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KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR

EXECUTION NO _____

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Mujahid Ali Zaybal vs Govt of KP

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12	-		
Part-B			
1	-		
2	-		
3	-		
Total Pages in Part-A			039
Total Pages in Part-B			0

Muharrir/Compilation

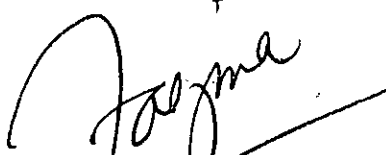
09/07/24

Incharge Judicial Branch

10/7/24

view of Section 23 (2) of the Act ibid, and 6% simple interest from the date of taking over possession till final payment of compensation to the land owners. The petitioners are also entitled to other charges as mentioned in the impugned award dated 30/05/2011. The Reference is thus answered in the above terms. A copy of the judgment be sent to the Land Acquisition Collector, Shangla for compliance. Parties are left to bear their own costs. File be consigned to the record room after its necessary compilation & completion.

Announced:
10/12/2022

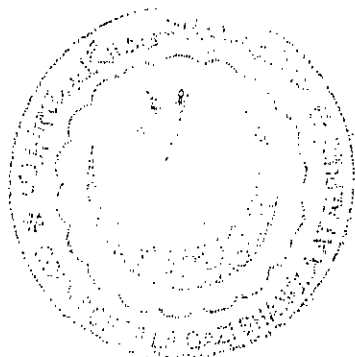
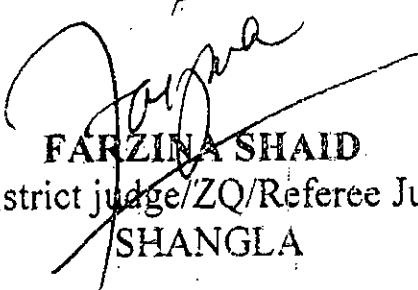


FARZINA SHAID
District judge/ZQ/Referee Judge/
SHANGLA

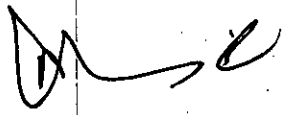
COSTS OF PETITION.

Petitioner	Amount	Respondents	Amount
Stamp for memorandum	Rs.Nil	Stamp for memorandum	Rs.Nil
Stamp for power	Rs.Nil	Stamp for power	Rs.Nil
Services of processes	Rs.Nil	Services of processes	Rs.Nil
Diet money witnesses	Rs.Nil	Diet money witnesses	Rs.Nil
Proclamation fee	Rs.Nil	Proclamation fee	Rs.Nil
Pleader's fee	Rs.Nil	Pleader's fee	Rs.Nil
Court fee stamp	Rs.Nil	Court fee stamp	Rs.Nil
Miscellaneous	Rs.Nil	Miscellaneous	Rs.Nil
Total	Rs.Nil	Total	Rs.Nil

Given under my hand and the seal of the Court on this 10th day of December, 2022

FARZINA SHAID
District judge/ZQ/Referee Judge/
SHANGLA



S.No.	Date of order/ proceedings	Order or other proceedings with signature of Judge or Magistrate and that of parties where necessary.
1	2	3
	<p>26th June, 2024</p> <p>SCANNED KPST Peshawar</p> 	<p align="center"><u>KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR.</u></p> <p align="center">Service Appeal No. 681/2024</p> <p>Mujahid Ali Iqbal (Ex-Constable No. 1510/FRP) R/O Village Garh Jawal Khel, P.O Dab, Tehsil & District Karak.....(Appellant)</p> <p align="center"><u>Versus</u></p> <p>1. Commandant FRP, Peshawar. 2. Superintendent of Police FRP, Kohat.(Respondents)</p> <p><u>ORDER</u></p> <p><u>KALIM ARSHAD KHAN CHAIRMAN:-</u> Learned counsel for the appellant has been heard .</p> <p>2. This appeal is against the order dated 31.01.2012 passed by the respondents, whereby the appellant was removed from service on the ground of his absence. The appellant filed departmental appeal on 27.02.2012, which was rejected on 09.04.2012 and this appeal has been filed on 14.05.2024, which is apparently hopelessly barred by limitation. The appellant ought to have filed appeal within thirty days after rejection of departmental appeal but he has come to this Tribunal after more than 13 years without plausibly explaining the delay. Even there was no application for condonation of delay filed by the</p>

3

FORM OF ORDER SHEET

Court of _____

Appeal No. 681/2024

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	21/05/2024	<p>The appeal of Mr. Mujhaid Ali Iqbal resubmitted today by Mr. Shahid Nascem Khan Chamkani Advocate. It is fixed for preliminary hearing before Single Bench at Peshawar on 23.05.2024. Parcha Peshi given to the counsel for the appellant.</p> <p>By the order of Chairman</p> <p> REGISTRAR</p> <p>23rd May, 2024</p> <p>Learned counsel for the appellant present and requested for adjournment in order to prepare the brief. Adjourned. To come up for preliminary hearing on 26.06.2024 before S.B. P.P given to learned counsel for the appellant.</p> <p> (Muhammad Akbar Khan) Member (E)</p>

SCANNED
POST
PESHAWAR

Kamranullah

appellant. Therefore, this appeal being barred by time is dismissed in limine. Consign.

3. Pronounced in open court in Peshawar and given under my hand and seal of the Tribunal on this 26th day of June, 2024.


(KALIM ARSHAD KHAN)
Chairman

Adnan Shah, P.A.

