was dismissed from service; that feeling aggrieved, he filed departmental appeal to the RPO Kohat but the same was dismissed; that thereafter, he filed Revision Petition under the Khyber Pakhtunkhwa Police Rules, 1975 to the Inspector General of Police Khyber Pakhtunkhwa and the IGP converted the penalty of dismissal into compulsory retirement from service. Therefore, he filed the instant service appeal for reinstatement into service with back benefits.

2. 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 Deputy District Attorney 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 Deputy District Attorney controverted the same by supporting the impugned order(s).

6. The allegations against the appellant was his alleged involvement in an illegal extra departmental activities as well as misuse of official powers. The appellant was proceeded against departmentally on a complaint of one Bashir Ahmad Advocate in respect of some land property and during the entire inquiry proceedings there was nothing found to be said a misconduct so as to justify the proceeding against the appellant departmentally. There might be some private land dispute, but because of that dispute, we are unable to hold that the appellant could be held liable for misconduct or at least misusing his official position.

7. Keeping in view the situation, instant service appeal is accepted. The impugned orders are set aside and the appellant is reinstated into service with all back benefits. Costs shall follow the event. Consign.

8. *Pronounced in open Court at Peshawar and given under our hands and the seal of the Tribunal on this 8th day of May, 2024.*



KALIM ARSHAD KHAN
Chairman



MUHAMMAD AKBAR KHAN
Member (Executive)

12th Jan. 2024

1. Appellant in person present. Mr. Asad Ali Khan, Assistant Advocate General for the respondents present.
2. Former made a request for adjournment as his counsel was not available today. Adjourned. To come up for arguments on 08.05.2024 before D.B. P.P given to the parties.

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KPST
Peshawar

Mutazem Shah



(Rashida Bano)
Member (J)



(Kalim Arshad Khan)
Chairman

S.A #.1192/2022

ORDER

8th May. 2024

1. Learned counsel for the appellant present. Mr. Asif Masood Ali Shah, Deputy District Attorney for the respondents present.
2. Vide our consolidated judgment of today placed on file instant service appeal is accepted. The impugned orders are set aside and the appellant is reinstated into service with all back benefits. Costs shall follow the event. Consign.
3. *Pronounced in open Court at Peshawar and given under our hands and the seal of the Tribunal on this 8th day of May, 2024.*



(Muhammad Akbar Khan)
Member (E)



(Kalim Arshad Khan)
Chairman

Mutazem Shah

SCANNED
KPST
Peshawar

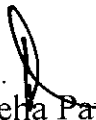
05.09.2023


Appellant alongwith his counsel present. Mr. Waqar Ahmad, ASI alongwith Mr. Asad Ali Khan, Assistant Advocate General for the respondents present.

Learned counsel for the appellant sought some time for preparation of arguments. Adjourned. To come up for arguments on 27.11.2023 before the D.B. Parcha Peshi given to the parties.

SCANNED
KPST
Peshawar

Naeem Amin


(Fareeha Paul)
Member (E)



(Salah-ud-Din)
Member (J)


27.11.2023 1. Learned counsel for the appellant present. Mr. Muhammad Jan learned District Attorney for the respondents present.

2. Learned counsel for the appellant requested for adjournment on the ground that he has not prepared the brief. To come up for arguments on 12.01.2024 before D.B. P.P given to the parties.

SCANNED
KPST
Peshawar

KaleemUllah

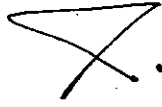

(Muhammad Akbar Khan)
Member (E)


(Rashida Bano)
Member (J)

03rd May, 2023

1. Learned counsel for the appellant present. Mr. Asad Ali Khan, Assistant Advocate General for the respondents present.
2. Learned counsel for the appellant seeks adjournment on the ground that he has not made preparation for arguments. Adjourned. To come up for arguments on 10.07.2023 before the D.B. Parcha Peshi is given to the parties.

SCANNED
KPST
Peshawar



(Salah-ud-Din)
Member (J)



(Kalim Arshad Khan)
Chairman

Naeem Amin

10.07.2023

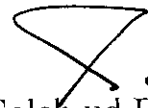
Appellant alongwith his counsel present. Mr. Sher Andaz, ASI alongwith Mr. Asad Ali Khan, Assistant Advocate General for the respondents present.

Learned counsel for the appellant sought adjournment on the ground that he has not made preparation for arguments. Adjourned. To come up for arguments on 05.09.2023 before the D.B. Parcha Peshi given to the parties.

SCANNED
KPST
Peshawar



(Rashida Bano)
Member (J)



(Salah-ud-Din)
Member (J)

Naeem Amin

13th March, 2023

Learned counsel for the appellant present. Mr. Fazal Shah Mohmand, Additional Advocate General alongwith Mr. Zafran-ud-Din, PSI for the respondents present.

Learned counsel for the appellant requested for adjournment on the ground that he has not made preparation for arguments. Adjourned. To come up for arguments on 22.03.2023 before the D.B. Parcha Peshi given to the parties.

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Peshawar

(Salah-ud-Din)
Member (J)

(Kalim Arshad Khan)
Chairman

22.03.2023

Junior to counsel for appellant present.

Mr. Fazal Shah Mohmand, Additional Advocate General for respondents present.

SCANNED
KPST
Peshawar

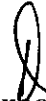
Learned Member Judicial (Mrs. Rozina Rehman) is on leave, therefore, case is adjourned to 03.05.2023 for arguments before D.B. Parcha Peshi given to the parties.

(Muhammad Akbar Khan)
Member (E)

14th Dec. 2022

Due to strike of the Bar and Mrs. Rozina Rehman, learned Member (J) being on leave, this matter is adjourned to 06.03.2023 before the D.B. Office is directed to notify the next date on the notice board as well as the website of the Tribunal.

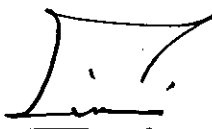
SCANNED
KPST
Peshawar



(Farzana Paul)
Member(E)

06th Mar, 2023

Learned counsel for appellant present. Mr. Naseer Ud Din Shah, Assistant Advocate General alongwith Iftikhar Iqbal PSI for the respondents present.

Arguments heard. During the course of arguments, we found that the action against the appellant was initiated on the basis of an inquiry alleged to have been conducted by Zahir Shah SP Investigation. Neither the inquiry report nor the proceedings are placed on file, therefore, the entire inquiry proceedings are directed to be placed on file within a week. To come up for record/arguments on 13.03.2023 before D.B. PP given to the parties.



(Salah Ud Din)
Member (J)


(Kalim Arshad Khan)
Chairman

11.10.2022

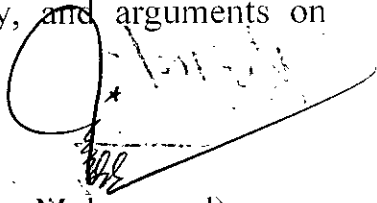
9
Junior to counsel for the appellant. Mr. Muhammad Adeel Butt, Additional Advocate General for respondents present.

Written reply on behalf of respondents not submitted. Learned Additional AG seeks time to contact the respondents for submission of written reply. Adjourned. To come up for written reply/comments on 16.11.2022 before S.B.


(Fareeha Paul)
Member (E)

16.11.2022

Learned counsel for the appellant present. Mr. Kabirullah Khattak, Additional Advocate General alongwith Mr. Waqar Ahmed, ASI for the respondents present and submitted reply/comments which are placed on file. Copy of the same handed over to learned counsel for the appellant. To come up for rejoinder, if any, and arguments on 14.12.2022 before D.B.


(Mian Muhammad)
Member (E)


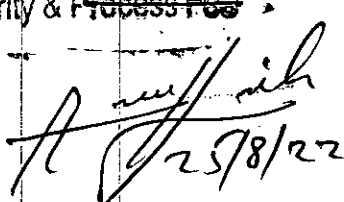
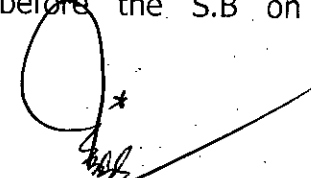
SCANNED
K. T.
Peshawar

Form-A

FORM OF ORDER SHEET

Court of _____

Case No.- _____ 1192/2022

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	29/07/2022	<p>The appeal of Mr. Mamrez Khan presented today by Dr. Fawad Jan Advocate. It is fixed for preliminary hearing before Single Bench at Peshawar on _____ Notices be issued to appellant and his counsel for the date fixed. 19-8-22</p> <p>By the order of Chairman  REGISTRAR</p>
19.08.2022	<p>Rs-100/- Appellant Deposited Security & Process Fee</p> <p> 25/8/22</p> <p>SCANNED KPST Peshawar</p>	<p>Learned counsel for the appellant present. Preliminary arguments heard.</p> <p>Points raised need consideration. The appeal is admitted to regular hearing, subject to all just and legal objections. The appellant is directed to deposit security and process fee within 10 days. Thereafter, notices be issued to the respondents for submission of written reply/comments. To come up for reply/comments before the S.B on 11.10.2022.</p> <p> (Mian Muhammad) Member (E)</p>

KHYBER PAKHTUNKHWA SERVICES TRIBUNAL, PESHAWAR**CHECK LIST**

Mamroz Khan Versus
..... Appellant

Court of KPK
..... Respondents

S NO	CONTENTS	YES	NO
1.	This petition has been presented by: <u>Dr. Fawad Jan</u> Advocate <u>High Court</u>	√	
2.	Whether Counsel/Appellant/Respondent/Deponent have signed the requisite documents?	√	
3.	Whether appeal is within time?	√	
4.	Whether the enactment under which the appeal is filed mentioned?	√	
5.	Whether the enactment under which the appeal is filed is correct?	√	
6.	Whether affidavit is appended?	√	
7.	Whether affidavit is duly attested by competent Oath Commissioner?	√	
8.	Whether appeal/annexures are properly paged?	√	
9.	Whether certificate regarding filing any earlier appeal on the subject, furnished?	√	
10.	Whether annexures are legible?	√	
11.	Whether annexures are attested?	√	
12.	Whether copies of annexures are readable/clear?	√	
13.	Whether copy of appeal is delivered to AG/DAG?	√	
14.	Whether Power of Attorney of the Counsel engaged is attested and signed by petitioner/appellant/respondents?	√	
15.	Whether numbers of referred cases given are correct? .	√	
16.	Whether appeal contains cutting/overwriting?	×	
17.	Whether list of books has been provided at the end of the appeal?	√	
18.	Whether case relate to this court?	√	
19.	Whether requisite number of spare copies attached?	√	
20.	Whether complete spare copy is filed in separate file cover?	√	
21.	Whether addresses of parties given are complete?	√	
22.	Whether index filed?	√	
23.	Whether index is correct?	√	
24.	Whether Security and Process Fee deposited? On _____	√	
25.	Whether in view of Khyber Pakhtunkhwa Service Tribunal Rules 1974 Rule 11, notice along with copy of appeal and annexures has been sent to respondents? On _____	√	
26.	Whether copies of comments/reply/rejoinder submitted? On _____		
27.	Whether copies of comments/reply/rejoinder provided to opposite party? On _____		

It is certified that formalities/documentation as required in the above table have been fulfilled.

Name:- Dr. Fawad Jan

Signature:-

Dated:- 29/7/22

**BEFORE THE HONOURABLE
KHYBER PAKHTOONKHA SERVICE TRIBUNAL,
PESHAWAR**

Appeal No. 1192/2022

**SCANNED
KPST
Peshawar**

Mamrez KhanAppellant

Versus

Govt of KPK & Others.....Respondents

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4	Copy of Order dated 11.04.2022	A-2	9
4	Copy of Charge sheet	B	10
5	Copy of statement of allegation	B-1	11
5	Copy of reply	C	12-15
6	Copy of application	D & D-1	16-17
7	Copy of departmental appeal	E	18-20
8	Review Petition	F	21-22
9	Copy of the order for amendment in appeal No. 310/2022	G	23-24
10	Wakalathnama		

Appellant

Through

Dr. Fawad Jan 

Advocate, Peshawar

Dated: 27.07.2022

drfawadjan@gmail.com

BEFORE THE HONOURABLE
KHYBER PAKHTOONKHTWA SERVICE TRIBUNAL,
PESHAWAR

Khyber Pakhtunkhwa
Service Tribunal

Diary No. 871

Dated 29/07/2022

Appeal No. 1192 /2022

Mr. Mamrez Khan, Head Constable No.769, Police Station
SNGPL, KarakAppellant

V E R S U S

1. Inspector General of Police, KPK, Peshawar.
2. Regional Police Officer, Kohat.
3. District Police Officer, Karak.

.....Respondents

APPEAL U/S-4 OF THE KHYBER
PAKHTOONKHTWA TRIBUNAL ACT 1974
AGAINST THE IMPUGNED ORDER DATED:
29.09.2021 OF THE DISTRICT POLICE
OFFICER KARAK (RESPONDENTS NO.3),
WHEREBY PENALTY OF REMOVAL FROM
SERVICE WAS IMPOSED ON APPELLANT AND
THE IMPUGNED ORDER DATED: 16.11.2021
PASSED BY THE REGIONAL POLICE OFFICER
(RESPONDENT NO.2) VIDE WHICH THE
DEPARTMENTAL APPEAL OF APPELLANT WAS
REJECTED AND IMPUGNED ORDER DATED
11.04.2022 OF THE INSPECTOR GENERAL OF
POLICE KHYBER PAKHTOONKHTWA
(RESPONDENT NO. 1), VIDE WHICH THE
REVISION PETITION OF APPELLANT FILED
UNDER POLICE RULE 11-A OF POLICE RULES
1975 WAS PARTIALLY ACCEPTED AND
PENALTY OF REMOVAL FROM SERVICE WAS

14

(2)

CONVERTED INTO MAJOR PENALTY OF
COMPULSORY RETIREMENT FROM SERVICE.
COPIES OF ALL THE THREE ORDERS ARE
ENCLOSED AS ANNEXURE A, A-1 AND A-2
RESPECTIVELY.

