Form- A

FORM OF ORDER SHEET

Court of___

Implementation Petition No. <u>1158/2024</u>

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1	10.10.2024	The implementation petition of Mr. Nisar
		Muhammad Khan submitted today by him. It is fixed for
	· ·	implementation report before Single Bench at Peshawai
		on, 15.10.2024. Original file be requisitioned. AAG has
		noted the next date. Parcha Peshi given to the
·	•	petitioner.
		By order of the Chairman
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BEFORE THE KPK SERVICE TRIBUNAL PESHAWAR CAMP COURT D.I.KHAN.

Execution Petition No. 1. S.B... of 2024. In Service Appeal No293/2023 Decided on 25.06.2024

Nisar Muhammad Khan

Versus

IG, Police etc

EXECUTION PETITION

INDEX

S.N o	Particulars of the Documents	Annexur e	Page
1)	Grounds of Execution petition with affidavits		14
`2)	Copy of addendum/corrigendum No. 1137- 39/EC dated 07/03/2024	A	5
3)	Copy of Service Appeal No. 293/2023	В	6-12
4)	Copy of judgment dated 25/06/2024	С	13-18
5)	Copy of application along with covering letter	D	19-21
6)	Copy of order No. 512-15/EC Bannu dated 21/02/2023 issued by respondent No. 2	E	22-27
7)	Copies of implementation orders of appellants in service appeal No. 991/2018		28-34
8)	Wakalatnama		35

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Dated; /0 / 10/2024

Humble Petitioner

Nisar Muhammad Khan

Through counsel

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Muhammad Abdullah Baloch Advocate Supreme Court. District Bar Association Dera Ismail Khan.

BEFORE THE KPK SERVICE TRIBUNAL PESHAWAR CAMP COURT D.I.KHAN.

Execution Petition No..... of 2024. In Service Appeal No293/2023 Decided on <u>25.08.2024</u>

> Nisar Muhammad Khan, Deputy Superintendent of Police presently posted as Acting SP Motor-Transport Peshawar.

(Petitioner)

VERSUS

1. The Inspector General of Police (IGP), Central Police Office, Peshawar.

2. Regional Police Officer, Bannu Range Bannu.

(RESPONDENTS)

EXECUTION/IMPLEMENTATIONPETITIONOFJUDGMENTDATED25/06/2024PASSEDBYTHEHONOURABLEKPSERVICETRIBUNALINSERVICEAPPEALNo.293/2023TITLED"NISAR MUHAMMADKHANVERSUS GOVERNMENT OF KPK AND OTHERS".

Respectfully Sheweth;

That the brief facts of the case are as under:

- That the petitioner was appointed as Assistant Sub Inspector (BS=9) in KPK Police Department on the recommendation of KPK Public Service Commission on 11/01/1995 in Bannu region along with his other batch mates/colleagues. However, date of appointment has been rectified as 09/01/1995 vide order of addendum/corrigendum No. 1137-39/EC dated 07/03/2024. Copies are annexed as <u>Annexure "A"</u>.
- 2. That the petitioner was stood at Serial No.32 vide notification dated 01/01/1995 in the merit list, assigned by the Public Service Commission.



- 3. That after completion of successful probation period the appellant was confirmed as ASI vide Order Endst; No. 3161-62/ES dated 30/12/1998 effect from the date of initial appointment i.e 01.01.1995. But the petitioner was not entered in list-E from the date of his confirmation i.e 30/12/1998 rather he was entered into list-E after the lapse of more than 3 years vide order No.1891-94/ES dated 20/07/2001.
- 4. The petitioner was not given inter-se seniority among his batch mates as per merit assigned by KP public service Commission.
- 5. That the petitioner was promoted to the rank of officiating Sub Inspector vide office order No.911-13 dated 17.04.2004 and later on was confirmed as Sub Inspector vide office order No.1718-24 dated 25.08.2006.
- 6. That the petitioner was promoted to the rank of DSP (BS-17) w.e.f 24.01.2014 And due to late confirmation as SI, seniority of appellant was disturbed which might be a clerical mistake, which travelled along the seniority of the petitioner and culminated in to final seniority list issued vide impugned seniority list No. 1594/SE-I dated 05/08/2022. That name of the petitioner was wrongly shown at serial No. 83.
- That after the issuance of impugned promotion Notification No. SO(E-I)E&AD/2-4/2022 dated 05/09/2022, being continuance cause of action, the applicant preferred a departmental appeal on 30/09/2022.
- 8. That to the dismay of the petitioner, his position has been disturbed by the dint of Seniority List, depriving the petitioner wrongly of his Seniority position by placing him at serial No.83 much below to his junior, while the initial merit of Public Service Commission ensures without change in subsequent events concerning Seniority of batch-wise contemporaries.
- 9. That feeling aggrieved the petitioner preferred service appeal No. 293/2023. The Honourable KP Service Tribunal decided the Service Appeal No. 293/2023 on 25.06.2024. Copies of appeal and Judgment of Honourable KP Service Tribunal Peshawar dated 25.06.2024 are annexed as <u>Annexure "B</u> <u>& C</u>".

- 10. That as per judgment of the Worthy KP Service Tribunal observed and held that the case of the petitioner is similar to the service appeal No. 991/2018 titled "Abdul Hai vs Govt; of KPK through home Secretary and others", having the same facts, therefore case of the petitioner was remitted back to the respondent department for similar treatment at par with his colleagues/batch-mates.
- 11. That petitioner submitted an application for implementation of the judgment of the Honourable Service Tribunal Peshawar to the respondent No. 2 but the same has not been implemented in letter and spirit. Copy of the application along with covering letter is annexed as <u>Annexure "D"</u>.
- 12. That pertinent to mentioned here that petitioner has got knowledge about order No. 512-15/EC Bannu dated 21/02/2023 issued by respondent No. 2. The said order reveals that date of enlistment of petitioner in list-"E" has been rectified and corrected as <u>11/01/1998</u>, at serial No. 4. Copy is annexed as <u>Annexure "E"</u>. That as the partial grievances of the petitioner has been redressed but respondent is not considering the case of the petitioner at par with the case of batch mates Abdul Hai in service appeal No. 991/2018, wherein, the seniority of the said petitioner has been rectified after anti-dating his date of appointment as officiating SI; date of confirmation as SI and after that his seniority has been corrected in seniority list-"F". Further the said batch mate the petitioner has also been promoted to the rank of Superintendent of Police BS-18. Copies of implementation orders of appellants in service appeal No. 991/2018 are annexed as <u>Annexure F.</u>
 - 13. That after the lapse of considerable time, department is not implementing the judgment dated 25/06/2024, therefore, petitioner has no other remedy but to file the instant execution petition.

IN VIEW OF THE ABOVE, IT IS, THEREFORE, MOST RESPECTFULLY REQUESTED THAT ON ACCEPTANCE OF THIS EXECUTION PETITION, THE JUDGMENT OF THIS HONOURABLE SERVICE TRIBUNAL MAY KINDLY BE IMPLEMENTED IN ITS TRUE LETTER AND SPIRIT AND ANY FURTHER

APPROPRIATE ORDER MAY KINDLY BE EXTENDED IN PETITIONER'S FAVOUR.

THE RESPONDENTS MAY KINDLY BE DIRECTED TO IMPLEMENT THE JUDGMENT AND TREAT THE CASE OF THE PETITIONER AT PAR WITH CASE OF THE APPELLANTS IN SERVICE APPEAL NO. 991/2018.