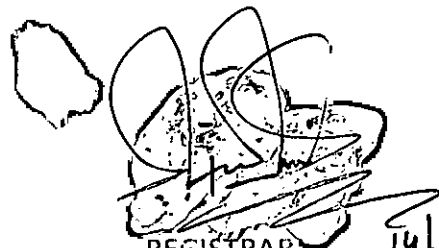
(4)

The appeal of Mr. Mujahid Ali Iqbal received today i.e on 14.05.2024 is incomplete on the following score which is returned to the counsel for the appellant for completion and resubmission within 15 days.

- 1st According to sub-rule-4 of rule-6 of Khyber Pakhtunkhwa Service Tribunal rules 1974 respondent no.1 & 2 are un-necessary/improper parties, in light of the rules ibid and on the written direction of the Worthy Chairman the above mentioned respondent number be deleted/struck out from the list of respondent.
- 2- Memorandum of appeal is not signed by the appellant.
- 3- Page nos. 7, 11 & 13 of the appeal are illegible be replaced by legible/better one.
- 4- Three copies/sets of the appeal along with annexures i.e. complete in all respect for Tribunal and one for each respondent-may also be submitted with the appeal.

No. 30 /Inst;/2024/KPST,

Dt. 14/05 /2024.


REGISTRAR
SERVICE TRIBUNAL
KHYBER PAKHTUNKHWA
PESHAWAR. 14/5/2024

Shahid Naseem Khan Chamkani Adv.
High Court Peshawar.

All objections are cleared!

KHYBER PAKHTUNKHWA SERVICES TRIBUNAL, PESHAWAR

CHECK LIST

Mujahid Ali

Versus

Govt of KP

..... Appellant

..... Respondents

<u>S NO</u>	<u>CONTENTS</u>	<u>YES</u>	<u>NO</u>
1.	This petition has been presented by: <u>Advocate</u> <u>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?	x	
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:- Shahid Nadeem Khan Chankhau

Signature:- [Signature]

Dated:- 14/05/2024

(8)

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,
PESHAWAR

**SCANNED
KPST
Peshawar**

Service Appeal No. 681 /2024

Mujahid Ali Iqbal. **APPELLANT**


VERSUS

Govt. of Khyber Pakhtunkhwa & others. . . . **RESPONDENTS**

I N D E X

S.No.	Description of Documents	Annex	Pages
1.	Service Appeal		1-4
2.	Affidavit		5
3.	Addresses of the Parties		6
4.	Copy of Impugned Removal Order 31.01.2012	A	7
5.	Copy of Departmental Appeal	B	8-10
6.	Copy of Memo of Appeal dated 29.02.2012 with Registry Receipt	C	11-12
7.	Copy of Order 09.04.2012	D	13
8.	Copy of the Application dated 08.01.2015 alongwith Memo	E	14-16
9.	Copy of Mercy Petition	F	17-18
10.	Copy of Memo of Appeal dated 21.10.2022	G	19
11.	Copies of Medical Prescriptions	H	20-28
12.	Wakalatnama		29

Through Appellant


Shahid Naseem Khan
Chamkani
Advocate High Court

Dated: 10.05.2024

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,
PESHAWAR

Service Appeal No. 681 /2024

Khyber Pakhtunkhwa
Service Tribunal

Diary No. 12745

Dated 14/05/24

Mujahid Ali Iqbal (Ex-Constable No.1510/FRP)
R/o Village Garh Jawal Khel, P.O Dab, Tehsil & District
Karak. **APPELLANT**

VERSUS

1. Govt. of Khyber Pakhtunkhwa through Secretary, Home & Tribal Affairs Department, Civil Secretariat, Peshawar.
2. Inspector General of Police, Khyber Pakhtunkhwa, Peshawar.
3. Commandant FRP, Peshawar.
4. Superintendent of Police FRP, Kohat. . . **RESPONDENTS**

APPEAL U/S 4 OF THE SERVICE TRIBUNAL ACT, 1974 AGAINST THE IMPUGNED ORDER DATED 31.01.2012, OF RESPONDENT NO.4, WHEREBY APPELLANT WAS REMOVED FROM SERVICE AND ORDER DATED 09.04.2012, WHEREBY THE DEPARTMENTAL APPEAL OF THE APPELLANT WAS REJECTED BY THE RESPONDENT NO.3.

Filed to-day


Registrar

14/5/24

Respectfully Sheweth:

1. That appellant joined the respondents' Department as a Constable in the year 2009 at the Kohat Police strength.
2. That since his enrollment in the respondents' department, the appellant performed his official work with honesty, dedication and zeal and zest.

1 (8)

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,
PESHAWAR

Service Appeal No. 681 /2024

Mujahid Ali Iqbal (Ex-Constable No.1510/FRP)
R/o Village Garh Jawal Khel, P.O Dab, Tehsil & District
Karak. **APPELLANT**

VERSUS

1. Commandant FRP, Peshawar.
2. Superintendent of Police FRP, Kohat. . . **RESPONDENTS**

APPEAL U/S 4 OF THE SERVICE TRIBUNAL
ACT, 1974 AGAINST THE IMPUGNED ORDER
DATED 31.01.2012, OF RESPONDENT NO.4,
WHEREBY APPELLANT WAS REMOVED FROM
SERVICE AND ORDER DATED 09.04.2012,
WHEREBY THE DEPARTMENTAL APPEAL OF
THE APPELLANT WAS REJECTED BY THE
RESPONDENT NO.3.

Re-submitted to - day
and filed.

Registrar

Respectfully Sheweth:

1. That appellant joined the respondents' Department as a Constable in the year 2009 at the Kohat Police strength.
2. That since his enrollment in the respondents' department, the appellant performed his official work with honesty, dedication and zeal and zest.