Prayer in Appeal:

ON ACCEPTANCE OF THIS APPEAL THE
IMPUGNED ORDER DATED: 16.11.2021 OF
THE RESPONDENTS NO.2, AND THE
IMPUGNED ORDER DATED: 29.09.2021 OF
THE RESPONDENT NO.3 AND IMPUGNED
ORDER DATED: 11.04.2022 MAY PLEASE BE
SET-ASIDE AND THE APPELLANT POSITION
MAY KINDLY BE RESTORED WITH ALL BACK
BENEFITS.

Respectfully Sheweth..

Appellant very humbly submits the service appeal based
on the following facts and grounds.

Facts:-

1. That the appellant is bona-fide resident of village Gardi Banda, Tehsil Takhte Nasrati District Karrak. The appellant joined police as a constable and was promoted to the rank of head constable. The appellant had put in long and unblemished service of 37 years in police. In the year 2021 appellant while posted in Police Station Sui Northern Gas Pipe line (SNGPL) Karak was rendered to disciplinary action by respondent NO. 3 on the basis of business departmental charges.
2. That un-officially partitioned landed property situated adjacent of the house of appellant was purchased by one Bashir Advocate. Appellant being a co-sharer in the property and neighbor was having superior right of pre-emption, therefore, appellant without loss of a moment-initiated pre-emption proceedings by serving notice on vender followed by lodging pre-emption suit before competent court.
3. That the quick and lawful action of appellant annoyed the vendee and vendor and both started

- harassing the appellant one way or the other so as to force and pressure, the appellant for withdrawal of the suit but appellant did not succeed to their nefarious designs.
4. That the vendee and vendor lodged joint complaint against appellant before respondent NO. 3, the immediate superior officer of appellant. The complaint was based on false, fabricated and concocted allegations of criminal intimidation and misuse of officiated status.
 5. That through the matter was purely private event and was not rendered to official duty or commission of misconduct yet respondent No. 3 rendered appellant to disciplinary action, charge sheet and statement of allegations based on false contents of complaint of vendee and vendor was issued to appellant. **Copies of the charge sheet and statement of allegation annexed as annexure as B and B-1.**
 6. That the appellant submitted detailed and plausible reply in response to the charge sheet but the defense of the appellant was not considered. In same vein appellant when noticed the biased attitude of the enquiry officer, the appellant submitted two applications for transfer of the enquiry to another officer. **Copies of the reply and applications are attached as annexure -C, D-1 and D-2.**
 7. That though appellant expressed written no confidence on the enquiry officer yet the same enquiry officer submitted fact findings based on no evidence that the charge is proper and respondent NO. 3 without issuing final show cause notice, provision of the copy of the fact findings and chance to personal hearing issued removed from service order of the appellant. **Copy of the order is already enclosed as annexure -A.**
 8. That appellant filed departmental appeal before the respondent No. 2 against the order of respondent No. 3 but the departmental appeal was rejected. **Copy of the departmental appeal and rejection order is enclosed as annexure E and rejection order already enclosed as annexure A-1.**
 9. That the appellant filed revision petition under rule 11 -A of the Police Rules 1975 before the respondent No. 1 against the orders of the respondent No. 2 and 3. The review petition was not respondent therefore the appellant submitted service appeal No. 310/2022 before this honorable service tribunal. **Copy of the revision petition is enclosed as annexure F.**

- 10. That respondent No. 1 partially accepted the revision petition vide order dated 11/04/2022 whereby the penalty of removal from service was converted into compulsory retirement from service. **Copy of the order is already enclosed as annexure - A-2.**
- 11. That in the view of the above changed scenario appellant placed request for amended of the service appeal and also prayed for the grant of permission of filing afresh appeal for challenging inter alia the major penalty of compulsory retirement from service.
- 12. That this honorable tribunal was pleased to allow the above request of appellant vide order dated **copy of the order is considered as annexure G.** Therefore, the appellant submits fresh appeal on the following grounds.

GROUND:

- A. That the enquiry proceedings were conducted in flagrant violation of law and rules governing disciplinary actions. No one was examined as a witness in support of the charges leveled against appellant. No chance of cross examination of the witnesses was provided to appellant. Appellant expressed written no confidence on enquiry officer but the enquiry officer and respondent No. 3 ignore the written objection of appellant. Enquiry having not conducted in accordance with law, the entire subsequent action based on the enquiry findings have no legal sanctity.
- B. That under the law and rules, enquiry officer will be confined to the allegations stated in the charge sheet. Enquiry officer will not travel beyond the ambit of such allegations. The enquiry officer of appellant case was biased and he submitted findings based on his personal observations and grievances. The enquiry officer submitted findings in violation of settled principle of law that "No one shall be a judge of his own cause."
- C. That superior courts have held in numerous reported judgements that final show cause notice along with enquiry findings shall be supplied to accused officer. No final show cause notice was issued to appellant. Findings of enquiry officer were not supplied despite submission of an application before the respondent No. 3.

- D. That the respondents have passed the order without properly evaluating the facts and evidence on record. Therefore, the orders are against law, facts and materials on record, hence liable to be set aside.
- E. That the impugned orders were outcome of private event between appellant and his opponents of the pre-emption suit. Respondent No. 3 and the enquiry officer under the influence of the opponents of appellant, initiated departmental proceedings against appellant despite the fact it was no case of commission of mis conduct.
- F. That appellant was not associated in the enquiry proceedings. No opportunity of personal hearing was provided. The impugned orders were passed in slipshod manner without applying prudent mind for ascertaining the truth or otherwise of the charge, award of penalty to police officer on the base of civil dispute of police officer with his opponents, adversely affect the moral of the police establishment.
- G. That the whole departmental file has been prepared in violation of law and rules. Appellant was serving police as lower subordinate therefore question of criminally intimidating an advocate and co-villagers does not arise. Again, a lower subordinate is not in position to misuse his authority. Therefore, there is no truth in the charge and the same is baseless and the opponent of appellant fabricated the charge with sole aim of harassing the appellant for withdrawal of pre-emption suit.
- H. That the impugned orders suffer from legal and factual infirmities and mis-application of law in violation of settle principles of evaluation of facts and evidence by the superior courts.
- I. That the Appellant per policy of civil servant should be given an opportunity of hearing and the same has not been done, which seems to be injustice with Appellant.
- J. That the appellant belongs to very poor family and according to civil servant laws and impugned orders without fulfilling the legal

- requirements is nullity in the eye of law and also against all norms of natural justice.
- K. That appellant seeks permission of the honorable tribunal for rising other grounds at the time of hearing of the case.

IT IS, THEREFORE, GRACIOUSLY PRAYED THAT ON ACCEPTANCE OF THIS APPEAL THE IMPUGNED ORDERS OF THE RESPONDENTS MAY PLEASE BE SET-ASIDE AND THE APPELLANT MAY KINDLY BE REINSTATED WITH ALL BACK BENEFITS.

Mamun
Appellant

Through:

Dr. Fawad Jan
Advocate, Peshawar

Dated: 27.07.2022

VERIFICATION:

It is verified that (as per information given me by my client) all the contents of the instant appeal are true and correct and nothing has been concealed intentionally from this Hon'ble Tribunal.

Advocate *Fawad*

Note:

That no such like petition / Appeal on this subject matter has earlier been filed before this Hon'ble Tribunal.

Advocate *Fawad*

ORDER

My this Order will dispose off the departmental enquiry against HC Mumraiz Khan No. 789 (suspended) of this district Police.

Facts are that as per complaint submitted by sons of Gul Daraz and Bashir Ahmad etc that HC Mamraiz Khan No. 769 indulged in extra and illegal departmental activities and misuse of his official power. This is quite adverse on his part and shows his malafide intention and non- professionalism in the discharge of his official obligations. Such act on his part is against the service discipline and amounts to gross misconduct.

He was issued with Charge Sheet and Statement of allegations. Mr. Zahir Shah, SP Investigation Wing Karak was appointed as an Enquiry Officer to conduct proper departmental enquiry against him and submits his findings within the stipulated time.

The Enquiry Officer reported that HC Mumraiz Khan is involved in illegal extra activities being a member of discipline Force. Iftekhhar Ullah sale 62 Kanal land on Bashir Ahmad Advocate but HC Mumraiz possessed forcibly the said land without having legal rights. He is found guilty of the charges and he is poison for the Police department.

He was called and heard in person in the Orderly Room.

Keeping in view of the available record and facts on file, perusal of enquiry papers and recommendations of the E.O, he is found guilty of the charges, he is involved in extra departmental activities, his services is no more required, therefore, he is awarded major punishment of removal from service with immediate effect.

OB No. 587
Dated 29/09/2021



District Police Officer, Karak

District Police Officer
(Karak)


ATTESTED

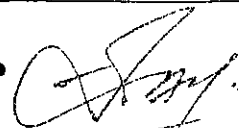
ORDER.

This order will dispose of a departmental appeal, moved by Ex-HC Mamraiz Khan No. 769 of Karak district against the punishment order, passed by DPO Karak vide OB No. 587, dated 29.09.2021 whereby he was awarded major punishment of removal from service on the allegations forcibly occupying land without any legitimate right and his involvement in extra / illegal departmental activities being member of a disciplined force.

He preferred an appeal to the undersigned, upon which comments were obtained from DPO Karak and his service record was perused. The appellant was also called and heard in Orderly Room held in this office on 09.11.2021. During hearing, the appellant did not produce any plausible explanation in his defense to prove his innocence and just advanced lame excuses.

I have gone through the available record and came to the conclusion that the allegations leveled against the appellant are proved beyond any shadow of doubt and the same have also been established by the E.O in his findings. Therefore, in exercise of the powers conferred upon the undersigned, his appeal being devoid of is hereby rejected.

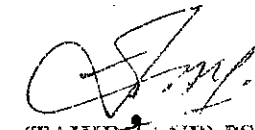
Order Announced
09.11.2021



(TAHIR AYUB) PSP
Region Police Officer,
Kohat Region.

No. 6578/EC, dated Kohat the 16/11 /2021.

Copy for information and necessary action to the District Police Officer, Karak w/r to his office Memo: No. 6578/EC, dated 20.10.2021. His Service Roll / Fauji Missal is returned herewith.

*Ec/OH/21
As a return (along with S.O.)*


(TAHIR AYUB) PSP
Region Police Officer,
Kohat Region.

17/11

ATTESTED

21

Annex - A - 2 (9)



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 Ex-Head Constable Mamraiz Khan No. 769. The petitioner was removed from service by District Police Officer, Karak vide OB No. 587, dated 29.09.2021 on the allegations that as per complaint preferred by sons of Gul Daraz and Bashir Ahmad etc that the above named ex-official indulged in extra and illegal departmental activities and misuse of his official power. His appeal was rejected by Regional Police Officer, Kohat vide order Endst: No. 18387/EC, dated 16.11.2021.

Meeting of Appellate Board was held on 29.03.2022 wherein petitioner was heard in person. Petitioner contended that he lodged pre-emption suit which annoyed Bashir Advocate and the Bashir Advocate and his brother make false complaint against him to harass him.

The petitioner has long service of 36 years, 11 months & 14 days at his credit.

Keeping in view his long service, the Board decided that the punishment of removal from service is hereby converted into compulsory retirement from service.

Sd/-

SABIR AHMED, PSP

Additional Inspector General of Police,
HQrs: Khyber Pakhtunkhwa, Peshawar.

No. SI 661-67 /22, dated Peshawar, the 11 / 14 /2022.

Copy of the above is forwarded to the:

1. Regional Police Officer, Kohat. One Service Roll and one Fauji Missal of the above named Ex-HC received vide your office Memo: No. 19701/EC, dated 17.12.2021 is returned herewith for your office record.
2. District Police Officer, Karak.
3. PSO to IGP/Khyber Pakhtunkhwa, CPO Peshawar.
4. AIG/Legal, Khyber Pakhtunkhwa, Peshawar.
5. PA to Addl: IGP/HQrs: Khyber Pakhtunkhwa, Peshawar.
6. PA to DIG/HQrs: Khyber Pakhtunkhwa, Peshawar.
7. Office Supdt: E-IV CPO Peshawar.

Jad
ATTESTED

IRfan Tariq
05/04/22

(IRFAN TARIQ) PSP
AIG/Establishment,
For Inspector General of Police,
Khyber Pakhtunkhwa, Peshawar.

22

Ammt-B

10

No. 109 /Enq

Dated 06/07/2021

CHARGE SHEET

I, HAROON RASHID KHAN, District Police Officer, Karak as a competent authority, hereby charge you HC Mamraiz Khan No. 769 (suspended) Police Lines Karak as follows:-

"As per complaint submitted by sons of Gul Daraz and Bashir Ahmad etc that you HC Mamraiz Khan No. 769 indulged in extra and illegal departmental activities and misuse of your official power. This is quite adverse on your part and shows your malafide intention and non- professionalism in the discharge of your official obligations. Such act on your part is against the service discipline and amounts to gross misconduct.

1. By the reason of your commission/omission, constitute miss-conduct under Police disciplinary Rule-1975 (amendment Notification. No. 3859/Legal, dated 27.08.2014) Govt: of Khyber Pakhtunkhwa, Police Department, you have rendered your-self liable to all or any of the penalties specified in Police Rule-1975 ibid.

2. You are, therefore, required to submit your written defense within 07-days of the receipt of this charge sheet to the enquiry Officer SP hvi is hereby appointed for the purpose of conducting enquiry.

Your written defense if any should reach to the Enquiry Officer within a stipulated period, failing which shall be presumed that you have no defense to put in and in that case ex-parte action shall be taken against you.