Dated;<u>/0</u>/10/2024

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Your Humble Petition

Nisar Muhammad Khan

Through counsel

10)

Muhammad Abdullah Baloch Advocate Supreme Court. District Bar Association Dera Ismail Khan.

<u>AFFIDAVIT</u>

I, Nisar Muhammad Khan, petitioner herein, do hereby solemnly affirm on oath that all para-wise contents of the execution petition are true and correct to the best of my knowledge, belief and information and nothing has been deliberately concealed from this Honourable Court, nor anything contained therein, based on exaggeration or distortion, of facts.

POURCE DEPARTMENT

HER R OF ADDENDUMA ORRIGENDUM

The Softowing addendum/corrigendum is headly mate a contrary list "F" issued vide this office Endst: No. ST2-15/EC dated 21.02.2073;

"The date of appointment as PASE 11.01.1995, mentioned in Seniority List "E", issued vide this office Eadst: No. 5E +15/EC dated 21.02.2023 in r/o DSP Nisor Muhammad Khan, presently posted as SE Felecommunication & Transport Khyber Pakhtunkhwa Peshawar, is treated as 09.01.1995 instead of 11.01.1995 in light of DPO Lakki Marwat Notification No. 1117-18 dated 19.01.1995 (Copy enclosed)"

Regional Public Officer.

Bannu Region. Bannu

Copy of above is forwarded to:

The Inspector General of Police, Khyber Pakhtunkhwa Peshawar,

The SP/Felecom: & Transport, Khyber Pakhtunkhwa Peshawar w/r to his office letter No. 2168/Fele/EC dated 29.02.2024.

. The District Police Officer, Lakki Marwat,

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Regional Phice Officer,

Bannu Region, Bannu Region,

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BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL. PESHAWAR

Nisar Muhammad Khan, Deputy Superintendent of Police presently posted as Acting SP Motor-Transport Peshawar.

Appellant

VERSUES

- 1. Govt; of Khyber Pakhtunkhwa through the Chief Secretary,
 - Govt: of Khyber Pakhtunkhwa, Peshawar.
- 2. The Secretary to the Govt; of Khyber Pakhtunkhwa, Home and Tribal Affairs Department, Peshawar.
- 3. The Provincial Police Officer, Central Police Office, Peshawar.
- 4. The Addi: Inspector General of Police, Head Quarters, CPO, Peshawar.
- 5. Regional Police Officer, Bannu Range Bannu.
- 6. Mr. Syed Mukhtiar Shah presently posted as DPO at Torghar. Mob No. 03413982229
- 7. Mr. Nazir Ahmad presently posted as SP /CTD at Abattabad . Mob. No. 03145009400
- Mr. Saeed Akhtar presently posted as SP/Inv Khyber. Mob. No. 0333-5136020.
- Mr. Muhammad Ishtiaq presently posted as SP Investigation Abbattabad Mob. No. 03018119988.
- 10. Mr. Muhammad Marcof presently posted as SP. Head quarters Elite Force, Head Quarter Peshawar. Mob No.0333-9107445
- 11. Mr. Muhammad Ayaz presently posted as Addditional SP Operation at Hanpur.
 - Mob No. 0300-5611595.
- 12, Mr. Muhammad Jamil Akhtar presently posted as Addditional SP at Mansehra. Mob. No. 0345-6095496.
- 13. Mr. Aslam Nawaz, presently posted as SP Investigation Khyber.

Respondents



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SERVICE APPEAL UNDER SECTION 4 OF SERVICE TRIBUNAL ACT. 1974 AGAINST THE IMPUGNED NOTIFICTAION OFFICE NO. SO(E-I)E&AD/2-4/2022 DATED 5/9/2022 WHEREBY SOME OF THE JUNIORS HAS BEEN PROMOTED TO THE RANK OF SUPRETENDENT OF POLICE (BS-18) ON REGULAR BASIS AND APPELANT HAS BEEN DEPRIVED OF HIS DUE RIGHT OF PROMOTION AND DISCRIMINTAION HAS BEEN METED OUT AND SERVICE APPEAL AGAINST INDISICION OF THE DEPARTMENTAL APPEAL OF THE APPELANT.

Attested to be a True Copy



Note: That the addresses of the Parties given in the heading of the Petition are true and correct for the purpose of service.

Respected Sir;

- 1. That the appellant is serving as Deputy Superintendent of Police (BS-17) and currently posted as Acting SP Motor-Transport Peshawar.
- 2. That the appellant was appointed as Assistant Sub Inspector (BS-9) in KPK Police Department on the recommendation of KPK Public Service Commission on 09/01/1995 in Bannu region. In the merit list assigned by the Public Service Commission, the appellant stood at Serial No.32 in the merit Order vide secretary Public Service Commission, NWFP, Feshawar memo No. 5427/EXAM dated 27/11/1994. Copy is annexed as "Annexure-A".
- That after completion of successful probation period, the appellant was confirmed as ASI effective from the date of appointment i.e 09/01/1995 vide Regional Police Officer Bannu Region Order Endst: No. 3161-62/ES dated 30/12/1998. Copy is annexed as "<u>Annexure-B"</u>.
- 4. That in spite of having unblemished service and in the absence of anything adverse, the appellant was belatedly brought on list "E" on <u>13/07/2001</u> vide Regional police office bannu Region Order No. 1891-94/ES dated 20/07/2001 instead of from the date of confirmation i.e 09/01/1995. Copy of Order 1891-94/ES dated 20/07/2001 is annexed as "<u>Annexure-C"</u>. After that the appellant was consider suitable for promotion as Offg; sub-inspector vide office order NO. 911-13 dated 17/04/2004. Copy is annexed as "<u>Annexure-D"</u>. After that the appellant was belatedly promoted in substantive rank of sub-inspector vide Office Order No. 1718-24 Bannu dated 25/08/2006. Copy is annexed as "Annexure-E".
 - 5. That due to belated inclusion of the name of the appellant in seniority list "E", the appellant was unjustifiably promoted as Offg; sub-inspector late in time and consequently lately confirmed as sub-inspector. And due to this reason became junior to his batch mates.
 - 6. That the appellant was not given inter-se seniority among his batch mates as per merit assigned by KP public service Commission. And due to late confirmation as SI seniority of appellant was disturbed which might be a clerical mistake, which travelled along the seniority of the appellant and culminated in to final seniority list issued vide- seniority list No. 1594/SIE-1

Attested to be a True Copy

dated 05/08/2022. That name of the appellant was wrongly shown at serial No. 83, below the name of Mr Mujeeb ur Rahman and above the name of Mr. Rahmat Ullah, while the officers junior to the appellant are placed at serial No. 37 to 44 (the officials recruited in 1998 batch). Copy of the seniority list is annexed as "<u>Annexure-F</u>".

- 7. That after the issuance of seniority list dated 05/08/2022, being continuance cause of action, the appellant preferred a departmental appeal on 12/08/2022. Copy of a departmental appeal is annexed as "<u>Annexure-G"</u>, (let it not be mentioned here that after the lapse of statutory period, the service has also been filed before the honourable KP service tribunal).
- That despite of pendency of departmental appeal of the appellant, the impugned promotion Notification Office No. SO(E-I)E&AD/2-4/20/22 dated 05/09/2022 has been issued and promoted some of the junior from the appellant. Copy of the impugned notification is annexed as "<u>Annexure-H".</u>
- That appellant submitted a departmental appeal against the impugned Notification through proper channel on 30/09/2022. Copy of departmental appeal is annexed as "<u>Annexure-I".</u>
- 10. That uptill now no response has been shown from the respondents and after the laps of statutory limitation of departmental appeal, cause of action has been accrued to the appellant for instant appeal. Hence, the instant service appeal, inter alia on the following grounds.