3. That with the performance of the appellant, his officers were also satisfied and never preferred any complaint against the appellant.
4. That unfortunately in the year 2011, while serving in the police, the appellant suffered from chronic disease and remained absent from duty. (Copies of Medical Prescriptions are attached).
5. That in the meantime, at the back of the appellant, departmental proceedings on the ground of absence from duty, were initiated against the appellant and an enquiry was conducted, whereas the appellant was not associated with the proceedings of the said enquiry and astonishingly on 31.01.2012, the appellant was removed from service. (Copy of Impugned Removal Order is attached).
6. That the appellant was not even called to office for announcement of order in presence of the appellant.
7. That being aggrieved, the appellant has filed a departmental appeal before the respondent No.3, which too met the same fate, vide order dated 09.04.2012. (Copies of Departmental Appeal and Order are attached).
8. That the appellant feeling aggrieved and having no other adequate available remedy approached this Hon'ble Tribunal, on the following amongst other grounds;

G R O U N D S:

- A. That the impugned order of the removal from service of the appellant is not in accordance with law, rules

and the principles of natural justice, hence it is liable to be set aside.

- B. That the enquiry was conducted at the back of the appellant. The enquiry officer failed to associate the appellant with the enquiry proceedings.
- C. That the appellant was not provided opportunity to defend himself nor was he afforded opportunity to cross examine the witnesses. Hence enquiry is one sided, unilateral and legally defective and on the basis of such enquiry no punishment can be awarded.
- D. That due to process of law has not been followed which is mandatory in the eyes of law.
- E. That the order is also in violation of Article 10-A of the constitution, the said provision has envisaged that trial/inquiry shall be transparent and independent, but unfortunately the alleged enquiry against the appellant is neither independent nor transparent. Hence the fundamental right of the appellant was violated which alone has made the enquiry and the impugned order legally questionable and of not legal consequences upon the rights of the appellant.
- F. That against any void order no limitation runs.
- G. That the appeal against the impugned order has strong probability to succeed on merits, however, the worthy respondent office may take the shield of some technicalities like limitation, but it is an

admitted legal fact that when case or appeal is fit to be accepted on merits then technicalities should not come in their way and they should be ignored and decision is to be delivered on merit. Same principle is applicable on the case/ appeal of the appellant. In this regard the Hon'ble Supreme Court of Pakistan has decided the matter in affirmative.

- H. That the appellant has completely fit and he is fit to serve the Police Department with more enthusiasm and dedication.
- I. That any other ground with the permission of this Hon'ble Tribunal, will be raised at the time of arguments.

It is humbly prayed that on acceptance of the instant appeal, the impugned Orders of the respondents No. 1 & 2 may kindly be set aside in the interest of justice and the appellant may kindly be reinstated in service with all back benefits.

Any other relief deems fit and appropriate in the circumstances of the case may also be granted.

Through

Appellant

**Shahid Naseem Khan
Chamkani**

&

Asghar Shah
Advocates Peshawar

Dated: 10.05.2024

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,
PESHAWAR

Service Appeal No. _____/2024

Mujahid Ali Iqbal. **APPELLANT**

VERSUS

Govt. of Khyber Pakhtunkhwa & others. . . . **RESPONDENTS**

AFFIDAVIT

I, Shahid Naseem Khan Chamkani Advocate High Court, as per information conveyed to me by my client, do hereby solemnly affirm and declare on oath that the contents of the accompanying **Service Appeal** are true and correct to the best of my knowledge and belief and nothing has been concealed from this Hon'ble Tribunal.


ADVOCATE



BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,
PESHAWAR

Service Appeal No. _____/2024

Mujahid Ali Iqbal. **APPELLANT**

VERSUS

Govt. of Khyber Pakhtunkhwa & others. . . . **RESPONDENTS**

ADDRESSES OF THE PARTIES

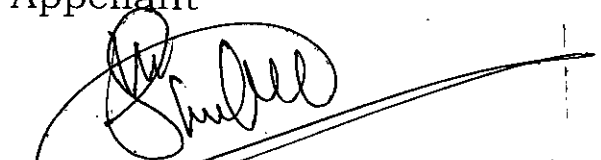
APPELLANT:

Mujahid Ali Iqbal (Ex-Constable No.1510/FRP)
R/o Village Garh Jawal Khel, P.O Dab, Tehsil & District
Karak.

RESPONDENTS:

1. . Commandant FRP, Peshawar.
2. Superintendent of Police FRP, Kohat.

Through Appellant



Shahid Naseem Khan
Chamkani
Advocate High Court

Dated: 10.05.2024

14

7

A

O. R. D. E. R.

Constable Mujahid Ali No. 1510 while posted at PS
Thall absented himself from 25.09.2011 to 14.12.2011
without any leave or permission of the competent authority.

He was served with Charge Sheet and summary of
allegations vide this office No. 215/PA dated 09.12.2011
and DSP Gul Rais Khan was appointed as Enquiry Officer. The
defaulter constable has also been served with Final Show
Cause Notice vide this office No. 220 dated 27.12.2011.

According to the findings of DSP FRP the above
named Constable is habitual absentee and un-willing worker.
He remained absent for 80 days on his own accord. In his
statement, he stated that he was ill, but during the course
of enquiry not only he failed to prove his illness but also
failed to produce any medical certificate etc. He is burden
on the shoulders of FRP, therefore he is removed from
service from the date of absence i.e 25.09.2011 under
Removal From Service, (Special Powers) Ordinance - 2000.

OB No. 56

Dated 31/1 /2012

[Signature]
Superintendent of Police, FRP,
Kohat Range, Kohat

Copy to:-

- 1. Pay Officer
- 2. Lines Officer
- 3. SRC
- 4. OASIL

[Signature]
ATTESTE

7

O R D E R

Constable Mujahid Ali No. 1510 while posted at PS Thall absented himself from 25.09.2011 to 14.12.2011 without any leave or permission of the competent authority.