3. Intimate whether you desire to be heard in person.

4. A statement of allegation is enclosed.

1311
12/7/2021

[Signature]
District Police Officer, Karak

49/2021
Pald
ATTESTED

25 Annex - B-1



(11)

(22)

DISCIPLINARY ACTION

I, HAROON RASHID KHAN, District Police Officer, Karak as a competent authority, is of the opinion HC Mamraiz Khan No. 769 (suspended) Police Lines Karak has rendered himself liable to be proceeded against on committing the following act/commission within the meaning of Police Disciplinary Rule-1975 (amendment Notification No. 3859/Legal, dated 27.08.2014) Govt: of Khyber Pakhtunkhwa, Police Department.

STATEMENT OF ALLEGATIONS

"As per complaint submitted by sons of Gul Daraz and Bashir Ahmad etc that HC Mamraiz Khan No. 769 indulged in extra and illegal departmental activities and misuse of his official power. This is quite adverse on his part and shows his malafide intention and non-professionalism in the discharge of his official obligations. Such act on his part is against the service discipline and amounts to gross misconduct.

1. The enquiry Officers SP (Inv) in accordance with provision of the Police Rule-1975 (amendment Notification No. 3859/Legal, dated 27.08.2014) Govt: of Khyber Pakhtunkhwa, Police Department may provide reasonable opportunity of hearing to the accused official, record his finding and make within 10-days of the receipt of this order, recommendation as to punishment or other appropriate action against the accused.

2. The accused official shall join the proceeding on the date, time and place fixed by the enquiry officer.

District Police Officer, Karak

No. 110 /Enq, dated 06/10/2021.

Copy to:-

1. The enquiry Officers for initiating proceeding against the accused under the Provision of the Police Disciplinary Rule-1975 (amendment Notification No. 3859/Legal, dated 27.08.2014) Govt: of Khyber Pakhtunkhwa, Police Department.
2. HC Mamraiz Khan No. 769 (suspended) Police Lines Karak

ATTESTED

①

بیان از ان مسرہ بر تقابیر 769 متغیر پولیس لائن رک

خواجہ چارج شیٹ نمبر ENQ/109 مورخہ 2021 کا 6 جاریہ ضابطہ کاروں اور الرشد

ڈسٹرکٹ پولیس امپروورڈ و متحمل و موثر ہیں

ممبران سائل سال 1984 کو پولیس میں تعیناتی ہوئی۔ اپنا مسرہ مدد سہرزیٹ

نہایت ایمانداری اور خوش اسلوبی سے ڈیوٹی سر انجام دے چکے ہیں

جس پر امیدوں بالا ہوگی تم شکایت کا موقع نہیں دیا ہے

مادرہ است کتہہ مان منبر جانبدار اٹھان ہے۔ جس کا مقصد

ماندن کا کوئی خوف رشتہ نہیں ہے۔ اراقی کمانہ 1011

تقداری کا - 276 مشترکہ جامد ہے

میں پیرا گو تقریباً 18/20 سال سے تعمیر کیا گیا ہے جس میں

میں بے مال چون لیا کہ رجائش پذیر ہیں

اسی کمانہ نمبر 1011 تقداری کا - 276 مشترکہ میں

مجموعی لیکچر ایڈووکیٹس اور دیگر اہل ذمہ داروں کے ہر اہل

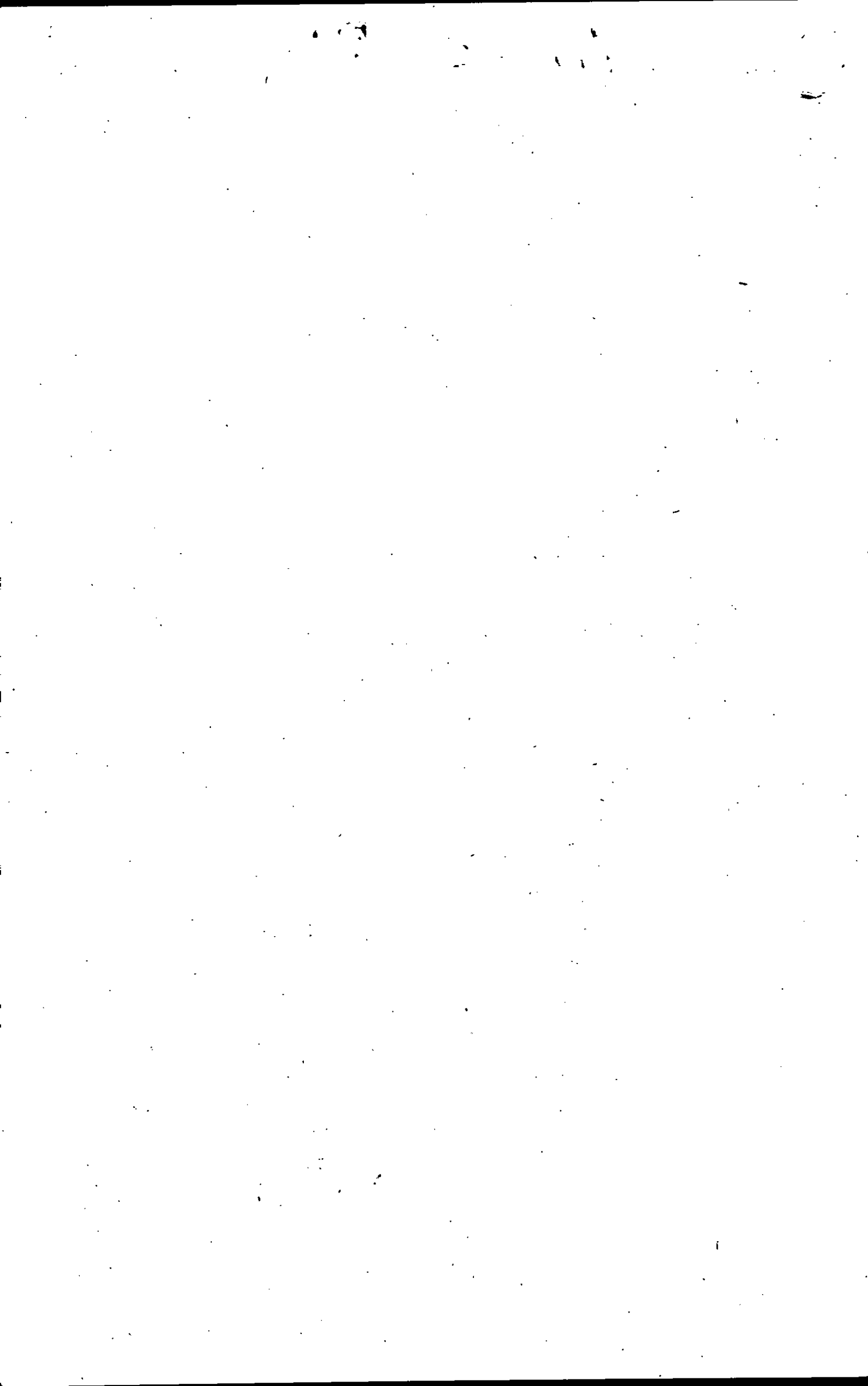
نے تقداری کا جامد اور فروخت کر چکا ہے

تکلیف ہو واضح ہے اور میں نہیں کیا گیا ہے

اسی مشترکہ کمانہ نمبر 1011 تقداری کا - 276

میں کیا اور اس سے پیر دیا گیا ہے جس کا

Paul
ATTESTED



قبضہ بھی حوالہ نہیں کیا گیا ہے۔ - بیویہ بہت صلہ ہے جو نے دیا ہے
 سے قبضہ ماحول باقی ہے۔ -
 ۲۔ خان صاحب اسی شکرہ کا تعلق ہے۔ سرکاری لقب نہیں ہے۔
 بدین و صاحب باقی ہے۔

مدرسہ اور ہوائے اور مائل کا حال گمانہ حقوق کو
 مد نظر رکھتے ہوئے روایت کنندہ گمان کو چاہیے۔ کہ وہ
 سرکاری لقب عدالت اور حکیم مال تک انتظار ہے
 جب مائل نے اس شکرہ جانشین اور قبیل از بی عدالت
 سے جو شفع بھی دیا ہے کیا ہے۔ عدالت منہل
 تک روایت کنندہ گمان انتظار منہل ہے۔
 : وہاں تک مائل سے صرف پولیس مارڈ کا استعمال
 ہوئے گا تعلق ہے۔ مائل SNGP گمان سے لفظیات
 نما۔ وہاں پر پولیس سے لفظیات لفظ ان سے صلہ ہے
 کر سکتے ہوئے مائل نے کب اور کہا مارڈ کر لیں
 گا وہ استعمال کیا ہے۔ جہد سے ایک سرمد لفظ
 اور سرمد لفظ بھی ہوگی گمان پر لفظ لفظ
 ۲۔ عروسی کا نام بھارت استعمال نہیں کر چکا ہے۔

Handwritten signature
 ATTESTED



3

نمبر 4 : درخواست کنندگان سیر رہائش گھر سے لقمہ پانچ / ملو پانچ
 کے نام کے پر دور رہائش گھر سے ملے ہیں۔ پورے مدرسے
 میں ہوتے ہوئے موقع ملے پر حسب اجازت مختلف
 اوقات سے گھر جانا پڑھا ہے۔ جو درخواست کنندہ باز
 گھر رہائش گھر سے پر بھی آئے ساتھ ساتھ
 ہیں پانچ

نمبر 5 : جب سائل کے آئے ساتھ آمنہ سائینڈ پانچ
 تو ایسا صورت سے انکو عرف پانچ پانچ
 کہے کہ وہ پانچ
 نہ کہ : سائل درخواست کنندہ پانچ اور مشہور ارفی کما
 پانچ 15/11 لقمہ پانچ - 276 عدو پانچ
 وقت لقمہ سے لقمہ پانچ پانچ پانچ
 بھی پانچ لقمہ پانچ پانچ پانچ

نمبر 7 : 540 صاحب لقمہ پانچ پانچ پانچ
 سے کہ اس نے موقع پانچ پانچ پانچ
 اور درخواست کنندہ پانچ پانچ پانچ
 پانچ پانچ پانچ پانچ پانچ پانچ
 پانچ پانچ پانچ پانچ پانچ پانچ
 پانچ پانچ پانچ پانچ پانچ پانچ

Paul
 ARRESTED



4

دینا خود بادشاہ ۸۵۱ جو اہد آباد کردے ہیں
 لندن مخالف عدالتوں کی طرف سے جواب نہیں دے
 ندری۔ جب مائل اور دروغت کتذہمان اور فتنہ برپا کیا
 صدود نماہ وقت لفرق کے اختیار سے ہے۔ لہذا
 صورت میں ۸۵۰ء تک تمام لوگ جو اہد آباد کیا
 تھے جو وہ پیر آنا بخاری کرتا ہے۔ ہم یہ دونوں افراد
 کیوں دوسرے صدود اختیار سے اور تصویر نا جائز
 دیاؤں ڈالنا ہے۔ جو غیر مالفرقی ہے اور مائل
 مالی۔ مذہب بالا قریب کو مد نظر رکھتے ہیں اور مائل
 کام فی لین ہوا سے غیر مائل کے
 صلہ کے پیار الزامات اور مائل کو صرف
 دلنا گورہ سپین کرتا
 اندھا صید جاریہ شیٹ منڈیکس کاروائی راقدا
 دفتر مندرجی جاوے
 سین ٹرانزیشن پوری
 الحارصا

پید کسٹیل مسٹر نیرخان 769 مہل پلین لائن
 کرب

Attested

فنا عالی

تاریخ ۱۳۰۱ھ میں ان کا لکھنؤ میں
میں دراز لکھنؤ لکھنؤ جاندار
تاریخ ۱۳۰۱ھ میں لکھنؤ میں
۲۷ جولائی ۱۳۰۱ھ میں

۱۳۰۱ھ میں لکھنؤ میں
۱۳۰۱ھ میں لکھنؤ میں
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۱۳۰۱ھ میں لکھنؤ میں
۱۳۰۱ھ میں لکھنؤ میں

ATTESTED

صفا مال کو

گزارشیں دیکھ سائل کا ایف بی ٹی ماٹرن ہونے پر
ڈیفینڈنٹ سائل اور اس کے ساتھ ساتھ ماٹرن

پر تازہ ہے جو وہ لکھ خلیق سائل

یہ صرف دیبا الزامات لگایا کر

دی ہے جو کہی انکوائری کی ہے انکوائری

کن کر رہا ہے۔ لیکن انکوائری غیر

خ سائل کو صرف ایک طرح

کا رویہ کرنے سے متعلق ہے۔ جس سائل

انکوائری اور انکوائری کے

الفاظ پر ہیں انکوائری کے

لہذا اس کے بعد انکوائری کے

کے ساتھ ساتھ اور غیر ماٹرن

سینئر سائل پر

27/7/2021

کھانسی کی سائل

769

Qad

Site Forwarded
L. Karim
27-7-2021

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Annex-E 18

To: The Regional Police Officer,
Kohat Region Kohat

Subject: DEPARTMENTAL APPEAL

With profound regards and great veneration appellant submits departmental appeal against the order dated 29.09.2021 bearing OB No. 58 7, passed by learned District Police Officer, Karak vide which appellant was removed from service.

FACTS

1. That appellant was serving as Head Constable District Karak under your kind command and control. Appellant is native of village Alam Sheri, Tehsil Takht-e-Nasrati. Now appellant has shifted his abode to village Gardi Banda and has constructed a house on ancestral property situated at Gardi Banda.
2. That one Bashir Advocate and his brothers purchased 27-Kanal and 04-Marla landed property vide Mutation No. 12295 attested on 18.03.2021, situated at Kata No. 1011 Moza Khojaki Tehsil Takht-e-Nasrati.
3. That appellant house is situated in the said Kata No. and is also co-owner in the said Kata. Therefore appellant lodged a Pre-emption Suit against Bashir and others before the Court of Civil Judge-II Takht-e-Nasrati (Copy of the Suit is attached).
4. That lodging of the pre-emption suit by appellant annoyed Bashir Advocate vender of the landed property and he first offered payment of certain amount for withdrawing the pre-emption suit but appellant did not accept the offer.
5. That Bashir Advocate in order to pressurize the appellant for withdrawing the pre-emption suit submitted a false and fabricated complaint against appellant before District Police Officer, Karak. Appellant was proceeded against departmentally on the allegations contained in false and concocted

Qad
ATTESTED



compliant of Bashir Advocate and the departmental proceedings culminated in passing the impugned order, hence this departmental appeal on the following grounds.