<u>GROUNDS</u>

- 1. That the Appellant has not been provided equal treatment when there is no express inhibition against him under the law and has also not been given equal protection of law, which is discriminatory instance of arbitrariness and is against the principles enshrined in Articles-4 and 25 of the Constitution of Islamic Republic of Pakistan, 1973.
- 2. That the Appellant has been subjected to injustice and the case of Appellant has not been dealt with under the principle of the fair play.
- 3. That on 08/12/2022 a Notification No. 317/CPB was issued wherein anomaly has been clarified by expressing the following words "All PASIs on successful completion of 3 years probation period shall be brought on promotion list "E" from the date of appointment. If the said notification is implemented date of appointment of the appellant is 09/01/1995 but he was brought into list "E" on 13/07/2001. Thus, the date of entry into list "E" for the appellant ought to be 09/01/1995. Hence, if this error is rectified, the appellant would gain his seniority back and is entitled for promotion.

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with his batch mates. Copy of Notification dated 08/12/2022 is annexed as "Annexure J"

- 4. That the impugned notification is against the settled laws and rules of Seniority in service and no legal footings. Hence ineffective upon the rights of appellant.
- 5. That it has been clearly the mandate of law and the verdicts of the Apex Courts that discretion should be excised fairly and justly and should not be exercised arbitrarily. The belated entry of the appellant in list "E" is discriminatory and infringed the rights of the appellant. Hence, the impugned seniority list is in violation of rules and statutory provisions as well as the dicta of superior courts pronounced in a number of jurigments, hence the same needs to be corrected.
- 6. That appellant was inducted into service upon the recommendation of KP Public Service Commission on 09/01/1995 whereas respondents No. 6 to 12 were inducted via 1998 batch. Hence, are junior from the appellant. It has been settled principle that servants selected through earlier selection process are always senior to the servants selected in later selection process.
- 7) That after the confirmation as ASI vide Office Order No. 3161-62 dated 30/12/1998, effective from date of appointment i,e 09/01/1995, the appellant was brought into list "E" with effect from 13/07/2001 and not from the date of confirmation as ASI i.e 09/01/1995 and due to this the appellant became junior even among his batch-mates. Thus, the discretion of the competent authority to brought name of police official in to list "E" was not exercised according to justice and was discriminatory
- 8. That vide Merit Order of secretary Public Service Commission, NWIFP, Peshawar memo No. 5427/EXAM dated 22/11/1994, one Mr Abdul Hai Khan was stood at top i.e serial No.1 in DIKhan Region. His seniority was disturbed due to late confirmation in the rank of Sub Inspector and due to not maintaining the merit assigned by Public Service Commission with his batch-mates. The official preferred a service appeal No. 991/2013, titled " Abdul Hai Khan DSP Vs Govt; of KPK". The Worthy Service Tribunal established that Civil Servants selected for promotion to a higher post in one batch shall, on their promotion to the higher post, retain their inter-se seniority as in the lower post. Let it not be mentioned here that Mr. Abdul Hai and the appellant belongs to the same batch. The service appeal No. 991/2018 was accepted vide judgment dated 17/12/2020. Copy of appeal and judgment is annexed as <u>"Annexure K"</u>. In consequence the promotion list "E" in DIKhan region has also been revised but seniority list

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"E" in bannu region has not been rectified so far. Copies of Order No. 3448-55 and 3456-SE and order No. 3457-64 and Order No.3488-96 and Order No. 3477-86 all dated 30/05/2022 and Order No. 4570-78/ES and Order No. 4580-88/ES both dated 30/06/2022 are annexed as <u>"Annexure L".</u>

- 9. That by dint of judgment of the Worthy Service Tribunal dated 17/12/2020 in Service appeal No. 991/2018 DIKhan region has revised and corrected Office Notification No. 622/ES dated 25/04/1998, the date of bringing the name of Mr. Abdul Hai, along with his batch-mates, on the promotion list "E" has been revised in the light of PR. 13.11 and 19.25(5). Thus to eliminate the discrimination office notification No1891-04/ES (entry to list "E") in respect of the appellant in bannu region deserves revision and correction.
- 10. That in view of the Rule 17 sub rule 1 (a) of the KP Civil Servant (Appointment, Promotion and Transfer) Rules, 1989 'The Seniority inter se of civil servants shall be determined in case of persons appointed by initial recruitment, in accordance with the order of merit assigned by the Commission.' The respondent NO.13 is junior to the appellant in banuu region keeping in view the inter se seniority as per merit assigned by KP Public Service Commission.
- 11. That also according to the Rule 2 (2) of the Civil Servants (Seniority) Rules, 1993 "If two or more persons are recommended in open advertisement by the Selection Authority their inter-se seniority shall be determined in order of merit assigned by the selection authority".
- 12. That as per Rule 17 (2) of the KPK Civil Servant (Appointment, Fromotion and Transfer) Rules, 1989 "Seniority in the various cadres of the civil servants appointed by initial recruitment vis-a vis those appointed otherwise shall be determined with reference to their dates of their regular appointment to a post in that cadre".
- 13. That according to Section 8 (4) of the KPK Civil Servant Act, 1973, "Seniority in a post, service or cadre to which a civil servant is promoted shall take effect from date of regular (initial) appointment".
- 14. That the appellant is entitled for equal treatment as per Article 25 of the Constitution of Islamic Republic of Pakistan and his Seniority may be considered from the merit list of the Public Service Commission, Peshawar as per dictum laid down by the superior courts.

15. That this Hon'ble Tribunal is competent and has ample powers to adjudge the matter under Appeal. ttested to be

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16. That the counsel for Petitioner/ Appellant may be allowed to argue additional grounds at the time of arguments.

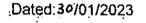
It is, therefore, humbly prayed that on gracious acceptance of the instant Service Appeal, the impugned <u>NOTIFICTAION</u> <u>OFFICE NO. SO(E-I)E&AD/2-4/2022</u> DATED 5/9/2022 may please be set aside/nullified and modified to the extent of promotion of juniors of appellant and the appellant may please be considered for promotion with his batch mates.

Any other relief deems fit and appropriate in given circumstances may also be granted in larger interest of justice.

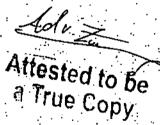
Yours Humble Appellant (Nisar Muhammad Khan)

(Nisar Wunammad Khan) Through Counsel

Mohammad Abdullah Baloch (Advocate High Court, D.I.Khan)



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Contraction of

BEFORE THE NWFLP SERVICES TRIBUNAL, PESHAWAR

In Service Appeal No.____/2023

Nisar Muhammad Khan Versus Govt; of KPK etc (Appellant) (Respondents)

VERIFICATION

Verified on oath at DIKhan, this th day of January, 2023, that all contents of the above appeal are true and correct. That earlier a service appeal of the appellant has been filled wherein seniority list issued Notification NO.1594/SE-1 DATED 05/08/2022 is under challenged.

Appellant

Deponent

CNIC No. 11201-0345282-9.

30/01/2023

AFFIDAVIT

I, Nisar Muhammad Khan, appellant herein, do hereby solemnly affirm on oath that all para wise contents of the accompanying appeal are true and correct to the best of my knowledge, belief and information; that nothing has been concealed or kept secret from this worthy Tribunal.