He was served with Charge Sheet and summary of allegations vide this office No. 215/PA dated 09.12.2011 and DSP Gul Rais Khan was appointed as Enquiry Officer. The defaulter constable has also been served with final show Cause Notice vide this office No. 220 dated 27.12.2011.

According to the findings of DSP FRP the above named Constable is habitual absentee and un-willing worker. He remained absent for 80 days on his own accord. In his statement, he stated that he was ill, but during the course of enquiry not only he failed to prove his illness but also failed to produce any medical certificate etc. He is burden on the shoulders of FRP, therefore he is removed from service from the date of absence i.e. 25.09.2011 under Removal From Service (Special Powers) Ordinance - 2000.

OB No.56

Dated 31/1/2012

Sd/-
Superintendent of Police FRP,
Kohat Rang, Kohat

Copy to:-

1. Pay Officer
2. Lines Officer
3. SRC
4. OASI


ATTESTED

16

27-02-2013

B

(8)

BEFORE THE LEARNED COMMANDANT FRP PESHAWAR

Constable Mujahid Ali No.1510 FRP Kohat.....Appellant

VERSUS

Superintendent of Police FRP Kohat Range Kohat.....Respondent.

DEPARTMENTAL APPEAL AGAINST THE IMPUGNED ORDER NO. OB 56 DATED 31-01-2012 OF RESPONDENT NO.1 WHEREBY THE APPELLANT HAS BEEN REMOVED FROM SERVICE ON ACCOUNT OF ABSENCE FROM SERVICE.

PRAYER

On acceptance of this appeal the impugned order referred to above may please be set aside being illegal, contrary to prescribed services rule, Police rule and also against the facts and circumstances of case. Therefore the appellant may please be reinstated in service with all back benefits.

Facts/Grounds

1. That the appellant joined police department as constable in 2009. During his service he performed his duty to the entire satisfaction of his superior which is evident from the record.
2. That the appellant was granted casual leave. During availing leave at home the appellant became ill. He submitted an application through his relative for grant of Medical leave. The appellant was in the anticipation that the leave applied for would be sanctioned. Later on it came to the appellant that the leave has not been granted through the authority concerned for grant of leave on medical grounds to the effect that the appellant was under treatment of Medical Specialist, therefore he was unable to attend his duty, but his request was turned down.

Ec
for M/S

ATTESTED

16/02/13

- 3. That later on charge Sheet statement of allegation was delivered to the appellant for which the appellant gave reply which was placed on inquiry file. During the inquiry conducted by inquiry Officer no proper opportunity was given to the appellant to produce medical documents with regard to justify his absence from duty. The inquiry proceeding was conducted as ex parte.
- 4. That the relevant provision of prescribed services rule indicate that delinquent official be given full opportunity to explain his position, but the inquiry Officer did not fulfil his obligations as required under rules.
- 5. That the in impugned order it has been incorporated that the appellant is habitual absence is totally incorrect. Besides the Special ordinance 2000 has been already repealed, but the removing authority has committed illegality irregularity, hence calling for interference of this Hon'ble authority.
- 6. That the impugned order is not speaking order is illegal, unlawful, which has no validity in the eyes of law.
- 7. That the appeal is within time.

Keeping in view it is humbly prayed that the appeal may please be accepted, set aside the impugned order and the appellant may graciously be reinstated in service for ends of justice.

Dated:- 27-02-2012.

Mujahid Ali
 Appellant
 Constable Mujahid Ali
 No. 1510 FRP

Affidavit

I, do hereby solemnly affirm and declare that the above contents are true and correct to the best of my knowledge and nothing has been concealed from this Hon'ble Authority.

Mujahid Ali

Mujahid Ali
 ATTESTED

(18)

(14)

The Inspector General of Police
Khyber Pakhtunkhwa, Peshawar

Subject : Review Petition

Respected Sir,

With due respect and humble submission, petitioner submits
Representation based on the following facts and generals:

Facts

- a. That petitioner joined police department FRP as constable in the year 2009.
- b. That petitioner qualified recruit course and was serving police to the entire satisfaction of senior officers.
- c. That in the year 2011, petitioner suffered from chronic disease and failed to join duties and was marked absent and was eventually dismissed from service vide order dated 31.01.2012 passed by SP FRP Kohat. The departmental appeal of petitioner was rejected vide order of the Commandant FRP Peshawar dated 09.04.2012.
- d. That petitioner submitted a mercy petition before your honor but no response was received, hence a fresh review petition is submitted on the following grounds.

Grounds

- a. That the impugned order is void ab-initio as enquiry was entrusted to Gul Raees Khan (late) DSP FRP and he after conducting enquiry also passed the impugned order (Enquiry Officer himself conducted enquiry and dismissed the petitioner) having no legal jurisdiction to dismiss the petitioner. The order of dismissal from service is void because an enquiry officer passed the order despite the fact he was incompetent to issue such order under the rules.
- b. That the authority did not take into account medical rest produced in support of alleged absence from duty.
- c. That the enquiry file was prepared in violation of rules as no chance of defense was provided to petitioner. No chance of cross-examination of the witness was provided to petitioner.
- d. The petitioner was proceeded departmentally under the wrong law and rules.
- e. That petitioner belongs to a poor family and is unable to manage family affairs by working on daily wages basis having small offspring and whole family to support.

It is therefore requested that petitioner may be re-instated in service
with all back benefits and obliged.

ATTESTED

Yours faithfully,

Mujahid Ali Iqbal

Ex-Constable No. 1510/FRP

Village Garh Jawal Khel, The & Distt

Karak, PO Dhab, Cell No. 03455373740

109

11

The Addl: IGP/Commandant FRP
Khyber Pakhtunkhwa, Peshawar.

