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

CM No. \_\_\_\_\_/2024  
In  
Service Appeal No. 1118 /2024

Abdul Aziz Khan  
VS  
Inspector General of Police Et. Al.

Khyber Pakhtunkhwa  
Service Tribunal  
Duty No. 16867  
Dated 07-10-24

**CIVIL MISCELLANEOUS APPLICATION FOR AMENDING THE SERVICE APPEAL KEEPING IN VIEW THE PROBITY THAT DURING PENDENCY OF THE APPEAL, AN ORDER UNDER RULE-11A (REVISION) POLICE RULES, 1975 WAS PASSED ON 25/09/2024 WHICH WAS RECEIVED BY THE APPLICANT ON 29/09/2024 WHICH IS REQUIRED TO BE CHALLENGED AND IMPUGNED**

The Applicant is pleased to beseech before this Honorable Tribunal as under;

1. That the above mentioned appeal is pending adjudication which was heard in PH and also reply of the Respondents was sought.
2. That the Applicant after the submission of his departmental appeal, waited for the exhaustion of the statutory period of 90 days, filed the service appeal and till submission of the same, there was no order passed on the same,
3. That it is indispensable to submit that on 29/09/2024, the Applicant received an impugned order Dated: 25/09/2024 passed by the Respondent No. 01 under Rule-11A of the Police Rules 1975. (Copy of the Order Dated: 26/09/2024 is attached as F/A)
4. That the order Dated: 25/09/2024 duly communicated to the Applicant on 29/09/2024 is required to be called in question, challenged and impugned before this Honorable Tribunal.

5. That in fact, there is no legal embargo pertaining to making amendment in the service appeal as the same is within time and the amendment is necessary for the purpose to impugn and challenge the order Dated: 25/09/2024.

**PRAYER:**

In light of the foregoing submissions, it is therefore, most humbly prayed that on acceptance of the instant application, permission may kindly be granted to amend the Service Appeal for the safe administration of justice and fair-play.

Through

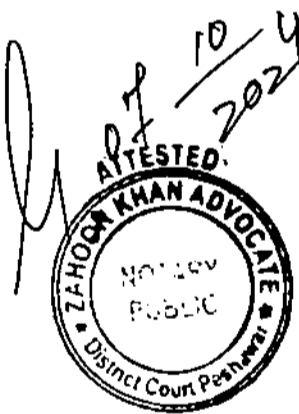
Applicant

(Mian Muhammad Imran)  
Advocate High Court

**Affidavit:**

I, Abdul Aziz Khan (Ex-Sub Inspector) do hereby solemnly affirm and declare that the contents of the application are true and correct and nothing has been concealed from this Honorable Court.

Deponent



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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-SI Abdul Aziz No. P/158 (hereinafter referred to as petitioner).

CCPO/Peshawar dismissed the petitioner on the charges that he while posted as SHO PS Gulberg, Peshawar:

"On 12.12.2023, a Black Double Cabin Revo-Toyota vehicle was found standing in the jurisdiction of PS Gulberg, Peshawar. On search huge quantity of Opium, Charas and heroin were recovered from the said vehicle. A case FIR No. 1100, dated 12.12.2023 w/s 9D-CNSA/15-AA/419/420 PS Gulberg was registered against the unknown accused. He was specifically directed to unearthed the whole network of the smugglers and arrest the culprits. The case property was shifted to PS for sampling for FSL and has to be immediately deposited in the Kacheri Malkhana made for the case property (narcotics only) as per SOPs/Instructions issued vide No. 321/R, dated 01.06.2022 & No. 4638/R-Inv: dated 28.09.2023. The same did not happen and after a month the case, property was still lying in the PS when the Competent Authority inspected it on 16.01.2024. Reportedly, the case property has been replaced."

The Appellate Authority i.e. CCPO/Peshawar awarded the applicant major punishment of "dismissal from service" vide order Endst: No. 1223-33/PA, dated 26.03.2024.

A meeting of Appellate Board was held on 28.08.2024 in CPO under the chairmanship of DIG Headquarters. Ex-SI Abdul Aziz No. P/158 was present and heard in person in detail.

He is involved in serious misconduct and was found to have replaced case property (narcotics recovered in a case). Therefore, his appeal is being rejected.

Sd/-

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

No. SI/ 2475-79 /24, dated Peshawar, the 25-09-2024.

Copy of the above is forwarded to the:

1. Capital City Police Officer, Peshawar. One Service Book & Inquiry File (original) containing pages 142 received vide letter No. 8818/I:C-II, dated 20.05.2024 is returned for your office record.
2. AIG/Legal, Khyber Pakhtunkhwa, Peshawar.
3. PA to Addl: IGP/HQrs: Khyber Pakhtunkhwa, Peshawar.
4. PA to DIG/HQrs: Khyber Pakhtunkhwa, Peshawar.
5. Office Supdt: E-III, CPO Peshawar.

(SONIA SHAMROZ KHAN)  
PSP

AIG/Establishment,  
For Inspector General of Police,  
Khyber Pakhtunkhwa, Peshawar.