30/01/2023

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405 NO: 03322007953. of the works

Attested to be a True Copy BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRISU PESHAWAR

Service Appeal No. 1906/2022

BEFORE: RASHIDA BANO --- MEMBER (J) MUHAMMAD AKBAR KHAN --- MEMBER (E)

Nisar Muhammad Khan, Deputy Superintendent of Police Presently posted as Acting SP Motor-Transport Peshawar......(Appellant)

VERSUS

Present:-

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ABDULLAH BALOCH, Advocate

- For Appellant

Annex C

MUHAMMAD JAN, District Attorney

- For official respondents No. 1 to 5

Date of Institution	12.12.2022
Date of Hearing	25.06.2024
Date of Decision	25.06.2024

CONSOLIDATED JUDGMENT.

MUHAMMAD AKBAR KHAN, MEMBER(E):- Through this judgment we intend to disposed of both the appeals filed by the appellant in service appeals bearing No. 1906/2022 & 293/2023.

02. Brief facts, as averred in the memorandum of service appeal No. 1906/2022 are that the appellant was recruited as Probationer Assistant Sub Inspector (BPS-09) alongwith his other colleagues/batch-mates through proper recommendations of Khyber Pakhtunkhwa Public Service Commission in the Police Department vide Notification dated 01.01.1995 and the appellant was at serial No. 32 in the said Notification; that on satisfactory completion of probation period of 03 years the appellant was confirmed as ASI and brought on list-E w.e.f 13.07.2001 instead of from the date of his initial appointment i.e. 01.01.1995. He was promoted to the rank of officiating Sub Inspector vide order dated 17.04.2004 and later on he was confirmed as Sub Inspector on 25.08.2006. The respondent department issued the impugned seniority list of DSPs dated 05.08.2022 whereby the name of the appellant was shown at serial No. 83 below the name of Mujeeb Ur Rehman and above the name of Mr. Rahmat Ullah, while the officers junior to him have been placed at serial No. 37 to 44 who were recruited in 1998 batch. Feeling aggrieved from the impugned seniority list dated 05.08.2022 the appellant filed departmental appeal on 12.08.2022 which was not responded within the statutory period, hence preferred the instant service appeal on 12.12.2022.

03. Brief facts, as averred in the memorandum of service appeal No. 293/2023 are that the appellant is aggrieved of the impugned Notification dated 05.09.2022 whereby junior from the appellant have been promoted to the post of Superintendent of Police (BS-18) while the appellant has been ignored. Feeling aggrieved from the impugned Notification dated 05.09.2022, the appellant filed departmental appeal on 30.09.2022 which was not responded, hence preferred the instant service appeal on 30.01.2023

04. Notices were issued to the official respondents as well as private respondents, but they failed to submit their comments and their right for submission of reply/comments stands struck off vide order dated 14th Nov, 2024. We have heard arguments of learned counsel for the appellant and

learned District Attorney and have gone through the record with their valuable assistance.

05. The learned counsel for the appellant reiterated the facts and grounds detailed in the memo and grounds of the appeal while the learned District Attorney, controverted the same by supporting the impugned seniority list issued on 05.08.2022 & promotion Notification dated 05.09.2022.

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06. Perusal of record reveals that the appellant was initially appointed as Assistant Sub Inspector on 05.01.1995 on the recommendation of Khyber Pakhtunkhwa Public Service Commission and he was at serial No. 32 of the seniority list; that on satisfactory completion of probation period of 03 years the appellant was confirmed as ASI and brought on list-E w.e.f 13.07.2001 instead of the date of his initial appointment i.e. 09.01.1995. He was promoted to the rank of officiating Sub Inspector vide order dated 17.04.2004 and later on he was confirmed as Sub Inspector on 25.08.2006. The appellant was promoted to the rank of DSP (BS-17) w.e.f 24.01.2014 and as per the seniority list issued on 05.08.20222 he was placed at serial No. 83. The appellant filed departmental appeal for rectification/correction in the seniority list but he was not confirmed as ASI from the date of his initial appointment and the private respondents who were junior to him were placed senior to the appellant. According to Rule 17 (1) (a) of the Khyber Pakhtunkhwa Civil Servants (Appointment, Promotion & Transfer) Rules, 1989 the inter se seniority of civil servant shall be determined in case of persons appointed by initial recruitment, in accordance with the merit assigned by Public Service Commission. Police Rules clearly state that the

probationer ASIs directly appointed on the basis of recommendation of Public Service Commission on permanent posts after completion of 03 years probation periods are liable to be confirmed from the date of their appointment. As such seniority is to be reckoned from the date of initial appointment of the appellant. Since the appellant was appointed on 01.01.1995 and he has successfully completed his probation period, therefore, he is eligible in all respect to be confirmed alongwith his batch mates and brought to the seniority list "E" w.e.f the date of his initial appointment i.e. 01.01.1995. Regarding the issue of promotion from BS-17 to BS-18 challenged in service appeal No. 293/2023 batch mates/colleagues allegedly junior to him were promoted to the rank of SP (BS-18) while the appellant was ignore.

07. Moreover, this Tribunal has already decided similar nature service appeal No. 991/2019 titled "Abdul Hai versus Government of Khyber Pakhtunkhwa through Home Secretary and others" who was batchmates of the appellant. Operative Paras of the said judgment is reproduced as below;

6. We are conscious of the fact that time limitation needs to be kept in mind, but in the lights of judgments of Supreme Court of Pakistan referred to above and in view of provisions of S.23 of Limitation Act 1908, the appellant has a continuous cause of action and issuance of seniority list at belated stage by respondents created a fresh cause of action for the appellant, not knowing the fact that his late confirmation in 2006 would entail seniority issue at a later stage. In order to ascertain the actual situation, representative of RPO D.1. Khan was summoned by Court, who stated at bar that there was nothing adverse egainst the appellant during the time, but the change in senjority might be due to clerical mistake, which travelled along the seniority of the appellant and culminated into the final seniority list issued in 2018. We also did not find anything adverse on record except his late confirmation due to unknown reasons. It

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ATTESTED EXAMINER Khyber Pakbrukhy



is also established from the prevailing rules that civil servants selected for promotion to a higher post in one batch shail, on their promotion to the higher post, retain their inter se seniority as in the lower post. Moreover this tribunal as well as Supreme Court of Pakistan in number of Judgments have granted relief in similar cases.

7. In the light of facts and circumstances of the present case, the impugned seniority list dated 22-03-2018 is set aside and the instant appeal is accepted as prayed for. No orders as to costs. File be consigned to the record room.

08. The case of the appellant is similar to the above mentioned service appeal having the same facts, therefore, both the cases are remitted back to the respondent department for similar treatment at par with his colleagues/batch mates. Costs shall follow the event. Consign.

09. Pronounced in open court at Peshawar and given under our hands and seal of the Tribunal on this 25th day of June, 2024.

(Rashida Bano) Member (J)

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(Muhard Member (E)

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ORDER 25.06.2024 1.

1. Learned counsel for the appellant present. Mr. Muhammad Jan, District Attorney for official respondents present. Arguments heard and record perused.

2. Vide our detailed judgment of today placed on file of service appeal No.1906/2022 titled "Nisar Muhammad versus Government of Khyber Pakhtunkhwa, the case is remitted back to the respondent department for similar treatment at par with his colleagues/batch mates. Costs shall follow the event. Consign.

3. Pronounced in open court at Peshawar and given under our hands and seal of the Tribunal on this 25th day of June, 2024.