The Superintendent of Police FRP
Kohat Range

10. 1019

/EC dated Peshawar the 27/02/2012.

Subject: - APPEAL FOR REINSTATEMENT IN SERVICE

Memo: -

Enclosed please find herewith an appeal submitted by Ex-Constable
Mujahid Ali No. 1510 of your Range for reinstatement in service for detail comments. His
service record alongwith departmental file may also be sent to this office for disposal of his
appeal.

M. A. Khan
For Addl: IGP/Commandant FRP
Khyber Pakhtunkhwa Peshawar
10/2/12

[Signature]
ATTESTED

11

To

The Addl: IGP/Commandant FRP
Khyber Pakhtunkhwa, Peshawar.
The Superintendent of Police FRP
Kohat Range.

No.1019 /EC dated Peshawar the 29/02/2012

Subject:- **APPEAL FOR REINSTATEMENT IN SERVICE**

Memo: -

Enclosed please find herewith an appeal submitted by Ex-Constable Mujahid Ali No. 1510 of your Range for reinstatement in service for detail comments. His service record alongwith departmental file may also be sent to this office for disposal of his appeal.

Sd/-

OFFICE SUPDT:

For Addl: IGP/Commandant FRP
Khyber Pakhtunkhwa Peshawar

ATTESTED

No. 1330

2
RGL58819902

For Insurance Notices see reverse.
Stamps affixed except in case of
uninsured letters of not more than
the initial weight prescribed in the
Post Office Guide or on which no
acknowledgement is due.

Rs

Pa.

20/

12

Received a registered*
addressed to _____

Date Stamp _____

Initials of Receiving Officer _____
*Write here "letter", "postcard", "packet" or "parcel"
with the word "insured" before it when necessary.

Insured for Rs. (in figures) _____ (in words) _____

If insured.

Insurance fee Rs. _____ Ps. _____
Weight _____ Kilo _____
Grams _____

Name and
address
of sender _____

ATTESTED

ORIGINAL

22

This order shall dispose off on the appeal Ex-Constable
Mujahid Ali No. 1510 of FRP Kohat Range against the order of SP FRP Kohat
Range.

13

Brief facts of the case are that he while posted to Police Station
Thall absented himself from duty w-e-f 25.09.2011 to 14.12.2011 for a total period
of 02 months and 19 days without any leave/permission of the competent
authority. He was issued Charge sheet/statement of allegation and DSP Gul Raees
Khan was nominated as Inquiry officer. After enquiry the Inquiry Officer
submitted his findings wherein he recommended the defaulter constable for major
punishment. He was issued Show Cause Notice, but his reply was not satisfactory.
Therefore he was removed from service by the SP FRP Kohat Range vide OB No.
56 dated 31.01.2012.

However from the perusal of record and finding of Inquiry
officer there are no cogent reason to interfere in the order of SP FRP Kohat Range.
Therefore his appeal is rejected.

ATTESTED

Add: IGP/Commandant
Frontier Reserve Police
Khyber Pakhtunkhwa Peshawar.

5/1/2012

No. 1966/67 A/C dated Peshawar the

09/04/2012

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

1. Superintendent of P-FRP Kohat Range, w/r to his Memo: No. 382/A.C. dated
13.03.2012. Service record and departmental Inquiry file are returned
herewith for record in your office.

2. Ex-Constable Mujahid Ali No. 1510 S/o Gul Saib Khan R/o Village Garah
Javed Khel District Karak.

ORDER.

This order shall dispose off on the appeal Ex-Constable Mujahid Ali No. 1510 of FRP Kohat Range against the order of SPF RP Kohat Range.

Brief facts of the case are that he while posted to Police Station Thall absented himself from duty w-e-f 25.09.2011 to 14.12.2011 for a total period of **02 months and 19 days** without any leave/permission of the competent authority. He was issued Charge sheet/statement of allegation and DSP Gul Raees Khan was nominated as Enquiry officer. After enquiry the Enquiry Officer submitted his findings wherein he recommended the defaulter constable for major punishment. He was issued Show Cause Notice, but his reply was not satisfactory Therefore he was removed from service by the SP fRP Kohat Range vide OB No.56 dated 31.01.2012.

However from the perusal of record and finding of Enquiry officer there are no cogent reason to interfere in the order of SP FRP Kohat Range. Therefore his appeal is rejected.

Sd/-
Addl: IGP/Commandant
Frontier Reserve Police
Khyber Pakhtunkhwa Peshawar

No.1966-67/EC dated Peshawar the 09/04/2012

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

1. Superintendent of P-FRP Kohat Range, w/r to his Memo: No.382/EC dated 13.03.2012. Service record and departmental Enquiry file are returned herewith for record in your office.
2. Ex Constable Mujahid Ali No. 1510 S/o Gul Saib Khan R/o Village Garah Javed Khel District Karak.


ATTESTED

From: The Sup. of Police,
FRP, Kohat

To: The Addl. IGP/Commandant,
FRP Khyber Pakhtunkhwa, Peshawar

No: 80 /EC, dated Kohat the 15/11 /2015

~~11~~

14

Subject: APPLICATION
Memo:

Kindly refer to your good office Endst: No. 202/EC dated 08.01.2015 on the subject noted above.

It is submitted for your kind honour that Ex-Constable Mujahid Ali Iqbal No. 1510 while posted at P.S Thal absented himself from his lawful duty from 25.09.2011 to 14.12.2011 without obtaining any leave or permission from the competent authority. The above named Ex-Constable was served with charge sheet & summary of allegation vide this office. 215/PA dated 09.12.2011 and the then DSP Gul Rais Khan was appointed as Enquiry officer. The defaulter Constable was served with final show cause notice vide this office No. 220/PA dated 27.12.2011.