GROUND

- a. That the impugned order has been passed without taking into account the ground realities and facts and evidence on record. The lower authority and enquiry officer did not consider the plausible and detailed reply of appellant submitted in response to the charge sheet.
- b. That the enquiry officer conducted ex-parte proceedings. He did not associate appellant in the enquiry proceedings. He did not examine any witness including the applicant party in the presence of appellant. No chance of cross examination was provided to appellant. Therefore the enquiry proceeding are void ab-imitio.
- c. That appellant was the elder of the family and there was none other member of the family for lodging the pre-emption suit. Therefore appellant lodged the suit in his name. Lodging Civil Suit does not amount to commission of misconduct. No Law and Rules debar a Police officer or civil servant from knocking at the door of Civil Court for defending his civil right. Therefore the charge sheet was wrongly been issued to appellant.
- d. That Bashir Advocate first persuaded the appellant for withdrawal of the pre-emption suit by making payment and than resort to pressurize the appellant for withdrawing the suit by lodging false complaint against appellant before Police authority.
- e. That appellant was proceeded against departmentally on the basis of commission of no departmental charge. No allegation of absence from duty and misuse of official status has been leveled against appellant. Therefore the impugned order is not sustainable.


ATTESTED

(10)

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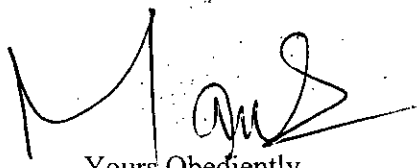
(10)

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- f. That no final show-cause notice was issued to appellant. The finding of enquiry officer were not supplied to appellant despite repeated request were placed before the authority.
- g. That the whole departmental file has been prepared in violation of the Law and Rules. Appellant may be allowed to other grounds during personal hearing.


Yours Obediently

Mamriz Khan
Ex-HC No. 769
District Karak
Cell: No. 0343-9802069

7.10.2021


ATTESTED

To

The Inspector General of Police,
Khyber Pakhtunkhwa, Peshawar.

Subject: REVIVE PETITION UNDER RULE 11-A POLICE RULES, 1975
(AMENDED 2014)

Respected sir,

With great reverence, petitioner very humbly submits petition against the order of District Police Officer, Karak dated 29-09-2021, OB No. 587 vide which petitioner was dismissed from service and order of Regional Police Officer, Kohat Region, Kohat dated 09-11-2021 issued vide No. 18387 M/ME dated 16-11-2021 where-by the departmental appeal of petitioner was rejected.

FACTS:-

- 1) That petitioner was serving in District Karak Police as Head Constable and 37 years long service was at the credit of petitioner. In July, 2021, petitioner was posted in Police Station SNGPL Karak and was rendered to disciplinary action.
- 2) That petitioner is native of village Gardi Banda, Tehsil Takhte Nasrati, Karak. One Bashir Advocate purchased a landed property situated adjacent to the house of petitioner and petitioner was also co-sharer in the property. Therefore, petitioner lodged a pre-emption suit before the Court of Civil Judge Takhte Nasrati.
- 3) That lodging of the pre-emption suit annoyed Bashir advocate. He in order to harass the petitioner lodged a false and concocted complaint against petitioner. He leveled allegations of involvement of petitioner in extra departmental activities and misuse of official authority.
- 4) That charge sheet based on above allegations was issued to petitioner and petitioner submitted reply in response to charge sheet. An ex-parte inquiry was conducted into the charges leveled against petitioner through Superintendent of Police Investigation, Karak.
- 5) That inquiry officer without collecting any evidence in support of the charges submitted finding and made recommendations, that petitioner was not fit for Police service. Eventually District Police Officer Karak passed the impugned order of dismissal from service of petitioner.
- 6) That the departmental appeal of petitioner was also rejected by Regional Police Officer Kohat vide impugned order, hence this petition on the following grounds.

GROUND:-

- 1) That the lower authority and the appellate authority as well not properly examine the record before passing the impugned order. Petitioner is defending his civil right of pre-emption which does not fall within the ambit of commission of misconduct; therefore the impugned orders are void ab-initio.


APPEALED



- 2) That Bashir advocate and his brothers make false complaint against petitioner based on charges of involvement in extra departmental activities and misuse of powers. Petitioner has filed civil suit against Bashir and others which does not fall within the mischief of involvement in extra departmental activities. Petitioner being a lower subordinate was unable to misuse his power and authority.
- 3) That no evidence was collected in support of the charges. No one was examined in the presence of petitioner. No chance of cross examination of the witnesses was provided to petitioner. Neither Final Show Cause noticed was issued to petitioner nor copy of findings of inquiry were supplied to petitioner.
- 4) That the inquiry officer allegedly based his opinion on the sole statements of complained makers. He did not take into account the pre-emption suit pending before the court which was the main motive behind the complaint.
- 5) That thirty (37) years long service was at the credit of petitioner and impugned orders were passed without noting the long service of petitioner. The whole departmental file against petitioner was prepared in violation of law and rules.
- 6) That being Police Officer, petitioner was competent to knock at the doors of civil court for seeking civil remedy. Therefore the charge was not tenable.
- 7) That Bashir advocate and his brother have lodged the complaint against petitioner with sole aim and objective of harassing the petitioner for withdrawing the pre-emption suit.

It is therefore requested that the impugned orders may be set aside with grant of back benefits.

Enclosures impugned orders


Yours obediently

Mamraz Khan, Ex-HC N769

District Karak

Cell No 0343-9802069

22-11-2021


ATTESTED

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Annex-4 (23) (1)



**BEFORE K.P.K, SERVICE TRIBUNAL, K.P.K,
PESHAWAR**

Appeal No. 310 /2022

Khyber Pakhtunkhwa
Service Tribunal

Diary No. 344

Dated 23/2/2022

Mr. Mamrez Khan, Head Constable No.769, Police Station
SNGPL, Karak

Appellant

Versus

1. Government of KPK, through, Secretary Home & Tribal Affairs KPK, Peshawar.
2. Inspector General of Police, KPK, Peshawar.
3. Additional Inspector General of Police Investigation, KPK, Peshawar.
4. Regional Police Officer, Kohat.
5. District Police Officer, Karak.

Respondents

APPEAL U/S-4 OF THE KHYBER
PAKHTOONKHWA TRIBUNAL ACT 1974
AGAINST THE IMPUGNED ORDER DATED:
16.11.2021 OF THE RESPONDENTS NO.4,
WHEREBY THE APPELLANT'S
DEPARTMENTAL APPEAL WAS DISMISSED
AND THE IMPUGNED ORDER DATED:
29.09.2021 OF THE RESPONDENT NO.5 WAS
MAINTAINED WHEREBY THE APPELLANT
AWARDED THE MAJOR PUNISHMENT OF
REMOVAL FROM SERVICE, WITHOUT ANY
REASONABLE AND PROBABLE CAUSE, WHICH
IS ILLEGAL, AGAINST LAW AND FACTS AND
LIABLE TO BE REVERSED.

Filed to-day

Registrar
23/2/2022

Re-submitted to-day
and filed.

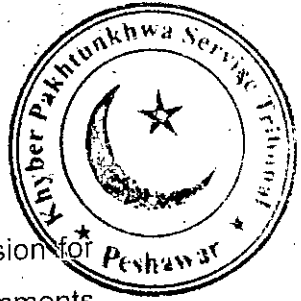
Registrar
8/03/2022

Certified to be true copy.

EXAMINER
Khyber Pakhtunkhwa
Service Tribunal
Peshawar

36

(24)



26.07.2022

Appellant present through counsel.

An application was submitted seeking permission for amendment. The case is in its initial stage and comments have not been filed by respondents till today. Therefore, application is allowed. Appellant is directed to submit amended appeal within 20 days. To come up for reply/comments on 11.10.2022 before S.B.

(Rozina Rehman)
Member (J)

Certified to be true copy

E. MINTAK
Khyber Pakhtunkhwa
Service Tribunal,
Peshawar

Date of Presentation of Application 28-7-22
 Number of Words 800
 Copying Fee 10/-
 Urgent -
 Total 10/-
 Name of Copyist -
 Date of Completion of Copy 29-7-22
 Date of Delivery of Copy 29-7-22

Member (E)

SCANNED
KPST
Peshawar
13/3/2023

Khyber Pakhtunkhwa
Service Tribunal

Diary No. 4221

Dated 13-3-2023

عزت فضا حیدر صاحب سروس ایمل نمبر 1192/2020 مورخہ 19/2/2020 سے 14/3/2023

PSA صاحب فیکس نمبر 1192/2020 مورخہ 13/3/2023 کو

طلب کی ہوئی تھی۔ رٹنوا انکوائری تھی۔ جمع کر کے لیا گیا ہے۔



عمران الدین
PPSI



38 1986
27-4-2022

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 Ex-Head Constable Mamraz Khan No. 769. The petitioner was removed from service by District Police Officer, Karak vide OB No. 587, dated 29.09.2021 on the allegations that as per complaint preferred by sons of Gul Daraz and Bashir Ahmad etc that the above named ex-official indulged in extra and illegal departmental activities and misuse of his official power. His appeal was rejected by Regional Police Officer, Kohat vide order Endst: No. 18387/EC, dated 16.11.2021.

Meeting of Appellate Board was held on 29.03.2022 wherein petitioner was heard in person. Petitioner contended that he lodged pre-emption suit which annoyed Bashir Advocate and the Bashir Advocate and his brother make false complaint against him to harass him.

The petitioner has long service of 36 years, 11 months & 14 days at his credit.

Keeping in view his long service, the Board decided that the punishment of removal from service is hereby converted into compulsory retirement from service.

Sd/-
SABIR AHMED, PSP
Additional Inspector General of Police,
HQrs: Khyber Pakhtunkhwa, Peshawar.

No. S/ 661-67 /22, dated Peshawar, the 11 / 4 / 2022.

Copy of the above is forwarded to the:

1. Regional Police Officer, Kohat. One Service Roll and one Fauji Missal of the above named Ex-HC received vide your office Memo: No. 19701/EC, dated 17.12.2021 is returned herewith for your office record.
2. District Police Officer, Karak.
3. PSO to IGP/Khyber Pakhtunkhwa, CPO Peshawar.
4. AIG/Legal, Khyber Pakhtunkhwa, Peshawar.
5. PA to Addl: IGP/HQrs: Khyber Pakhtunkhwa, Peshawar.
6. PA to DIG/HQrs: Khyber Pakhtunkhwa, Peshawar.
7. Office Supdt: E-IV CPO Peshawar.

*Ne 6762
11/4/2022*

DPO/Mamraz

*Per n. 2 copy to cis of Jui
Memo: No. 7336/Bg dt-13/04*

O/Asi/PO/PC/ILLegal

087/04/22

(URFAN TARIQ) PSP
AIG/Establishment,
For Inspector General of Police,
Khyber Pakhtunkhwa, Peshawar.

*Raw Impaction EP
Impaction, signed the official
according*

[Signature]
District Police Officer
Karak


ORDER.

This order will dispose of a departmental appeal, moved by Ex-HC Mamraiz Khan No. 769 of Karak district against the punishment order, passed by DPO Karak vide OB No. 587, dated 29.09.2021 whereby he was awarded major punishment of **removal from service** on the allegations forcibly occupying land without any legitimate right and his involvement in extra / illegal departmental activities being member of a disciplined force.

He preferred an appeal to the undersigned, upon which comments were obtained from DPO Karak and his service record was perused. The appellant was also called and heard in Orderly Room held in this office on 09.11.2021. During hearing, the appellant did not produce any plausible explanation in his defense to prove his innocence and just advanced lame excuses.

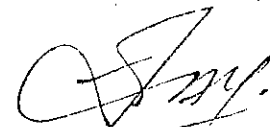
I have gone through the available record and came to the conclusion that the allegations leveled against the appellant are proved beyond any shadow of doubt and the same have also been established by the E.O in his findings. Therefore, in exercise of the powers conferred upon the undersigned, his appeal being devoid of is hereby **rejected**.

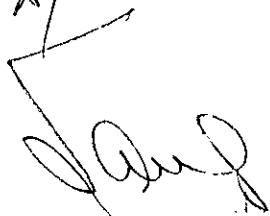
Order Announced
09.11.2021


(TAHIR AYUB) PSP
Region Police Officer,
Kohat Region.

No. 18387 /EC, dated Kohat the 16/11 /2021.

Copy for information and necessary action to the District Police Officer, Karak w/r to his office Memo: No. 6578/EC, dated 20.10.2021. His Service Roll / Fauji Missal is returned herewith.


(TAHIR AYUB) PSP
Region Police Officer,
Kohat Region.

*Ec/OA by
for information (along with S.R.)*


①

17/11

15/1

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From: The District Police Officer, Karak.

To: The District Police Officer, Hangu.

No. 6346 /EC, dated Karak the 6-10-2021

Subject: ENQUIRY PAPERS

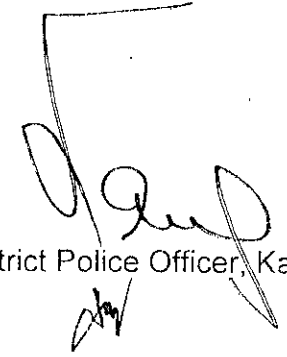
Memo:

Complete enquiry papers containing twenty-nine (29) pages along with departmental order in respect of Head Constable Mumraiz Khan No. 789 of your district presently serving in this district Police on loan basis is enclosed herewith for necessary entries and further action, under intimation to this office, please.