(Rashida Bano) Member (J) (Muhanmad Akbar Khan) Member (E)

Komranillah

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Tel: No.091-0210381 Fax: No.091-0210638

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(9)

The Deputy Inspector General of Police, Telecom: & Transport, Khyber Pakhtunkhwa, Peshawar.

The Inspector General of Police, Khyber Pakhunkhwa, Peshawar.

To

From

4-1-

/Tele/EC, dated Peshawar the 2218. /2024.

Subject:

APPLICATION FOR IMPLEMENTATION OF JUDGMENT DATED 25.06.2924 PASSED BY THE HONOURABLE KP SERVICE TRIBUNAL PESHAWAR IN SERVICE APPEALS NO.1906/2022 & 293/2023 TITLED "NISAR MUHAMMAD VERSUS GOVERNMENT OF KPK THROUGH CHIEF SECRETARY AND OTHERS".

Memorandum:

Enclosed please find herewith an application alongwith judgment passed by KP Service Tribunal dated 25.06.2024 submitted by Deputy Superintendent of Police (presently posted as acting Superintendent of Police Motor Transport) Khyber Pakhtunkhwa, for information and further necessary action please.

For Deputy Inspector General of Policz, Telecomm: & Transport, T____Khyber Pakhtunkhwa, Peshawar.

No. 8/64-65

/Tele/EC, dated Peshawar the

<u>) | 2024 | 2024</u>

Copy of the above is forwarded for favour of information and necessary action to the: 1. Home & TAs Department Khyber Pal hunkly va, Peshawar.

2. Regional Police Officer Bannu Region, Bannu

Attested to be a True Copy The Worthy Regional Police Officer, Bannu Region, Bannu,

To,

ζ.

APPLICATION FOR IMPLEMENTATION OF JUDGMENT DATED 25.06.2024 PASSED BY THE HONOURABLE KP SERVICE TRIBUNAL PESHAWAR IN SERVICE APPEAL NO. 293/2023 TITLED "NISAR MUHAMMAD VERSUS GOVERNMENT OF KPK THROUGH CHIEF SECRETARY AND OTHERS".

Respectfully Sir; the applicant humbly submits as under:

- That the applicant was appointed as Assistant Sub Inspector (BS-9) in KPK Police Department on the recommendation of KPK Public Service Commission on 09.01.1995 in Bannu region along with his other batch mates/colleagues.
- That the applicant was stood at Serial No.32 vide Notification No.5427-EXAM dated 27.11.1994 in the merit list, assigned by the Public Service Commission.
- 3. That after completion of successful probation period, the applicant was confirmed as ASI vide Order Endst; No. 3161-62/ES dated 30/12/1998 effect from the date of initial appointment i.e. 09.01.1995. But the applicant was not entered into list-E from the date of his confirmation i.e 30.12.1998 rather he was entered into list-E after the lapse of more than 3 years vide order No. 1891-94/ES dated 20/07/2001.
- 4. The applicant was not given Inter-Se Seniority among his batch mates as per merit assigned by KP Public Service Commission.
- That the applicant was promoted to the rank of officiating Sub Inspector vide office order No.911-13 dated 17.04.2004 and later on was confirmed as Sub Inspector vide office order No.1718-24 dated 25.08.2006.
- 6. That the applicant was promoted to the rank of DSP (BS-17) w.e.f 24.01.2014 And due to late confirmation as SI seniority of applicant was disturbed which might be a clerical mistake, which travelled along the seniority of the applicant and culminated in to a final seniority list issued vide impugned seniority list No. 1594/SE-1 dated 05/08/2022. That name of the applicant was wrongly shown at serial No. 83.

That after the issuance of impugned promotion Notification No. SO(E- I)E&AD/2-4/2022 dated 05/09/2022, being continuance cause of action, the applicant preferred a Departmental Appeal on 30/09/2022.

- 9. That to the dismay of the applicant, his position has been disturbed by the dint of Seniority List, depriving the appellant wrongly of his Seniority position by placing him at Serial No.83 much below to his junior, while the initial merit of Public Service Commission ensures without change in subsequent events concerning Seniority of batch-wise contemporaries.
- 10. That feeling aggrieved the applicant preferred Service Appeal No. 293/2023.
- That the Honorable KP Service Tribunal decided the Service Appeal No. 293/2023 on 25.06.2024 in favour of applicant/appellant. Copy of Judgment of Honorable KP Service Tribunal Peshawar dated 25.06.2024 is enclosed.
- 12. That as per judgment of the Worthy KP Service Tribunal observed and held that, the case of the applicant is similar to the Service Appeal No. 991/2019 titled "Abdul Hai Vs Govt; of KPK through home Secretary and others", having the same facts, therefore both the cases are remitted back to the respondent department for similar treatment at par with his colleagues/batch- mates.

It is, therefore, most respectfully prayed that the judgment of the Worthy Service Tribunal dated 25.06.2024 in service appeal No. 293/2023 may kindly be implemented in its true letter and spirit in applicant's favour.

Dated: /2024

Your Humb applicant

NISAR MUHAMMAD (Deputy Superintendent of Police) presently posted as Acting SP Motor-Transport Peshawar.

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The Worthy Inspector General of Police KPK, Peshawar.

Adv. Z

Attested to be

a True Copy

ORDER: In compliance of CPO Peshawar directions vide No.CPO/CPB/63 and No. CPO/CPB/64, dated 13.02.2023 regarding removal of anomalies in the confirmation and placement on list "E" in accordance with Police Rules 13.10, 13.11 and 13.18 of 1934, the seniority of all PASIs to list "E" on successful completion of 03-years probation period will be made from the date of confirmation while the seniority of all ASIs promoted from the lower rank will be made from the date of confirmation as ASI after completion of two years probation period. The retired, deceased or Shaheed Police Officers have been excluded from the seniority list. The revised seniority of all Police

Officers was reckoned in list "E" stood on the basis of confirmation under Police Rules 13.11:

All PASIs on successful completion of 03 years probation period shall be brought on promotion list "E" from the date of confirmation. All ASIs promoted from lower rank shall be brought on promotion list "E" after successful completion of two years probation period from the date of confirmation. 1.

2.

· S.#	Name & Rank	Date of Appointment as Constable	Date of Appointment as PASI	Date of Appointment as Offg: AS1	Date of Completion of Probation Period (03 years as PASI, 02 years as Ranker ASI)	Confirmation as ASI	Date of Enlistment on list-E	Remarks if any
<u> </u>	LEAD O LAN		1 24.04.1991	· -	24,04,1994	24.04.1994	. 24.04.1994	
<u> </u>	DSP Gul Nasceb No.46/B		25.04.1991	1 🗣	25.04.1994	25.04.1994	1 25.04.1994	
2.	DSP Muhammad Arif No.44/B		08,12,1991	· •	08.12.1994	08.12.1994	: 05 .12.1994	
3.	DSP Murad Ali		11.01.1995		11.01.1998	11.01.1998	11.01.1998	<u> </u>
4.	DSP Nisar Muhammad No.17/B	 	11.01.1995		11.01.1998	11.01.1998	11.01.1998	pr.
5.	1 DSP Mujeeb Ur Rahman No.39/B	<u> </u>	in the second se		i1.01.1998	11.01.1998	11.01.1998	7 ·
6.	DSP Musiafa Kamal Pasha No.49/B	-	11.01.1995	• •	11.01.1998	11.01.1998	. 11.01.1998	
. 7.	DSP Azmat A.i Klun No.07/B	-	. 11.01.1995	<u> </u>	11.01.1998	11.01.1998	111.01.1998	Adhoc Inspector
<u></u>	SI Zafar Ullah Khan No.78/B	-	11.01.1995	i	11.01.1998			•
	DSP Muhammad Tahir Shah	 ~	11.01.1995	-	11.01.1998	11.01.1998	11.01.1998	
9.	No.75/B		•		1000	11.01.1998	11.01.1998	
10.	CL 1 12 7711		E 11.01.1995	-	11.01.1998	29.02.2003	29.02.2003	
	1.10	1 4	1 29.02.2000		29.02.2003	and the second	03.03.2003	······································
<u>11.</u>			03.03.2000	1 -	03.03.2003	63,03,2003	- 03.03.2003	Page 1 of 7
12.	Dar misual and Sherring and				•			· • 2 ·