The Enquiry officer in his finding came to the conclusion that the said constable is habitual absentee and unwilling worker. Also 80 days absence exists at his credit of defaulter constable. The defaulter constable took plea with regard to his ailment but neither he produce any medical certificate nor he put in tangible proof in support of his ailment. Therefore the defaulter official Constable Mujahid Ali No. 1510 was removed from service from the date of absence i.e 25.09.2011 under removal from service (Special Power ordinance - 2000) vide this office OB No. 56 dated 31.01.2012.

It was established that the accused official was habitual absentee and he has enjoyed French leave without assigning any cogent reason directly or indirectly to his superiors which proved that the absence on his part was willful and intentional. This act on his part is quite adverse and is against the norms of discipline. It is every likelihood that the above mentioned ex-Constable can not become a good police officer; in view of the above his re-instatement in service is not recommended.

The appeals filed by the defaulter official before your good honour was rejected vide your good office Endst: No. 1966-67/EC dated 09.04.2012. Similarly the appeal of the said Ex-Constable was rejected by honourable Police Chief Khyber Pakhtunkhwa, Peshawar vide his office letter No. 5391/E-II dated 04.03.2013.

His bio data is submitted as follows.

- | | | |
|----|---------------------|---------------------|
| 1. | Name: | Mujahid Ali No.1510 |
| 2. | Date of Enlistment: | 11.08.2009 |
| 3. | Date of Dismissal: | 31.01.2012 |
| 4. | Good Entry: | Nil |
| 5. | Bad Entry: | 08 |
| 6. | Absence period. | 20 days |

The departmental enquiry file and service record of the Ex-Constable Mujahid Ali Iqbal No.1510 is submitted herewith which may kindly be returned when no longer required please.

~~11~~

11/11/2015

[Signature]

Superintendent of Police, FRP,
Kohat Range, Kohat

[Signature]

15

From: The Superintendent of Police,
FRP, Kohat

To: The Commandant,
FRP, Khyber Pakhtunkhwa, Peshawar

No. 1574 /EC, dated Kohat the 12/10/2015

Subject: APPEAL FOR RE-INSTATEMENT IN SERVICE

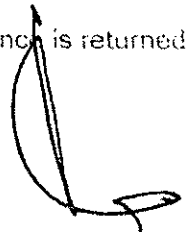
Memo:

Kindly refer to your office memo: No. 8137/EC dated 01.10.2015
 In this regard a detail comments, departmental enquiry file and
 service record of the Ex constable Mujahid Ali Iqbal No. 1510 has already been
 submitted to your good office regarding his re-instatement in service vide this office
 Memo: No. 80/EC dated 15.01.2015.

Appeal received with your above reference is returned herewith.

قلمرو پولیس کوہاٹ
 0345-8373740

qu


 Superintendent of Police,
 FRP, Kohat

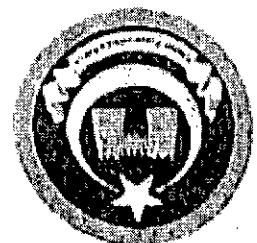

 ATTESTED

OFFICE OF THE
INSPECTOR GENERAL OF

KHYBER PAKHTUNKHWA

Central Police Office, Peshawar.

No. ST 2/188, dated Peshawar the 22/19, 2021.



To :

The

Commandant,

Frontier Reserve Police,

Khyber Pakhtunkhwa, Peshawar.

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(26)

Subject:

APPLICATION FOR RE-INSTATEMENT IN SERVICE.

Memo:

Ex-FC Mujahid Ali No. 1510 of FRP Police has preferred application to the
Worthy IGP/Khyber Pakhtunkhwa for reinstatement in service.
In order to proceed further in the matter, a copy of his appeal rejection order
may be sent to this office, please.

(AIRSAR JAN)
Registrar,
For Inspector General of Police,
Khyber Pakhtunkhwa, Peshawar

M. H. J.
23/10/21



[Handwritten signature]

Office of

Commandant FRP ICP, Peshawar

No. 8011 / SI ICP, dated 09/10/2021.

Copy of above alongwith its enclosures forwarded to the
SP FRP Kohat Range for information and further
action. The copy of dismissal order and rejection order
may be sent to the office for onward submission.

to CPO 01

01H/5RC

FR Complaint for Commandant

ARRESTED

Superintendent of Police,
FRP Kohat Range,
Kohat

13/10/21

To The Provincial Police Officer,
Khyber Pakhtunkhwa Peshawar

27

Subject: MERCY PETITION

Respected Sir,

The petitioner knock at the door of your good office by submitting the present mercy petition for the revival and survival of the lost service with following lines:-

FACTS

1. That petitioner belongs to poor family and was enrolled in the FRP Police with effect from 22.08.2009. Petitioner successfully qualified the basic course and was rendering services to the entire satisfaction of senior and superior officers.
2. That in the year 2011 petitioner was posted at Police Station Thall district Hangu and petitioner suffered from chronic disease of typhoid and the SHO of Police Station directed the petitioner to manage private treatment.
3. That petitioner left the station and was managing treatment and later on petitioner came to know that he was marked absent and was dismiss from service vide of Superintendent of Police FRP Kohat bearing OB No. 56 dated 31.01.2012.
4. That petitioner filed representation against the above order but the same was also rejected vide order bearing No. 1966-67/EC dated 09.04.2012 issued by Additional Inspector General / Commandant FRP KP.
5. That petitioner lost the legal battle, therefore submits the present mercy petition.