Encl: (30)



EC/OASi.
Ba. N/A.
B.P.O. HANGU
8/10


District Police Officer, Karak

ORDER

My this Order will dispose of the departmental enquiry against HC Mumraiz Khan No. 789 (suspended) of this district Police.

Facts are that as-per complaint submitted by sons of Gul Daraz and Bashir Ahmad etc that HC Mamraiz Khan No. 769 indulged in extra and illegal departmental activities and misuse of his official power. This is quite adverse on his part and shows his malafide intention and non- professionalism in the discharge of his official obligations. Such act on his part is against the service discipline and amounts to gross misconduct.

He was issued with Charge Sheet and Statement of allegations. Mr. Zahir Shah, SP Investigation Wing Karak was appointed as an Enquiry Officer to conduct proper departmental enquiry against him and submits his findings within the stipulated time.

The Enquiry Officer reported that HC Mumraiz Khan is involved in illegal extra activities being a member of discipline Force. Iftekhar Ullah sale 62 Kanal land on Bashir Ahmad Advocate but HC Mumraiz possessed forcibly the said land without having legal rights. He is found guilty of the charges and he is poison for the Police department.

He was called and heard in person in the Orderly Room.

Keeping in view of the available record and facts on file, perusal of enquiry papers and recommendations of the E.O, he is found guilty of the charges, he is involved in extra departmental activities, his services is no more required, therefore, he is awarded major punishment of removal from service with immediate effect.

OB No. 587
Dated 29/09/2021


District Police Officer, Karak

JM
(30)

42
29
R/Sir,

It is submitted that HC Mamraiz Khan No. 769 (suspended) P/L Karak has preferred an application requesting therein for transfer of his enquiry to another Enquiry Officer due to non-confidence upon the SP Investigation Wing Karak (E.O of the said enquiry).

Submitted for favour of perusal and further order, please.


SRC
DPO office Karak.

W/DPO

removal from service


District Police Officer
(Karak)

OF No: 587

dt 27-9-2021

مہتاب علی

گوشی صبر میں کیا اپنے گاموں میں لگاؤ

وغیرہ عمل سے لے کر لکھنا ماہر

پر تیار ہے۔ مخالف خدوئی مائل

معدود دما الزامات کا کر

ی ہے۔ مکی انکوائری اور انویسٹی

کے لئے کر رہا ہے۔ مکتبہ انکوائری افسر

میں مائل ہے۔ مخالف طرز

کارروائی کرنے والا ہے۔ مکی مائل

انکوائری افسر پر اعتراض ہے۔

القصاص پر مبنی، انکوائری سب سے

بہتر اور زیادہ ہے۔ انکوائری تبدیل

ہے۔ کاموں کا وقت باقاعدگی

میں فراہم ہوگی

27/7/2021
ممبران
769
142

Sites Forwarded,
Beem
Lo. Karak
27-7-2021

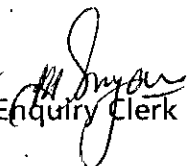
44

Respected Sir,

Reference attached F/A

It is submitted that **findings report** of the Enquiry Officer **Mr. Zahir Shah, SP, Investigation Wing Karak** on the departmental enquiry against **HC Mamraiz Khan No. 769 (suspended) P/L Karak** at F/B.

Submitted for perusal and further order, please.


Enquiry Clerk

W/DPO

انڈس ٹیکمانہ انکوائری H.C. محمد نیر خان

نمبر: Inv: 2267 مورخہ 28/7/21

نمبر شمار	نوعیت کاغذات	تعداد اور تاریخ	کیفیت
1	انڈس ٹیکمانہ	01	
2	خاندانہ ریکارڈس	02	
3	طریقہ سبب غم کی	06	صواب عالی
4	بیان انکوائری	01	انکوائری غم کی
5	بیان محمد نیر خان	08	بجائز انڈس ٹیکمانہ
6	بیان راجندر سنگھ	02	کل 22 خطا
7	بیان راجندر سنگھ	02	1/ قسم
		22	کل 22 خطا

انکوائری
28/7/21

از دفتر

سپر ٹنڈنٹ آف پولیس انوسٹی گیشن کرک



ای میل: spinvestigationkk@yahoo.com فون نمبر: 0927-291144 فیکس: 0927-291388

ریڈ نمبر: 2267 مورخہ: 28-7-2021

بجانب:- جناب DPO صاحب کرک

عنوان:- فائنڈنگ محکمانہ انکوائری HC مرز خان معطل پولیس لائن کرک

بکار سرکار

HC مرز خان کو جناب DPO صاحب نے ذیل الزام کے بناء پر چارج شیٹ نمبری 109/Enq مورخہ 06-7-2021 باری کر کے زیر دستخطی کو انکوائری آفیسر مقرر کیا۔ اندریں سلسلہ ذیل انکوائری کی گئی۔

الزام:-

پہران گل دراز اور بشیر احمد کے پیش کردہ درخواست کے مطابق آپ HC غیر قانونی اور غیر محکمانہ سرگرمیوں میں ملوث ہے۔ اور سرکار کی طاقت ناجائز استعمال کرتے ہو۔

تحقیقات:-

(i) HC مرز خان معطل شدہ پولیس لائن نے چارج شیٹ کا جواب جمع کر کے مذکورہ سلسلہ انکوائری مورخہ 14-7-2021 کو طلب کر کے HC مذکورہ نے ظاہر کیا ہے کہ

درخواست کنندہ گان غیر جانبدار اشخاص ہیں۔ جسکے ساتھ ہمارا کوئی رشتہ نہیں ہے۔ اراضی کھاتہ نمبر 1011 تعدادی 276 کنال 00 مرلہ مشترکہ جائیداد ہے۔ جس میں میرا گھر تقریباً 18/20 سال سے تعمیر ہے۔ جس میں بال بچوں کے رہائش پذیر ہوں۔ اسی کھاتہ نمبر 011 میں گل دراز وغیرہ نے 56 کنال اراضی سہمی بشیر احمد پر فروخت کر چکا ہے۔ لیکن یہ واضح نہیں کیا گیا ہے۔ کہ اسی مشترکہ کھاتہ نمبر 1011 میں کون اور کس سمت پردیا گیا ہے۔ جبکہ قبضہ بھی حوالہ نہیں کیا ہے۔ اور سمت معلوم نہ ہونے کی وجہ سے قبضہ تاحال بقایا ہے۔

مندرجہ ذیل وجوہات اور سبب کے مالکانہ حقوق کو مدنظر رکھتے ہوئے درخواست کنندہ گان کو چاہئے کہ وہ سرکاری تقسیم عدالت اور محکمہ مال تک انتظار کریں۔ جبکہ سائل نے اسی مشترکہ جائیداد پر عدالت میں حق شفع بھی دائر کیا گیا ہے۔

درخواست کنندہ گان میرے رہائشی گھر سے تقریباً 718 کلومیٹر کے فاصلے پر رہائش رکھتے ہیں۔ پولیس ملازمت میں ہوتے ہوئے موقع ملنے پر حسب اجازت مختلف اوقات میں گھر جانا پڑتا ہے۔ جو درخواست کنندہ گان کے دوری رہائش رکھنے پر کبھی اسنا سامنا نہیں ہو چکا ہے۔ تو ایسی صورت میں ذرا نا ادھکانا کیسے ممکن ہو سکتا ہے۔ (HC مرز خان کا تفصیلی بیان لف کاروائی ہذا ہے)

(ii) SI عمران خان SHO تھانہ لٹمبر کو سلسلہ انکوائری دفتر ہذا طلب کر کے مذکورہ نے بیان کیا۔ کہ 06-7-2021 کو HC غار ریڈر

DPO صاحب نے بذریعہ فون اطلاع دی کہ بشیر ایڈوکیٹ وغیرہ نے جناب DPO صاحب کو درخواست بابت قبضہ دلانے دائر کیا ہے۔ حسب احکام DPO صاحب بشیر ایڈوکیٹ کو زمین کی قبضہ دلا دیں۔ تاکہ کوئی ناخوشگوار واقعہ رونما نہ ہو جائے۔

مورخہ 07-7-2021 کو بشیر ایڈوکیٹ وغیرہ اور مرز خان HC جائے متنازعہ واقعہ تخریل آئے من SHO بعد QRF نفری دیگر نفری پولیس کے موقع پر موجود تھا۔ مرز خان HC بشیر ایڈوکیٹ کو قبضہ دینے کے لئے تیار نہ تھا اور مرز خان HC یہ اصرار کر رہا تھا۔ کہ اس بابت عدالت میں کیس چل رہا ہے۔ متذکرہ اراضی پدی جائیداد ہے۔ جملہ حالات واقعات DPO صاحب کے نوٹس میں لا کر جس پر DPO صاحب نے فرمایا کہ جو کہ مقرر کر کے تنازعہ بذریعہ جرمہ حل کریں۔ جو من SHO نے فریقین کو کہا کہ مشران برائے جو کہ منتخب کریں۔ اور نام مجھے دے دیں۔ جو کہ مرز خان نے جو کہ مشران کے نام دیئے ہیں۔ جبکہ بشیر احمد ایڈوکیٹ نے تاحال جرمہ کے لئے نام حوالہ نہیں کئے۔ (SHO کا تحریری بیان لف ہذا ہے)

(iii) انکوائری ہذا کے سلسلے میں سہمی اختیار احمد ولد ولد ولی داد خان سکند آرل بانڈہ پر فروخت کیا ہے۔ اور مذکورہ کو باقاعدہ انتقال کروا کر تصدیق کروایا

ہے۔ جن میں 62 کنال اراضی سہمی بشیر احمد ولد ولی داد خان سکند آرل بانڈہ پر فروخت کیا ہے۔ اور مذکورہ کو باقاعدہ انتقال کروا کر تصدیق کروایا ہے۔ اور بشیر احمد نے جملہ رقم مجھے حوالہ کی ہے۔ اب صرف قبضہ حوالگی بقایا ہے۔

سسی مرز خان ولد آياز خان سکنہ عالمشیری حال گردی بانڈہ زبردستی طور پر قبضہ حوالگی میں سینہ زوری کرتا ہے۔ حالانکہ مرز خان نہ تو ہمارا رشتہ دار ہے۔ اور نہ ہی متذکرہ اراضی میں انکا کوئی حصہ ہے۔

مرز خان حوالدار اپنے وردی کا ناجائز استعمال کر کے مجھے قتل کی دھمکیاں دیتا ہے۔ اور کہتا ہے۔ کہ بشیر احمد کو قبضہ حوالہ نہیں کرو گے۔ مرز خان انتہائی سرکش ہے۔ اور بطور بھرتہ خور اور قبضہ مافیہ میرے فروخت شدہ اراضی پر ناجائز قبضہ جمانے کے درپے ہیں۔ (تحریری بیان لف کاروائی ہذا ہے۔)

(iv) انکوائری ہذا کے سلسلے میں سسی خان رشید ولد عمر دراز خان سکنہ خوچکی کلمہ طلب کر کے مذکورہ نے افتخار اللہ کے بیان کی تائید کی اور بیان پنا سیدی دستخط کیا۔

(v) انکوائری ہذا کے سلسلے میں بشیر احمد ولد ولی داد خان سکنہ آرل بانڈہ کو دفتر ہذا طلب کر کے مذکورہ نے بیان کیا کہ من سائل اور برادران نے افتخار اللہ وغیرہ ساکنان خوچکی کلمہ سے اراضی کھاتا نمبر 1011 تعدادی 276 کنال 06 مرلہ میں تقریباً 62 کنال زمین خریدی ہے۔ جس میں تقریباً 57 کنال کی تقدیق ہو چکی ہے۔ جب افتخار اللہ وغیرہ من سائل کو قبضہ حوالہ کرتا ہے۔ تو مرز خان ولد آياز خان سکنہ عالمشیری حال گردی بانڈہ قبضہ حوالہ نہیں کرتا ہے۔ اور بندوق کے زور پر من سائل اور افتخار اللہ کو واپس کرتا ہے۔ اور کھلم کھلا بد معاشی کر رہا ہے۔ ایک طرف مرز خان نے من سائل اور برادران کے خلاف حق شفع دائر کیا ہے۔ جو کہ اسکا قانونی حق ہے۔ لیکن دوسرے طرف قانون کو اپنے ہاتھ میں لیا ہے۔ (بشیر احمد کا تحریری بیان لف کاروائی ہذا ہے۔)

مورخہ 27-7-2021 کو جناب DPO صاحب کے ہدایت کے مطابق ہر دو فریقین دفتر ہذا طلب کئے۔ اور باعزت طور پر فریقین کو آئے سانسے بٹھائے گئے۔

درخواست کنندہ فریق نے ادب اور احترام کے ساتھ اپنا موقف بیان کرتے ہوئے وضاحت کی۔ کہ مرز خان نے میرے اور میرے برادران کے خلاف متذکرہ اراضی کے بابت عدالت میں حق شفع دعویٰ دائر کیا ہے۔ جو کہ انکا قانونی حق ہے۔ لیکن پھر مرز خان HC قبضہ حوالہ کرنے میں آؤں سینہ زوری کرتا ہے۔ اگر عدالت نے میرے خلاف فیصلہ دے دیا تو میں زمین واپس کرنے کو تیار ہو۔ لیکن سریدست قبضہ مجھے حوالہ کریں۔

مرز خان نے دھمکی ایہ لہجہ میں اپنا موقف پیش کرتے ہوئے۔ زبردستی کے رو برو درخواست کنندہ فریق کے ساتھ منکبرانہ انداز میں باتیں شروع کر کے قبضہ ہرگز حوالہ نہ کرنے کا بتایا۔

زبردستی نے HC مرز کو ڈپلن کے اندر رہ کر تسلی سے باتیں کرنے کی ہدایت کی مگر مذکورہ نے با آواز بلند باتیں شروع کر کے زبردستی کے ساتھ انتہائی بدتمیزی کی۔ اور ایک ڈپلن فورس میں ہوتے ہوئے ڈپلن کے تمام حدیں پار کئے۔