Annex E

	Inspector Nabi Shah No.37/H	1801.11.61			17.04.2006	17.04.2006	17.04.2006	•
								Reverted to the substantive
<u> </u>	Inspector Muhammad Salim No.B/10	2861.20.90	4	H002.40.81	3002.40.81	18.04.2006	18.04.2006	of SI vide RPO Banna Or Endst: No.3402-08 A:C, da 31.08.2022.
<u> </u>	Inspector Wagar Ahmad No.64.D		H002-10-51		15.01.2007	15.01.2007	15.01.2007	
3	Inspector Asit Mehmond No.24/B	•	15.01.2004		15.01.2007	15.01.2007	15.01.2007	
[1].	SI Muhamusad Zaman No.142/B	2861:20:12	-	25.08.2006	25.08.2008	25.08.2008	25.08.2008	•
18.	SI Saad Ufliah No.B/20	1 24.12.1985		16.02.2007	16 02.2009	16.02.2009	6002-20-91	•
6	SI Abdul Khanan No.152/U	19.12.1987	*	16.02.2007	16.02.2001	16.02.2009	002.20.91	•
ື່	SI Sved Avaz No.827	1 22.03.1987	-	16.02.2007	16.02.2009	16.02.2009	16.02.2009	•
5	SI Mir Daraz, No. B:52	28.07.1983	•	16.02.2001	1 16.02.2009	16.02.2009	16.02.2009	
្រុ	1 Inspector Asad Ali Shah No.47/B		01.03.2006		01.03.2009	9005.E0.10	1 01.03.2009	
17	1 St Sher Ahmad No.140 (B	1 23.06.1986		03.09.2007	03.09.2009	00.09.2009	1 03.09.2009	A. Q.
ति	1 SI Wahard Little 1924	24.12.1985		03.09.2007	1 03.09.2009	0002-60.50	1 03.09.2009	
۲ ۲	SI Fuzal Rahim No.1354B	17.11.1982	•	03.09.2007	03.00.2009	03.09.200	03.09.2009	•
i r	COSI Sandullah No.B ⁴⁹⁴	10.12.1958	•	31.01.2008	31.01.2010	31.01.2010	131.012010	0.10
27	⁺ SI Nasirud-Din No.B ⁻² 1	22.03.1987	•	30.02.10.15	0102/10/15	0107.10.15	31.01.2010	50
¦۾	SI Sufrultah No. B42	17.03.1985		31.01.2008	31.01.2010	31.01.2010	31.01.2010	
រុំគ្រ	⁴ SI Fidaultah No.B ⁵⁵	6801-21.62		31.01.2008	31.01.2010	0102.10.15	1 31.01.2010	
	SI Andul Schuar No.B 56	15.06.1485		80021075	010210115	31.01.2010	0102-10-15	
	SI Knalid Zaman No.8/85	10.12.1988	4 .	800210115	010710716	0102.10.15	31.01.2010	
	SI Sahar Gul No.23-B	01.10,1954	•	3002.40.21	14:04:2010	0102 +0.41	0102.40.41	
	SI Sariaraz Khan No.B'17	5861.01.11		14.04.2008	14.04.2010	14.04.2010	0102.10.11	
	CI Mir Caliba Khan Ma H 71	21.06.1987		8002.20.11	1 14,04,2010	0102.50.61	111,01-2010	
	Ct Name Lichard Chale Van B'91	24.12.1985		8005.20.24	0:02:00:11	14.04.2010	12,04,2010	
	VIVILLE TOTAL VALUES	73.12.1986		8000770771	010770711	11.01.2010	0102.2011	
	SI Creating Dennis Ave. 40	19.04,1984	•	8007.707.1	01077071	11077071	01024041	· · · · · · · · · · · · · · · · · · ·
	ANI Murawar Khar Vo 9/3	0561.01.10		2002.40.41	11,01,2010	14.04.2010	· 14.04.2010	-

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	39.	Inspector Gul Rauf No.90/B	01.02.2002	07.05.2010	· · _	07.05.2010	07.05.2010	07.05.2010	All round cad
	40.	SI Hakim Khan No.B/50	01.01.1990	-	27.08,2008	27.08.2010	27.08.2010	27.08.2010	······································
	<u> 41.</u>	SI Islam Noor No.B/72	24.12.1985	-	04.09.2008	04.09.2010	04.09.2010	04.09.2010	
	42.	OSI Ghulam Mohammad No.158/B	30.04.1983	-	01.09.2008	04.09.2010	0-1.09.2010	04.09.2010	
	43.	SI Shakirullah No.B/78	11.01.1986	· -	04.09.2008	04.09.2010	04.09.2010	04.09.2010	•
	44.	SI Muhammad Zahir Shah No.13/79	23.12.1986		04.09.2008	04.09.2010	04.09.2010	04.09.2010	•
	45.	SI Ibniaz Khan No.B/44	01.04.1990	-	04.09.2008	04.09.2010	04.09.2010	04.09.2010	
	46.	SI Sardar Ali No.B/47	23.12.1986		04.09.2008	04.09.2010	04.09.2010	04.09.2010	- <u></u>
	47.	SI Abdul Majid No.B/75	04.08.1983	-	04.09.2008	04.09.2010	04.09.2010	04.09.2010	
	48.	OSI Said Azam No.59/B	23.12.1986	-	04.09.2008	04.09.2010	04.09.2010	04.09.2010	o . O ·
	49.	Inspector Javed Iqbal No.55/B	• .	1 05.10.2007	-	05.10.2010	05.10.2010	05.10.2010	
	50.	Inspector Zafar Ullah No.62/B	+	05.10.2007	-	05.10.2010	05.10.2010	05.10:2010 !	
	51.	Inspector Hamayun Raza No.B/12	-	1 05.10.2007	-	05.10.2010	05.10.2010	05.10.2010	N a c
	52.	Inspector Yasin Kamal No.B/25	-	05.10.2007	•	05.10.2010	05.10.2010	05.10.2010	Se Se
	53.	1 SI Amir Jan No.B/80	24.03.1987	-	27.10.2008	27.10.2010	27.10.2010	27.10.2010	
	54.	OSI Mehrab Khan No.B/97	18.03.1986	+ +	27.10.2008	1 27.10.2010 i	27.10.2010	27.10.2010	
-	55.	DSP Muhammad Mofiz No.B/17		03.12.2007	-	03.12,2010	03.12.2010	03.12.2010	· · · · · · · · · · · · · · · · ·
	56.	Inspector Imran Aslam No.B/04	•	03.12.2007	• •	03.12.2010	03.12.2010	03.12.2010	· · · · · · · · · · · · · · · · · · ·
	57.	SI Haider Ali Shah No.50/B		03.12.2007		03.12.2010	03.12.2010	· 03.12.2010 '	
	58.	SI Rehmat Ullah No.B/81	01.04.1990		02.05.2009	02.05.2011	02.05.2011	02.05.2011	-
	59.	* OSI Ghulam Schoor No.B/95	27.09.1988		02.05.2009	02.05.2011	02.05.2011	02.05.2011	<u> </u>
	60.	Sf Hidayat Ullah No.B/58	11.07.1991	·C	02.05.2009	02.05.2014	02.05.2011	02.05.2011	
	61.	SI Mohabbat Khar: No.B/83	21.06.1987	- 7	02.05.2009	02.05.2011	02.05.2011	, 02.05.2011	••••
	62.	OSI Ghani Rahman No.B'96	01.04.1990		02.05.2009	02.05.2011	02.05.2011	02.05.2011	
	63.	ASI Abdur Rasheed No.70/B	01,10,1989	./	02.05.2009	02.05.2011	02.05.2011	02.05.2011	•
	64.	SI Rustum Khan No.13/62	23.12.1986		02.05.2009	02.05.2011	02.05.2011	02.05.2011	•
	65.	OSI Farid Khan No.27/B	11.07.1991	-	23.07.2009	23.07.2011	23.07.2011	23.07.2011	
	66.	SI Gul Muhammad No.B/59 1	30.12.1989	•	23.07.2009	23.07.2011	23.07.2011	23.07.2011	