GROUNDS

- a. That the impugned orders were passed in violation of the law and rules. The petitioner was dismissed from service vide order of FRP Kohat without committing any misconduct and negligence in duty.
- b. That petitioner belongs to poor family and father of petitioner died of cardia arrest and one of the brothers of petitioner is mentally upset and his treatment requires heavy expenses, therefore petitioner is unable to face the domestic affairs with out any permanent job. Petitioner use to earn livelihood by working on daily wages basis.


~~ATTACHED~~

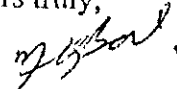
That the lost of service of petitioner is not less than killing the goose which lay the golden eggs. Therefore revival of service of petitioner is necessary for sailing the life boat of the family of petitioner.

d.

That the lower authority did not take into account the illness of petitioner and the absence of petitioner was not deliberate rather it was inevitable.

It is therefore requested the impugned orders may please be set aside and petitioner may be reinstated in service with all consequential benefits.

Yours truly,



(MUJAHID ALI)

Ex- FRP Constable No.1510
Village Garh Jawal Khel Post
office Dab, Tehsil and District Karak


ATTESTED

29

29

Appeal/2022



OFFICE OF THE SUPERINTENDENT OF POLICE,
FRP KOHAT RANGE, KOHAT
PH: NO. 0522-9260124, FAX: 0522-9260134

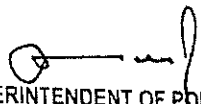
No. 1920 /EC, dated Kohat the 21/10/ 2022

To: The Commandant, FRP
Khyber Pakhtunkhwa, Peshawar

Subject: APPEAL FOR RE-INSTATEMENT IN SERVICE
Memo:

Kindly refer to your office Endst: No. 8011/SI Legal dated 29.09.2022 on the subject noted above.

It is submitted that the service record alongwith fauji missal and departmental enquiry file of Ex- Constable Mujahid Ali No. 1510 of this Range has already been sent to your office vide this office letter No. 80/EC dated 15.01.2015, please.


SUPERINTENDENT OF POLICE, FRP
KOHAT RANGE, KOHAT 9


ATTESTED

Popular
Clinical Laboratory



الدر كلىينىكل لىبارتورى
سالمه

Mob: 0332-9905345

Name: MUSTAFID ALI Age: 38 Sex: M Date: 26/09/11
Test Required: SR Specimen: SR

ATTESTE

TEST	RESULT	REFERENCE VALUES	TEST	RESULT	REFERENCE VALUES
LIVER PROFILE			LIPID PROFILE		
Bilirubin Total	3.6 mg/dL	Upto 0-1.0 mg/dL	Total lipid	mg/dL	500-1000 mg/dL
Bilirubin Direct	mg/dL	Upto 0.3 mg/dL	Cholesterol	mg/dL	150-250 mg/dL
Bilirubin Indirect	mg/dL		Triglyceride	mg/dL	50-150 mg/dL
ALT (GPT)	U/L	Upto 40 U/L	H.D.L	mg/dL	<35 mg/dL
Alk. Phosphatase	U/L		L.D.L	Mg/dL	>160 mg/dL
Total Proteins	G/dL	6.0 to 8.0 G/dL	ELECTROLYTES		
Albumin	G/dL	3.5 to 5.0 G/dL	Sodium	mmol/L	135-149 mmol/L
Globulin	G/dL	2.0 to 3.0 G/dL	Potassium	mmol/L	3.0-5.0 mmol/L
A/g Ratio			Chloride	mmol/L	96-107 mmol/L
RENAL PROFILE			MISCELLANEOUS		
Urea	mg/dL	15-45 mg/dL	Glucose Fasting	mg/dL	60-100 mg/dL
Creatinine	mg/dL	0.6-1.0 mg/dL	Glucose Random	mg/dL	80-120 mg/dL
Phosphorus	mg/dL	25-45 mg/dL	Uric Acid	mg/dL	3.0-7.5 mg/dL
CARDIAC PROFILE			Amylase	U/L	Upto 390 U/L
AST (GOT)	U/L	Upto 36 U/L	Calcium	mg/dL	8.10-10.4 mg/dL
LDH	U/L	Upto 460 U/L	THUROLD PROFILE		
CPK	U/L	Upto 195 U/L	T3		0.79-1.73 ug/dL
			T4		52-127 ng/ml
			TSH		0.6-5.0 mIU/ml

Sig:

20

30

ATTEST

[Signature]

[Signature]

S.G.P.T. -

59

3.02 8/19 Series B. 8/19

Anti: Hcd = (-ve)
Non reactive

This Ag = (-ve)
Non reactive

26/9/11

(9)

(21)

31

ATTESTED

Complete Bed Rest for 2 months
 Adv. by Dr. J. B. Jones
 4. Glaxo 2
 3. 1/4 lb. powder 1-1-1
 2. 8 1/2 lb. Heparin 1-1-1
 1. 1 lb. Siboran 1-1-1

1/2 lb. Siboran
 1/2 lb. Siboran
 1/2 lb. Siboran
 1/2 lb. Siboran

Clinical Findings / Investigations / Treatment / Referral / Test Findings

Date

Provisional Diagnosis:

Monthly OPD Serial No.

1237/

Father's / Husband's Name

28/9/2011

Name

15/15

Age: 98 yrs

Sex: M

Family Name

District

CRP No:

OUT-DOOR PATIENT TICKET

Serial No.

DHS-0267

22

32

Popular
Clinical Laboratory



پاپولر کلینیکل لیبارٹری

MOB: 0332-3665545

Name: MUHAMMAD ALI Age: 28 Sex: M Date: 28/10/11

Test Required: S.R.R. Specimen: S.S.