اگر مرز خان HC کا زبردستی کے ساتھ یہ رویہ ہے۔ تو نہ جانے درخواست کنندہ فریق کے ساتھ اسکا کونسا رویہ ہوگا۔

رائے انکوائری آفیسر:

کردہ انکوائری، بیانات اور ریکارڈ سے پایا گیا۔ کہ HC مرز جو انتہائی بد اخلاقی کے ساتھ غیر قانونی سرگرمیوں میں ملوث پایا گیا۔ اور ڈپلن فورس میں ہوتے ہوئے سرکاری عہدے کے ناجائز استعمال میں ملوث رہا ہے۔

سسی افتخار اللہ وغیرہ نے اپنی ملکیتی اراضی میں سے 62 کنال اراضی سسی بشیر احمد ایڈوکیٹ پر فروخت کر کے جملہ اراضی کا انتقال بھی کروا دیا ہے۔ لیکن HC مرز جسکا اس اراضی میں مالکانہ حقوق بھی نہیں ہے۔ زبردستی قبضہ جمایا ہے۔ اور سینہ زوری اور سرکشی کا مظاہرہ کرتا ہے۔

جس کا منہ بولنا ثبوت ہے۔ کہ دوران انکوائری زبردستی کے ہاتھ میں بدتمیزی کی اور ڈپلن کے تمام حدیں پار کئے۔ HC مرز کا یہ فعل ناقابل مواخذہ ہے۔ اور ناقابل معافی ہے۔ مذکورہ محکمہ پولیس کے لئے زبردستی کے لئے انکوائری رپورٹ برآمد مناسب حکم پیش خدمت ہے۔

سپرٹنڈنٹ آف پولیس انوشی کینن

ضلع سرگودھا

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(4)

No. 109 /EnqDated 06/07/2021CHARGE SHEET

I, HAROON RASHID KHAN, District Police Officer, Karak as a competent authority, hereby charge you **HC Mamraiz Khan No. 769 (suspended) Police Lines Karak** as follows:-

"As per complaint submitted by sons of Gul Daraz and Bashir Ahmad etc that you HC Mamraiz Khan No. 769 indulged in extra and illegal departmental activities and misuse of your official power. This is quite adverse on your part and shows your malafide intention and non-professionalism in the discharge of your official obligations. Such act on your part is against the service discipline and amounts to gross misconduct.

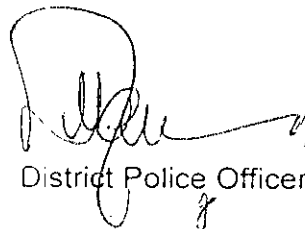
1. By the reason of your commission/omission, constitute miss-conduct under Police disciplinary Rule-1975 (amendment Notification No. 3859/Legal, dated 27.08.2014) Govt. of Khyber Pakhtunkhwa, Police Department, you have rendered your-self liable to all or any of the penalties specified in Police Rule-1975 ibid.

2. You are, therefore, required to submit your written defense within 07-days of the receipt of this charge sheet to the enquiry Officer SP hvi is hereby appointed for the purpose of conducting enquiry.

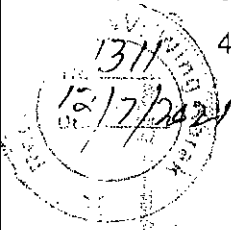
Your written defense if any should reach to the Enquiry Officer within a stipulated period, failing which shall be presumed that you have no defense to put in and in that case ex-parte action shall be taken against you.

3. Intimate whether you desire to be heard in person.

4. A statement of allegation is enclosed.


District Police Officer, Karak

49
06/07/21



22

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DISCIPLINARY ACTION

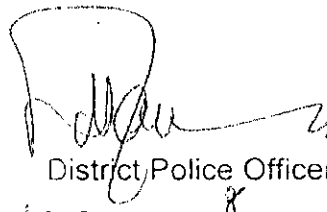
1. HAROON RASHID KHAN, District Police Officer, Karak as a competent authority, is of the opinion HC Mamraiz Khan No. 769 (suspended) Police Lines Karak has rendered himself liable to be proceeded against on committing the following act/commission within the meaning of Police Disciplinary Rule-1975 (amendment Notification No. 3859/Legal, dated 27.08.2014) Govt: of Khyber Pakhtunkhwa, Police Department.

STATEMENT OF ALLEGATIONS

"As per complaint submitted by sons of Gul Daraz and Bashir Ahmad etc that HC Mamraiz Khan No. 769 indulged in extra and illegal departmental activities and misuse of his official power. This is quite adverse on his part and shows his malafide intention and non-professionalism in the discharge of his official obligations. Such act on his part is against the service discipline and amounts to gross misconduct.

1. The enquiry Officers SP (Inv) in accordance with provision of the Police Rule-1975 (amendment Notification No. 3859/Legal, dated 27.08.2014) Govt: of Khyber Pakhtunkhwa, Police Department may provide reasonable opportunity of hearing to the accused official, record his finding and make within 10-days of the receipt of this order, recommendation as to punishment or other appropriate action against the accused.

2. The accused official shall join the proceeding on the date, time and place fixed by the enquiry officer.



District Police Officer, Karak

No. 110 /Enq, dated 06/07/2021.

Copy to:-

1. The enquiry Officers for initiating proceeding against the accused under the Provision of the Police Disciplinary Rule-1975 (amendment Notification No. 3859/Legal, dated 27.08.2014) Govt: of Khyber Pakhtunkhwa, Police Department.
2. HC Mamraiz Khan No. 769 (suspended) Police Lines Karak

4- ہم نے یہ بھی غور کیا ہے کہ اگر اس کا رڈ استعمال کرنا ہے۔ اس بات کی
کو پیش دیکھا تو یہ اصل ہے۔

3- ہم نے مائیکس کو جاننا کہ اس سے پہلے اس کی سٹیٹس کیا تھی۔
تو ہم نے مائیکس پر اس کی سٹیٹس سے کہہ دیا کہ اس کی سٹیٹس
مائیکس پر اس کی سٹیٹس سے کہہ دیا کہ اس کی سٹیٹس
سٹیٹس پر اس کی سٹیٹس سے کہہ دیا کہ اس کی سٹیٹس
سٹیٹس پر اس کی سٹیٹس سے کہہ دیا کہ اس کی سٹیٹس

سٹیٹس پر اس کی سٹیٹس سے کہہ دیا کہ اس کی سٹیٹس
سٹیٹس پر اس کی سٹیٹس سے کہہ دیا کہ اس کی سٹیٹس
سٹیٹس پر اس کی سٹیٹس سے کہہ دیا کہ اس کی سٹیٹس
سٹیٹس پر اس کی سٹیٹس سے کہہ دیا کہ اس کی سٹیٹس

1- سٹیٹس پر اس کی سٹیٹس سے کہہ دیا کہ اس کی سٹیٹس
2- سٹیٹس پر اس کی سٹیٹس سے کہہ دیا کہ اس کی سٹیٹس
5/7/21

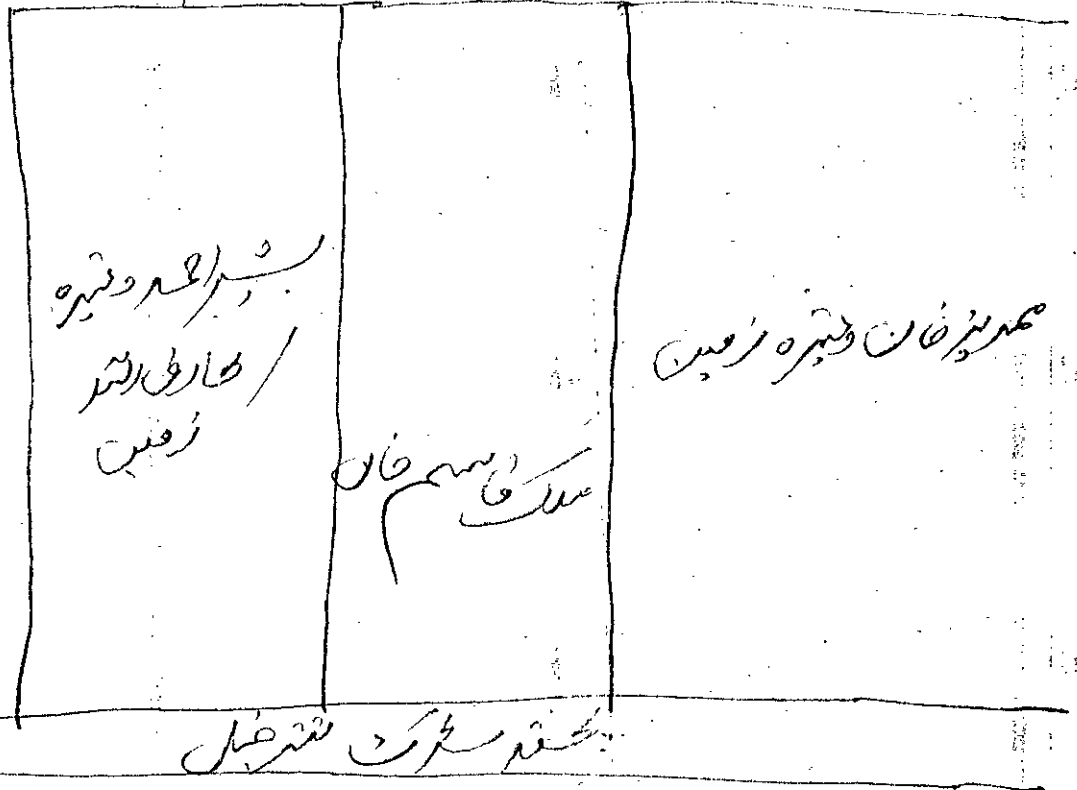
(19)

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شمال
جنوب / غرب
جنوب

زمین عدالت راجه

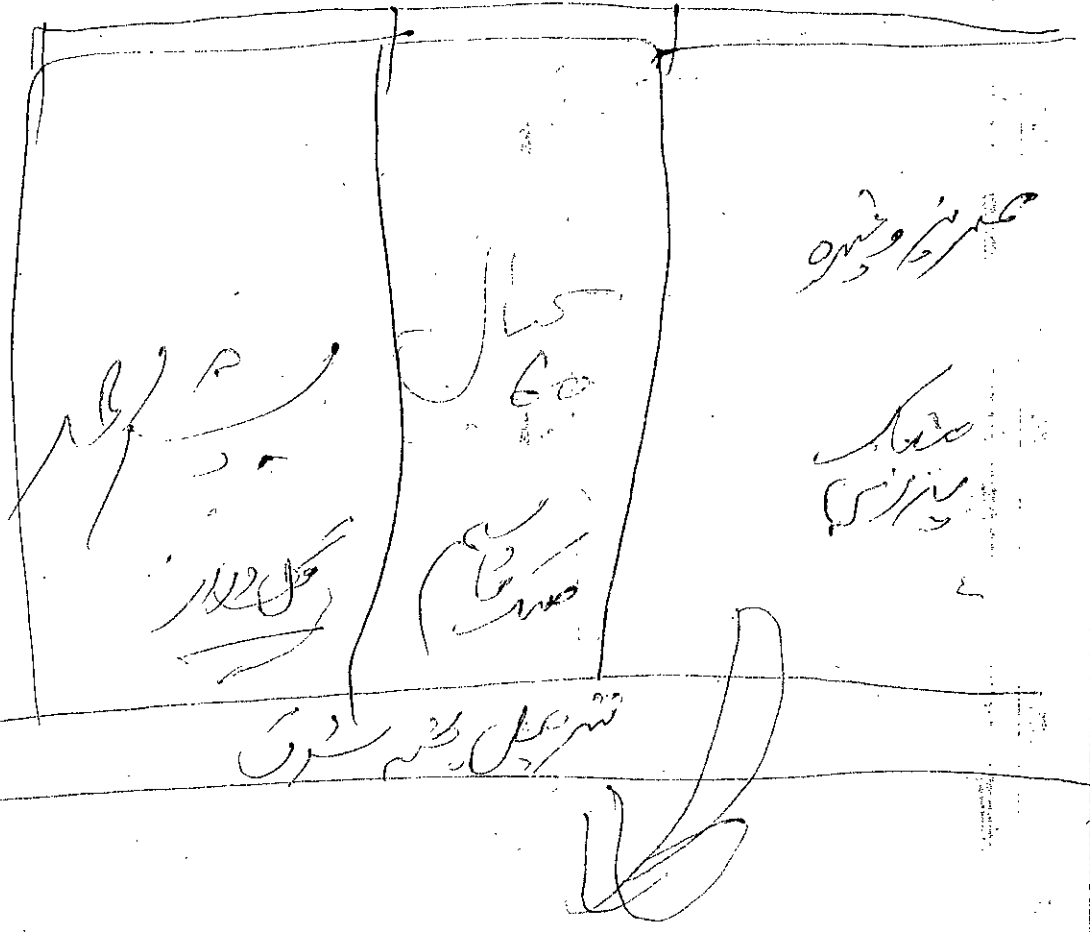


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91



م. ب.

م. ب.

م. ب.