67	OSI Gul Janan No.B/99	18.03.1986		23.07.2009	23.07.2011	23.07.2011	23.07.2011	•
68.	OSI Mehrullah No.84/B	19.10.1988	-	23.07.2009	23.07.2011	23.07.2011	23.07.2011	Reverted to the substantive ASI vide RPO Bannu Orde No.3409-11/EC, dated 31.2
69.	ASI Farid Ullah No.92/B	11.07.1991		23.07.2009	23.07.2011	23.07.2011	23.07.2011	-
70.	Inspector Rizwan Ullah No.B/15		23.02.2009	-	23.02.2012	23.02.2012	23.02.2012	<u> </u>
71.	SI Aman Ullah No.B/28	- 1	03.03.2009	-	03.03.2012	03.03.2012	03.03.2012	•
72.	SI Muhammad Raza No.35/B	- 1	06.03.2009	-	06.03.2012	06.03.2012	06.03.2012	
73.	Inspector Imran Ullah No.09/B	- '	12.03.2009		12.03.2012	12.03.2012	12.03.2012	
74.	Inspector Ihsan Ullah No.74/B		17.03.2009	•	17.03.2012	17.03.2012	17.03.2012	
75.	I SI Ihsan Ullah Dawar No.51/B		18.03.2009	-	18.03.2012	18.03.2012	18.03.2012	N e e
76.	OSI Umer Irfan No.49/B		25.03.2009	-	25.03.2012	25.03.2012	25.03.2012	B SE
77.	· SI Rahim Gul No. 18/B	· · ·	28.03.2009	-	28.03.2012	28.03.2012	28.03.2012	AN THE
	SI Azad Khen No.07/B	<u> </u>	28.03.2009	-	28.03.2012	28.03.2012	28.03.2012	the second s
79.	' SI Arif Ullah No.64/B	30.05.2007	28.03.2009		28.03.2012	28.03.2012	28.03.2012	i
80.	1 OSI Allah Nawaz No.67/B	· •	C6.04.2009	-	06.04.2012	06.04.2012	06.04.2012	
81.		04.05.1993	-	25.08.2010	25.08.2012	25.08.2012	25.08.2012	Removed from service vio Bannu Order Endst: No.4 dated 15.02.2023.
82.	SI Raza Ullah No.B/65	26.12.1996	;	25.08.2010	25.08.2012	25.08.2012	1 25.08.2012	Cadet in recruit court
183.	SI Kemran Ali Shah No.B/64	11.07.1991		25.08.2010	25.08.2012	25.08.2012	25.08.2012	•
84.	SI Ghausullah No.B'84	19.12.1987	-	25.08.2010	25.08.2012	25.08.2012	25.08.2012	
85.	SI Nizam Khan No.B/93	10.12.1988		25.08.2010	25.08.2012	1 25.08.2012	1 25.08.2012	•
\$6.	OSI Qaza Khan No.B/100	27.12.1989	- /	25.08.2010	25,08,2012	25.08.2012	25.08.2012	•
87.	OSI Abdul Hakim No.B/101	03.01.1991		25.08.2010	25.08.2012	25.08.2012	25.08.2012	· · ·
88.	SI Rustum Khan No.B/98	23.12.1986		. 25.08.2010	25.08.2012	25.08.2012	25.08.2012	
89.			20.03.2010	i	20.03.2013	20.03.2013	1 20.03.2013	-
90.		06.02.2004	26.03.2010		26.03.2013	26.03.2013	26.03.2013	• •
: 91.		• .	26.03.2010	t _	26.03.2013	26.03.2013	26.03.2013	-
92		25.05.2006	26.03.2010	-	26.03.2013	26.03.2013	26.03.2013	

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	1 100 10 90	2002 20 92	27.03.2013	02.08.2013	11.08.2013	11.08.2013	11:08.2013	25.08.2013	1 28.09.2013	19.12.2013	19:01.2014	19.01.2014	1 107 1071	1 19.01.2014	22.01.2014	07.02.2014	1 07.02.2014	1 07.02.2014	1 P102 20 20 1	07.02.2014	10.02.2014	10.02.2014	10,02,20,01	10,02.2014	10.02.2011	1 2/02/2014	17.01.2016	17.01.2016.4	28.05.2016	
	26.03 2013	1 26.03 2013	27.03.2013	02.08.2013	11.08.2013	11.08.2013	11.08.2013	25.08.2013	28.09.2013	19.12.2013	107.10.61	19.01.2014	19.01.2014	19.01.2014	22.01.2014	102.20.70	F102:2011	1 07.02.2014	17.02.2014	07.02.2014	10:20:01	102.20.01	102.20.01	10,02,2014	10.02.2014	10.02.2014	9102-10.71	9102.10.71	28.05.2016	
	26.03.2013	26.03.2013	27.03.2013	02.08.2013	11.08.2013	11.05.2013	11.08.2013	25.08.2013	28.09.2013	19.12.2013	19.01.2014	19.01.2014	19.01.2014	+102-10-61	102.01.2014	07.02.2014	07.02.2014	07.02.2014	2102.2013	+102.20.70	10220.01	10.02.2014	102.20.01	10,02,20,01	10.02.2014	10.02.2014	9102.10.71	17.01.2016	9102.20,82	
(a)			•		÷	•	•	•	•	•			•	•	•	07.02.2012	07.02.2012	07.02.2012	2102.20.70	07.02.2012	\$		4.		·		17.01.2014	17.01.2014	F105.30.82	
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	154.	ASI Wajid-ur-Rehman No.65/B	· · ·	13.02.2017	<u>به المعالم الم</u>	13.02.2020	13.02,2020	13.02.2020	<u> </u>
	155.	ASI Asim No.76/B		13.02.2017		13.02.2020	13.02.2020	\$3.02.2020	•
7	156.	ASI Muhammad Basit Shah No.100/B	-	13.02.2017	-	13.02.2020	13.02.2020	13:02.2020	·

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Note:- After revision of seniority, the officers shall not be entitled for back benefits, promotion etc.

No. 512-15 /EC, dated Bannu the. 21 / 02 /2023.