23

33

TEST	RESULT	REFERENCE VALUES	TEST	RESULT	REFERENCE VALUES
LIVER PROFILE					
Bilirubin Total	5.0 mg/dL	Upto 0-1.0 mg/dL	LIPID PROFILE		
Bilirubin Direct	mg/dL	Upto 0.3 mg/dL	Total lipid	mg/dL	500-1000 mg/dL
Bilirubin Indirect	mg/dL		Cholesterol	mg/dL	150-250 mg/dL
ALT (GPT)	U/L	Upto 40 U/L	Triglyceride	mg/dL	50-150 mg/dL
Alk. Phosphatase	U/L		H.D.L	mg/dL	<35 mg/dL
Total Proteins	G/dL	6.0 to 8.0 G/dL	L.D.L	mg/dL	>160 mg/dL
Albumin	G/dL	3.5 to 5.0 g/dL	ELECTROLYTES		
Globulin	G/dL	2.0 to 3.0 G/dL	Sodium	mmol/L	136-149 mmol/L
A/g Ratio			Potassium	mmol/L	3.0-5.0 mmol/L
RENAL PROFILE					
Urea	mg/dL	15-45 mg/dL	Chloride	mmol/L	96-107 mmol/L
Creatinine	mg/dL	0.6-1.0 mg/dL	MISCELLANEOUS		
Phosphorus	mg/dL	25-45 mg/dL	Glucose Fasting	mg/dL	60-100 mg/dL
CARDIAC PROFILE					
AST (GOT)	U/L	Upto 36 U/L	Glucose Random	mg/dL	80-120 mg/dL
LDH	U/L	Upto 460 U/L	Uric Acid	mg/dL	3.4-7.0 mg/dL
CPK	U/L	Upto 95 U/L	Amylase	U/L	Upto 300 U/L
THUROLD PROFILE					
			Calcium	mg/dL	8.10-10.4 mg/dL
			T3		0.79-1.73 mg/dL
			T4		52-127 mg/dL
			TSH		0.6-4.5 mIU/ml

ATTESTER

Sig. H.

24

3

Sent To: OUT DOOR PATIENT TICKET

District: کک CRP No: _____

Facility Name: _____

Name: علی Age: _____ Sex: _____

Father's/Husband's Name: 28-10-2011

Monthly OPD Serial No. 18551

Provisional Diagnosis: _____

Date

Clinical Findings / Investigations / Treatment / Referred / Test Findings

g. Hepatitis

Jaundice

1. Cap. Jetepez
1-1-1

2. Tab Sil Liver

3. SyP Leptosplx

5. SyP Eplazy

6. C. G. 17-11

Adv

Complete Red Test

Adv. n. M. 5. 11.

ATTESTED

25

12

25/11/11

NLE

- Serus biturubon 6.9 out de

SCPT - 94

[Signature]

[Signature]

ATTESTED

Popular
Clinical Laboratory



36
26
2
بالولر كلينیکل لیبارٹری

Mob: 0332-9805646

Name

M. JAHID AH

Age

28/12

Sex

M

Date

17/11/12

Test Required

8782

Specimen

BEAD

TEST	RESULT	REFERENCE VALUES	TEST	RESULT	REFERENCE VALUES
LIVER PROFILE			LIPID PROFILE		
Bilirubin Total	2.8 mg/dL	Upto 5-1.0 mg/dL	Total lipid	mg/dL	500-1000 mg/dL
Bilirubin Direct	mg/dL	Upto 0.3 mg/dL	Cholesterol	mg/dL	150-250 mg/L
Bilirubin Indirect	mg/dL		Triglyceride	mg/dL	50-150 mg/dL
ALT(GPT)	U/L	Upto 40 U/L	H.D.L	mg/dL	35mg/dL
Alk. Phosphatase	U/L		L.D.L	mg/dL	160 mg/dL
Total Proteins	G/dL	6.0 to 8.0 G/dL	ELECTROLYTES		
Albumin	G/dL	3.5 to 5.0 G/dL	Sodium	mmol/L	136-145 mmol/L
Globulin	G/dL	2.0 to 3.0 G/dL	Potassium	mmol/L	3.0-5.0 mmol/L
A/g Ratio			Chloride	mmol/L	96-107 mmol/L
RENAL PROFILE			MISCELLANEOUS		
Urea	mg/dL	15-45 mg/dL	Glucose Fasting	mg/dL	60-100 mg/dL
Creatinine	mg/dL	0.6-1.0 mg/dL	Glucose Random	mg/dL	80-120 mg/dL
Phosphorus	mg/dL	25-45 mg/dL	Uric Acid	mg/dL	4.3-7.0/2.4-5.7 mg/dL
CARDIAC PROFILE			Amylase	U/L	Upto 390 U/L
AST (GOT)	U/L	Upto 36 U/L	Calcium	mg/dL	8.10-10.4 mg/dL
LDH	U/L	Upto 460 U/L	THUROLD PROFILE		
CPK	U/L	Upto 195 U/L	T3		0.79-1.73 ug/dL
			T4		52-127 ng/ml
			TSH		0.6-4.5 um/ml

ATTESTE

Sent To: OUT DOOR PATIENT TICKET

District CRP No:

Facility Name

Name Age: 28 1/2 Sex:

Father's/Husband's Name

Monthly OPD Serial No. 2230 /

Provisional Diagnosis:

Date	Clinical Findings / Investigations / Treatment / Referred / Test Findings
	Jaundice
A	Adu Serum Bilirubin (improved)
	1. Cap Tepan
	2. Syb Ledra
	3. Glaxone D
	728 Siltan
	Adu Complete Bed Rest for 4 weeks

[Signature]

ATTESTED