پان اذان آگے ان طرز سے کام لیں

7/16/2021

بدریافت پالی فیصلہ صرف 7/7/2021 کو پورے DPo کا کام لیں

نے بند کرو فون میں Hto کو بتایا کہ لیسٹر ایڈوکیٹ وغیرہ نے DPo کا کوئی درخواست لیت صرف دلہے دائر کیا ہے۔

حسب الحکم DPo کا لیسٹر ایڈوکیٹ وغیرہ کو زمین صرف دلہے میں تاکہ کوئی نا خوشگوار واقعہ رونما نہ ہو جائے۔

صرف 7/7/2021 کو لیسٹر ایڈوکیٹ وغیرہ اور پھر پھر Hto جائے

منازعم واقعہ تشریح سے آئے میں Hto سمراہ نور باستان

Asi کوئی ایڈیٹار QRF وہ باندھ لیں وقوعہ کو پورے

پھر پھر Hto لیسٹر ایڈوکیٹ کو قیغہ دینے کے لئے متاثر کیا

اور پھر پھر Hto اصرار کرتا رہا تاکہ اس بابت عدالت میں سن

حل کیا ہے۔ مندرجہ مشورہ پورے طائرار ہے۔ جو ہے

حالات و رابطات DPo کا کوشش میں لیسٹر ایڈوکیٹ

DPo کا کوشش فریقین کا تنازعہ پورے طائرار ہے۔ حل کریں

P-20

اور کہ وہ قدر آئے کی ہوا ہے۔ جو اس میں ہے
 قدرین کو تاکہ مشران برائے فیرہ فنیوے کے نام
 مجھے دے دیں۔ وہ کہہ رہے ہیں کہ اس کو میرا ہے
 کہ نام والہ کے جیکہ نے امر ایڈوکیٹ نے ناظر
 کہ کہ کئے نام والہ میں آئے ہیں، وہ کہہ جا رہے ہیں
 کہ توں ڈرا ہے۔ جو کہ میرے نام ہے
 تاکہ کسی قسم کی مزاحمت نہیں آتی ہے
 میرا بیان ہے۔

Handwritten signature

ایک عکس فان ہوٹل کا ہے

Handwritten signature: Ahsan

Handwritten signature: SP/17/11/14

Superintendent of
 Police (N) Wing Karak.

میان ازن مهر ۱۳۶۹ هجری قمری ۷۶۹ هجری شمسی

حواله چاق شیب بزرگ EN/109/109 حوض 2021 6 چاق رضا - باغ و سرای

شرکت پولیس آب در کاشمر در خصوص حوض

بذیل مثل سال 1984 هجری قمری ۱۳۰۳ هجری شمسی در وقت نیابت
 ایالتداری اور حوض اسلحه و لوله و سایر اقسام در دست
 حیدر افغان بالا کو کسب و کارت کا موقع سید علی
 حساب بالا در خواست کنندگان غیر مانند ایشامی و علی
 کاشمر ساری مانند ان کا کوئی کوئی رشتہ سید علی
 ارفاق کمان ۱۵۱۱ العدادی ک- 276 کاشمر مانتداری
 صید علی کاشمر تقریباً 18/1 سال سے لیکر کاشمر
 صید علی کاشمر سال 20/20 سے لیکر کاشمر
 کاشمر کمان 1511 العدادی ک- 276 کاشمر
 صید علی کاشمر کاشمر کاشمر کاشمر
 کاشمر کمان 1511 العدادی ک- 276 کاشمر
 صید علی کاشمر کاشمر کاشمر کاشمر

(5) ✓

(6)

(12)

تبعی بھی حوالہ نہیں کیا گیا ہے۔ - تیسرے سے متعلقہ توجہ دینی ہے۔

۳۔ تبعی نامہ لیا گیا ہے۔ -

۴۔ جان تک اسی سے متعلقہ کاغذ ہے۔ - سرکاری تقسیم بند ہے۔
۵۔ میں وہی سے متعلقہ کاغذ ہے۔

۶۔ صدر اور جوہات اور مسائل کا حال کا نام حقوق کو

مد نظر رکھتے ہوئے درخواست کنندہ کا نام کو جانے سے آگے

سرکاری تقسیم عدالت اور حکم مال تک انتظار کر

جب مسائل کے اس سے متعلقہ جانے اور مقبل اس سے عدالت

سے حقوق سے متعلقہ جانے کا ہے۔ عدالت سے متعلقہ

تک درخواست کنندہ کا نام انتظار سے آگے

۷۔ جان تک مسائل سے متعلقہ پورے کاغذ کا استعمال

بڑی

پورے کاغذ ہے۔ - مسائل SNGP کے ساتھ سے تقسیم

کا۔ - جان پر پورے سے تقسیمات کے لئے سے متعلقہ

کے لئے پورے مسائل کے ایک اور کاغذ کے لئے

کاغذ استعمال کیا ہے۔ - جب سے ایک سے متعلقہ

اور صدر سے متعلقہ پورے کاغذ کے لئے سے

۸۔ عروسی کا نام جان سے متعلقہ استعمال سے متعلقہ



مخبر کی طرف سے ...

... ریاضی ...

... اجازت ...

... جو درخواست ...

... اس کے ...

...

مخبر کی طرف سے ...

... جو درخواست ...

... اس کے ...

مخبر کی طرف سے ...

... جو درخواست ...

... اس کے ...

...

مخبر کی طرف سے ...

... جو درخواست ...

... اس کے ...

...

۱۵۔ آٹک اور در خواست کنندہ کے مابین کوئی ارا فی پرتازم ۹۲

جواب۔ گواہی ۱۵۱۱ توداری ۶-۲۷۶ ۲۷۶-۲۷۶ میں حال کٹانہ حقوق کا اظہار
ہوئی۔ پتہ ادر و غیرہ نے ارا فی پرتازم میں ۲۷۶-۲۷۶ (تقدیر و غیرہ) لیا ہے جس کے

فلیف قانونی قدم اٹھا کر پتہ ادر و غیرہ کی طرف حق منتقل دیکھی گئی
میں دائر کیا ہے جس میں ۲۹/۶/۲۱ قانونی طور پر

۱۵۔ اب آپ نے حق منتقل دیکھی گئی دائر کیا ہے۔ تو کھیر کیوں اپنے دردی کا
ناگاہی سوال کرتے ہو۔

جواب۔ عدالت کے فیصلے کا انتظار کرنا ہوگا۔ اگر پتہ ادر و غیرہ کی دردی کا ناگاہی سوال
ثابت ہوا تو پتہ ادر و غیرہ کو ہمارے پاس لے کر جائیداد کی سرکاری قیمتیں میں ہر
۱۵۔ حاملہ ہذا کے سلسلے میں علم ان خان سے لے کر پتہ ادر و غیرہ تک کے سلسلے میں
آپ کو طلب کیا ہے

جواب۔ صفحہ ۲۵۱/۶ کو ۱۵۱۱ علم ان خان سے لے کر پتہ ادر و غیرہ اور پتہ ادر و غیرہ
اور پتہ ادر و غیرہ کو منتقل کرنے کے لیے لکھا گیا ہے کہ آپ پتہ ادر و غیرہ
کے مابین میں ۱۵۱۱ کے پتہ ادر و غیرہ کو منتقل کرنے کے لیے لکھا گیا ہے کہ آپ پتہ ادر و غیرہ
سے لے کر پتہ ادر و غیرہ کو منتقل کرنے کے لیے لکھا گیا ہے کہ آپ پتہ ادر و غیرہ
میں ۱۵۱۱ کے پتہ ادر و غیرہ کو منتقل کرنے کے لیے لکھا گیا ہے کہ آپ پتہ ادر و غیرہ
کے پتہ ادر و غیرہ کو منتقل کرنے کے لیے لکھا گیا ہے کہ آپ پتہ ادر و غیرہ

(طاری ۲)

کریسٹلینج 2 کاپی 2

عمران خان کے بارے میں کئی اخبارات میں آئی ٹی ملنگ جاری

دوسری کاپی ملے گی

جی۔ ایس۔ ایف۔ کے بارے میں کئی اخبارات میں آئی ٹی ملنگ جاری
کئی ملنگ جاری ہیں

4/9/2011

Attested

[Signature]

SP/Inny

Superintendent of Police IV: Wazir Khan

(11)

(16)

فصل در مشرق بار بار

۱- من طاب و صحت

۲- در راه خدا

۳- صدق السلام

۴- شکر

۵- دلاور

۶- قادر

۷- آدمی

۸- افسردگی

۹- طیب

۱۰- عزیزان

۱۱- اهل بیت

۱۲- انبیا و ائمه

۱۳- صادق

۱۴- عبدالرزاق

۱۵- حلالا عبدالمجید

۱۶- مهتاج

۱۷- اولاد

۱۸- مددنی حاج

۱۹- خدای

۲۰- نعمت السلام
۱۲ صوفی

۱۱- طاب و صحت

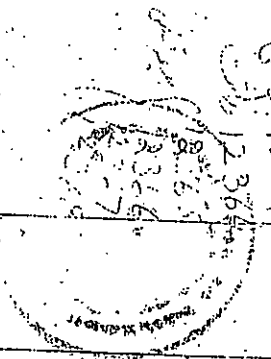
۱۱- طاب و صحت

رجسٹرڈ اراکین زمین حویلی طرف داران تحصیل تھانہ ضلع تریہ سال 2003ء کتاب نمبر 1 و 2

1	2	3	4	5	6	7	8	9	10
نمبر	مکمل	مکمل	مکمل	مکمل	مکمل	مکمل	مکمل	مکمل	مکمل
1	2	3	4	5	6	7	8	9	10
7896	1764	1764	7-6	494	شیر علی و بی بی و بی بی	شیر علی و بی بی و بی بی	شیر علی و بی بی و بی بی	شیر علی و بی بی و بی بی	شیر علی و بی بی و بی بی
7896	1764	1764	7-6	494	شیر علی و بی بی و بی بی	شیر علی و بی بی و بی بی	شیر علی و بی بی و بی بی	شیر علی و بی بی و بی بی	شیر علی و بی بی و بی بی
4030	6140	6140	2081	30884	عمر ایمن و لڑائی انجان	عمر ایمن و لڑائی انجان	عمر ایمن و لڑائی انجان	عمر ایمن و لڑائی انجان	عمر ایمن و لڑائی انجان
4031	6140	6140	2081	30884	عمر ایمن و لڑائی انجان	عمر ایمن و لڑائی انجان	عمر ایمن و لڑائی انجان	عمر ایمن و لڑائی انجان	عمر ایمن و لڑائی انجان
4032	6140	6140	2081	30884	عمر ایمن و لڑائی انجان	عمر ایمن و لڑائی انجان	عمر ایمن و لڑائی انجان	عمر ایمن و لڑائی انجان	عمر ایمن و لڑائی انجان
4033	6140	6140	2081	30884	عمر ایمن و لڑائی انجان	عمر ایمن و لڑائی انجان	عمر ایمن و لڑائی انجان	عمر ایمن و لڑائی انجان	عمر ایمن و لڑائی انجان
4034	6140	6140	2081	30884	عمر ایمن و لڑائی انجان	عمر ایمن و لڑائی انجان	عمر ایمن و لڑائی انجان	عمر ایمن و لڑائی انجان	عمر ایمن و لڑائی انجان
4035	6140	6140	2081	30884	عمر ایمن و لڑائی انجان	عمر ایمن و لڑائی انجان	عمر ایمن و لڑائی انجان	عمر ایمن و لڑائی انجان	عمر ایمن و لڑائی انجان

(18) (10)

N	9034	28/33		صندوق خزانة	عمدة	200666	
N	9035						
N	9036						
N	9037		58-13	صندوق خزانة	عمدة	100000	
N	9038			صندوق خزانة	عمدة	62400	
N	9605	12373		صندوق خزانة	عمدة	100000	
N	9606	12374		صندوق خزانة	عمدة	100000	
N	10248			صندوق خزانة	عمدة	100000	
N	12373			صندوق خزانة	عمدة	100000	
N	12374			صندوق خزانة	عمدة	100000	
N	12375			صندوق خزانة	عمدة	100000	
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N	12379			صندوق خزانة	عمدة	100000	
N	12380			صندوق خزانة	عمدة	100000	
N	12381			صندوق خزانة	عمدة	100000	
N	12382			صندوق خزانة	عمدة	100000	
N	12383			صندوق خزانة	عمدة	100000	
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N	12389			صندوق خزانة	عمدة	100000	
N	12390			صندوق خزانة	عمدة	100000	



ALL RIGHTS RESERVED BY THE STATE OF SAUDI ARABIA

(22)

بیان سپر ایڈ ولادوی واران سکندر ایڈ
کھیل نئی ٹوٹی کرکٹ

ملقبیاں ریٹیوں کے معنی مسائل اور سب سے بڑا ان
نے بیوقوف علی، افتخار عشرہ سنا گناں کو کلی علی

سے اراچی کھاتا نمبر 1011 تعدادی 6-276 میں
سے تقریباً 69 کمال زمین خریدی ہے۔ زمین

تقریباً 75 کمال کما لیا ہے۔ زمین ہے۔ چپ
افتخار عشرہ میں مسائل کو حیدر ہوا کر رہا ہے۔

گوہر نیرکان ولادوی خان سکندر ایڈ
حال گڑھی بانڈہ حیدر مدد فرم زمین علی علی

میں کر گیا، اور مذکورہ کی زمین پر مسائل
اور افتخار عشرہ کو الیس کر رہا ہے، اور کھلم کھلا

بیویا سٹی کر رہا ہے، ایک طرف زمین میں مسائل
اور سب سے بڑا ان کے خلاف حق منفعہ دائر کیا ہے۔

جو وہ سکاٹا ٹوٹی طرف سے ایک دوسری طرف قانون
کو اپنے کو زمین ہے۔ اور اس کے بارے میں

خلاف قانونی کارروائی کے سزا دی جاویں

27/7/21

سپر ایڈ ولادوی واران
سکندر ایڈ کھیل نئی ٹوٹی کرکٹ

03345359270
A

14203-7749242-1

Attested
SP/INVS
Police Inq. No.

64

4

ORDER

Head Constable Mamraiz Khan No. 769 of this district Police is hereby placed under suspension and closed to Police Lines Karak due to misuse of his official power and indulged in extra and illegal departmental activities with immediate effect.

O.B.No. 225

Dated: 6/7/21 /2021



District Police Officer, Karak

بیان اذان النصار السیولہ منہ بعض اللہ ان بکنہ و علی

03459858783

142032053966-3

27/7
21

کلیت لوری

بدریافت بیانی صیدہ میرا گوردی بانڈہ میں ذاتی جائیداد سے

سن میں 62 کسال اراچی و سی شہر الہمدولہ دی دارخان

لکنہ آدل بانڈہ پر فروقت کیا ہے۔ اور مذکورہ کو باقاعدہ

انتقال کر کے لوری پر رکھا ہے۔ اور شہر الہمدولہ سے

رقم صحیحہ حوالہ کی ہے۔ اب صرف قبضہ حوالہ کی لکھا گیا ہے

و سی مہر نیر خان ولدہ بانڈہ خان لکنہ عالی شہری حال تروی بانڈہ

زیر دستی طور پر قبضہ حوالہ میں بند تروی کرنا ہے۔ حالانکہ

مہر نیر نہ تو سچا وارثہ دار ہے اور نہ ہی مندرکہ اراچی میں

ان کا کوئی حصہ ہے۔

مہر نیر حوالہ اراچی تروی کا نامائیک استعمال کر کے صحیحہ منتقل کی

دفعہ کیا گیا ہے۔ اور کیا ہے کہ شہر الہمدولہ کو قبضہ

حوالہ نہیں کر کے۔

مہر نیر خان انتہائی سہرا کس ہے۔ اور بطور حصہ حوالہ

اور قبضہ مانگنا میرے فروقت شہرہ اراچی دار 05.05

ما جاز في كذا وكذا - من
بان في وقت كذا وكذا

Canon

انما السادة من
فوق كل كذا وكذا

Attested

SP/17/MS
Sub-Inspector
Police (M.V. Wing) Kara
2/10/20

Hand

0346.5655.954
14203-2057293-3

66

3

ORDER

Head Constable Mamraiz Khan No. 769 of this district Police is hereby placed under suspension and closed to Police Lines Karak due to misuse of his official power and indulged in extra and illegal departmental activities with immediate effect.

O.B.No. 227

Dated: 26/07 /2021



District Police Officer, Karak

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No. 109 /Enq

Dated 06/07/2021

CHARGE SHEET

I, HAROON RASHID KHAN, District Police Officer, Karak as a competent authority, hereby charge you **HC Mamraiz Khan No. 769 (suspended) Police Lines Karak** as follows:-

"As per complaint submitted by sons of Gul Daraz and Bashir Ahmad etc that you HC Mamraiz Khan No. 769 indulged in extra and illegal departmental activities and misuse of your official power. This is quite adverse on your part and shows your malafide intention and non- professionalism in the discharge of your official obligations. Such act on your part is against the service discipline and amounts to gross misconduct.


1. By the reason of your commission/omission, constitute miss-conduct under Police disciplinary Rule-1975 (amendment Notification No. 3859/Legal, dated 27.08.2014) Govt. of Khyber Pakhtunkhwa, Police Department, you have rendered your-self liable to all or any of the penalties specified in Police Rule-1975 ibid.

2. You are, therefore, required to submit your written defense within 07-days of the receipt of this charge sheet to the enquiry Officer SP huss is hereby appointed for the purpose of conducting enquiry.

Your written defense if any should reach to the Enquiry Officer within a stipulated period, failing which shall be presumed that you have no defense to put in and in that case ex-parte action shall be taken against you.

3. Intimate whether you desire to be heard in person.

4. A statement of allegation is enclosed.


District Police Officer, Karak

~~109~~
06/07

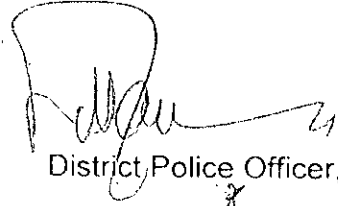
DISCIPLINARY ACTION

I, HAROON RASHID KHAN, District Police Officer, Karak as a competent authority, is of the opinion **HC Mamraiz Khan No. 769 (suspended) Police Lines Karak** has rendered himself liable to be proceeded against on committing the following act/commission within the meaning of Police Disciplinary Rule-1975 (amendment Notification No. 3859/Legal, dated 27.08.2014) Govt. of Khyber Pakhtunkhwa, Police Department.

STATEMENT OF ALLEGATIONS

"As per complaint submitted by sons of Gul Daraz and Bashir Ahmad etc that HC Mamraiz Khan No. 769 indulged in extra and illegal departmental activities and misuse of his official power. This is quite adverse on his part and shows his malafide intention and non- professionalism in the discharge of his official obligations. Such act on his part is against the service discipline and amounts to gross misconduct.

1. The enquiry Officers SP (Inv) in accordance with provision of the Police Rule-1975 (amendment Notification No. 3859/Legal, dated 27.08.2014) Govt. of Khyber Pakhtunkhwa, Police Department may provide reasonable opportunity of hearing to the accused official, record his finding and make within 10-days of the receipt of this order, recommendation as to punishment or other appropriate action against the accused.
2. The accused official shall join the proceeding on the date, time and place fixed by the enquiry officer.



District Police Officer, Karak

No. 110 /Enq, dated 06/07 /2021:

Copy to:-

1. The enquiry Officers for initiating proceeding against the accused under the Provision of the Police Disciplinary Rule-1975 (amendment Notification No. 3859/Legal, dated 27.08.2014) Govt. of Khyber Pakhtunkhwa, Police Department.
2. HC Mamraiz Khan No. 769 (suspended) Police Lines Karak

69
BEFORE THE HONORABLE KHYBER PAKHTUNKHWA
SERVICE TRIBUNAL, PESHAWAR

Service Appeal No. 1192/2022
Mamrez Khan

..... Appellant

HC, (Compulsory retired) District Karak

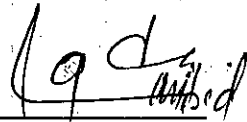
VERSUS

Inspector General of Police,
Khyber Pakhtunkhwa & others

..... Respondents

INDEX

S.NO	DESCRIPTION	ANNEXURE	PAGE NO.
1.	Para wise comments/reply	-	1-3
2.	Copy of compliant	A	4-5


Respondents
Through
Representative

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BEFORE THE HONORABLE KHYBER PAKHTUNKHWA
SERVICE TRIBUNAL, PESHAWAR

Service Appeal No. 1192/2022
Mamrez Khan
HC, (Compulsory retired) District Karak

..... Appellant

VERSUS

Inspector General of Police,
Khyber Pakhtunkhwa & others

..... Respondents

PARAWISE COMMENTS BY RESPONDENTS.

Respectfully Sheweth:-
Preliminary Objections:-

- i. That the appellant has got no cause of action to file the instant appeal.
- ii. The appellant has got no locus standi to file the instant appeal.
- iii. That the appellant is estopped to file the instant appeal for his own act.
- iv. That the appeal is bad in eyes of law and not maintainable.
- v. That the appellant has not approached the honorable Tribunal with clean hands.
- vi. That the appeal is barred by law and limitation.

Facts:-

1. Appointment of appellant and his pre-service in Police department, pertains to record, irrelevant and no comments on it. However, regarding disciplinary proceedings initiated / conducted against the appellant by respondent No. 3, it is stated that some inhabitants of the locality had filed a complaint against the appellant regarding misuse of his official powers and involving in illegal / extra departmental activities, upon which charge sheet alongwith statement of allegation was issued / served upon him. Copy of compliant is **annexure A**.
2. The appellant has admitted his illegal activity and misuse of authority as detailed in para No. 1 of the comments. However, if, the appellant had any legal right, he was at liberty to adopt legal procedure for this remedy, but the appellant had threatened the complainants by using his official authority / influence as detailed in annexure A.
3. If, there was any wrong with the appellant, or he was depriving from his legal rights, the appellant was at liberty to file compliant or application against the person(s), from whom he was annoyed, but he did not do it and misused his authority.
4. Reply is submitted in Para No. 1, however, as per inquiry conducted, the charge / allegations leveled against the appellant have been established during a regular inquiry conducted by respondent No. 3.

5. Incorrect, as replied in the above paras and established during the course of inquiry, the appellant being member of a disciplined department had committed a grave professional misconduct.
6. The appellant had failed to submitted any plausible explanation in his reply to the charge sheet. Furthermore, the appellant was associated with the inquiry proceedings. The appellant was afforded ample opportunity of defense by the inquiry officer, as well as by respondent No. 3 in orderly room, but, the appellant was not able to produce his defense.
7. The inquiry officer had conducted impartial proceedings in accordance with the relevant rules. Further, the respondent No. 3 had fulfilled all codal formalities and followed the rules. According to Rules 5 of Khyber Pakhtunkhwa, Police Rules 1975 (amended 2014), the respondent No. 3 passed the impugned order and there is no provision show cause notice in the rules ibid.
8. The departmental appeal of the appellant was processed by respondent No. 2 accordingly. The appellant was called in orderly room held on 09.11.2021 and the appellant was afforded opportunity of hearing / defense, but he failed. Therefore, the said appeal was correctly rejected on merit by respondent No. 2.
9. The respondent No. 1, while disposing of the revision petition of the appellant converted the punishment of removal from service by respondent No. 1, into compulsory retirement in service in view of his long service. Thus the appellant has been granted relief in his revision petition by Respondent No. 1.
10. Correct, detailed reply is submitted in para No. 9.
11. Pertains to record, hence no comments.
12. Pertains to Honorable Tribunal record, hence no comments.

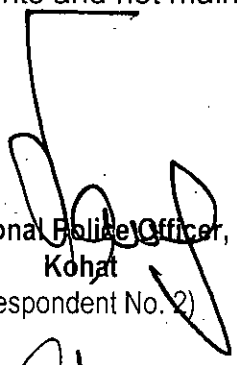
Grounds:-

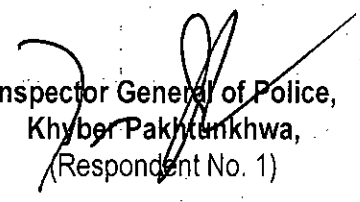
- A. Incorrect, the respondent No. 3 initiated a regular inquiry against the appellant under the rules ibid and all codal formalities are fulfilled by the inquiry officer and competent authority i.e respondent No. 3.
- B. Incorrect, as replied in the above para, the inquiry officer conducted proceedings under the relevant provision of the rules ibid and he brought on record / his report/the conduct of the appellant / misconduct.
- C. As replied in above paras of the comments, the respondent No. 3 has acted in accordance with Rule -5 of the Rules ibid, wherein neither issuing of show cause notice is maintained, nor it is mandatory.
- D. Incorrect, the impugned orders are passed after observing all codal formalities in accordance with the rules and legal speaking.
- E. Incorrect, reply is submitted in the above paras.


- F. Incorrect, as replied in the above paras, the appellant was associated with enquiry proceedings. He was afforded ample opportunity of defense by the inquiry officer, as well as respondents, but the appellant failed to advance any plausible explanation to the charges established against him.
- G. Incorrect, reply is submitted in the above paras.
- H. Incorrect, reply is submitted in the above paras.
- I. Incorrect, as evident from the impugned orders, the appellant was heard in person and afforded defense opportunity, but failed to defend himself.
- J. Incorrect, the respondents have got no concern with the family status of the appellant. However, it stated that the appellant has been compensated / granted replied in term of his compulsory retirement from service by respondent No. 1.
- K. The respondents may also be allowed to advance other grounds during the course of arguments.

Prayer:-

In view of the above, it is prayed that the appeal contrary to facts, law & rules, devoid of merits and not maintainable may graciously be dismissed with costs.


 Regional Police Officer,
 Kohat
 (Respondent No. 2)


 Inspector General of Police,
 Khyber Pakhtunkhwa,
 (Respondent No. 1)


 District Police Officer,
 Karak
 (Respondent No. 3)

(20)

(7)

4۔ یہ کسی عسکر کا نام ہے اور اس کا ذکر اس کتاب میں ہے۔ اس کا تعلق
 کوئی اور شخص ہے۔

3۔ یہ شخص کو خاں کے ساتھ لے گیا ہے اور اس کے ساتھ ہی اس کا نام ہے۔
 نام اس شخص کے نام ہے اور اس کے ساتھ ہی اس کا نام ہے۔
 اس شخص کے ساتھ ہی اس کا نام ہے۔ اور یہ اس کا نام ہے۔
 یہ شخص اس کے ساتھ ہی اس کا نام ہے۔ اور یہ اس کا نام ہے۔

اس شخص کے ساتھ ہی اس کا نام ہے۔ اور یہ اس کا نام ہے۔
 اس شخص کے ساتھ ہی اس کا نام ہے۔ اور یہ اس کا نام ہے۔
 اس شخص کے ساتھ ہی اس کا نام ہے۔ اور یہ اس کا نام ہے۔

1۔ اس شخص کے ساتھ ہی اس کا نام ہے۔ اور یہ اس کا نام ہے۔
 2۔ اس شخص کے ساتھ ہی اس کا نام ہے۔ اور یہ اس کا نام ہے۔
 5/7/21

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

Appeal No: 1192/2022

Mamrez Khan

Appellant

Versus


Inspector General of Police Khyber Pakhtunkhwa and others

..... Respondent

AFFIDAVIT

I, Waqar Ahmad ASI District Karak do hereby affirm and declare on oath that the contents of the parawise comments is true and correct to the best of my knowledge and belief and nothing has been concealed from this Hon'ble Service Tribunal.

Deponent


16/09/22

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VAKALATNAMA

BEFORE THE SERVICE TRIBUNAL K.P.K.
PESHAWAR

Appeal. No. _____/2022

MAMREZ KHAN Applicant

VERSUS

Govt of KPK and others Respondents

*I/We Mr. Mamrez Khan, Head Constable No.769,
Police Station SNGPL, Karak*

Do hereby appoint and constitute **Dr. Fawad Jan** Advocate, Peshawar 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 cost. 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.

Dated. 27/07/2022

CLIENT(S)

Mamrez

ACCEPTED

Fawad
Dr. Fawad Jan
Advocate High Court
(BC-19-1109)
17101-0278021-9

OFFICE:

Flat No.3 -A, Haroon Mension,
Khyber Bazar, Peshawar City.
Mobile No.0314-9828818
Email: drfawadjan@gmail.com