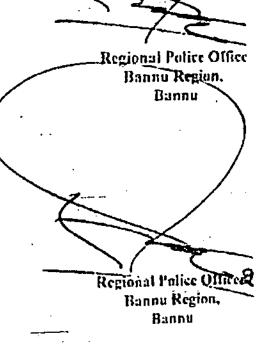
Copy of above is submitted for favour of information to:

1. The Additional Inspector General of Police. Headquaters Khyber Paklitunkhwa, Peshawar with reference as quoted above.

2. The Assistant Inspector General of Police, Establishment, Khyber Pakhtunkhwa, Peshawar,

3. The Assistant Inspector General of Police, Legal Khyber Pakhtunkhwa, Peshawar,

4. The District Police Officers Bannu, Lakki Marwa & North Waziristan.



Innexur OFFICE OF THE REGIONAL POLICE OFFICER, dera Ismail Khan Region © 0966-9280291 Fax # 9280290 CSt. Do. dk@omall.com No. ORDER dated D.LKhan the In compliance with the execution Judgment of the Honorable Service Tribunal Poshawar, dated 17.12.2020 in Service Appeal No.991/2018, titled Abdul Hai Khan, Deputy Superintendent of Police Vs. Govt. of Khyber Pakhtinkhwa, through Home Secretary and 27. others, & direction of the Inspector General of Police Khyber Pakhtunkhwa, Peshawar, vide letter No. CPO/CPE/d21 dated 16.11.2021, this office Order No:315-17/ES dated 09.03.1998 ((wherein name of the petitioner Abdul Hai DSP was relegated to ser al no. 4 from serial no. 1 in violation of this office Order No.236-38/IS dated 01.02.1995 (order of his initial appointment) while confirming him in his substantive rank of Assistant Sub-Inspector (ASI)) & Notification. No.622/ES dated 25.04.1998 ((wherein name of the petitioner Abdul Hai DSP wis further relogated to serial no. 7 from serial no. 4 in violation of this office Order No.236-38/ES dated 01.02.1995 (order of his initial appointment) while placing him name on the Promotion List E)), are hereby withdrawn. No.3442 55 (SILAUKAT ABBAS) PSP Regional Police Officer Copies to:-Dera Ismail Khan The Inspector General of Police, Khyber Pakhtunkhwa, Peshawar for favour of information 1. The Registrar, Khyber, Pakhtunkhwa, Service Tribunal Peshawar. 2. Mr. Abdul Hai Khan, DSP, Assistant Director, Anti-Corruption Establishment DI Khait 3. Mr. Syed Innyat Ali Ainjad, DSP, Acting SP Investigation, Kohat 4. Mr. Zin Hassan, DSP, Acting SP Investigation, Bannu **S**. Mr. Salah ud Din, DSP, SP Security, CCP Peshawar б. Mr. Shafi Ullah, DSP, Acting DPO Karak. 7. Mr. Tauheed Khan, DSP, Acting SP Special Branch, South at Bannu. 3. du-(SHAUKAT ABBAS) PSP Regional Police Officer Dera Ismail Khan Attested to be a True Cópý

OFFICE OF THE REGIONAL PULICE OFFIC Dera Ismati khan regi Q 0186 9380291 Fak 4 9268290 TELL REAL OWNER AND COM lated D. L.K. Gan the 105/2022 in compliance with the execution ladgment of the famorable Secures helping Pestiment, dated 17.12.2020 in Service Append No.991/2018, filled Medial Har Khan, Deputy Supermusicat of Police 1. Cove. of Khyber Pakhtenkhya, drough times Scoretary and 27 whites. & diceston of the

inspector General of Police Kinyber Pakinen Pesimon, wide Lener No. CPO/CPB/421 dated 16.11.2021, this pifice Only No.315-1WES ditted 89.01 1998 and an continuation with this office Order No. 3448-55/ES, dated 30:05.2022, and in supersession of this Order No.315-17/ES duted 69.03.1998 ((wherein anne of the petitiones Abile) Hat HSP was actegated to serial po. 4 from serial 10. 01 in violation of this office Dinter Nov236 18/ES duted DIOP 1295 (order of his initial appontanent) while confirming him is his substitute and of Assistant Sub (aspector (ASI)), his inter se senterity viz a viz his batchmates is lineby unioned to staorigual onlor as provided in the order of their mitial appaintment vide this office Notice Notice Restance 81 02, 1995 in the

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- The Regimmer, Khylice Pakhamilinum, Service Erhungs Pechason;
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- 4. Mr. Sycil Inamit All Amind, DSP, Maing SP (mestignion, Kohat 5.
- Mr. Zhe Hassan, DSP, Acting SP Investigation, Banan Mr. Sahih tul Din, DSP, SP Scientity, CLP Disingerar s.
- 7.
- Mr. Shuff Ullah, DSP, Acting Dirth Rains. 3.
- Mr. Taulaced Khan, DSP, Neurog SP Spinskit Branch, South in Spanis

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	ORDER /ES
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	In compliance with the execution indement of the Honorable Service Tribunat Pechawar, dated 17.12.2020 in Service Appeal No.991/2018, titled Abdul Hai Khan, Deputy Superintendent of Police Inspector General of Police Khyber: Pakhtunkhwa, bestretary and 27. others, & direction of the identification of the Strice Strice Strike and in supersension of the follow G9.03.1998 ((wherein manne of the petitioner at in supersension in continuation of the for of its violation of the petitioner at in supersension in continuation.
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5 6	Mr. Zia Hassail, DSP, Acting SP June of Corruption Establish
7;	Mr. Zia Hassen, DSP, Acting SP Investigation, Kohat Mr. Salah ud Din, DSP, Acting SF Investigation, Bannu Mr. Shafi Ullah, DSP, SP Security, CCP Peshawar Mr. Tauheod Khan, DSP, Acting DPO Karak,
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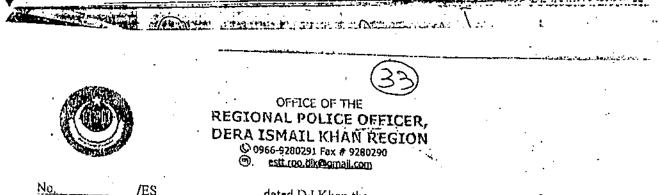
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(SHADEAT ABBAS) POP : Regional Pulicos Officer Oera-Ismail Khan

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<u>/06/2022</u>

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in compliance with the execution Judgment of the Honorable Service Tribunal Peshawar, dated 17.12 2020 in Service Appeal No.991/2018, titled Abdul Hai Khan, Deputy Superintendent of Police. Vs. Govt. of Khyber Pakhtunkhwa, through Home Secretary and 27 others, & direction of the Inspector General of Police Khyber Pakhtunkhwa, Peshawar, vide letter No. CPO/CPB/421 dated 16.11.2021, & in supersession of all previous orders issued by this office, from time to time, with regard to the promotion of the petitioner and the respondents in the said Service Appeal No.991/2018, from the rank of Assistant Sub-Inspector (ASI) to that of Sub-inspector (SI), severally and collectively, and in the exercise of powers conferred on me by PRs 13.1 and 13.10 of the Police Rules, 1934, read with the Promotion Policy, provided in the Establishment Code Khyber Pakhtunkhwa (BSTA CODE) (Revised Edition) 2011, dates of their promotions from the rank of Assistant Sub-Inspector of Police (ASI) to that of Sub-Inspector (SI), are hereby revised in the manner provided in the table below:

Table: Table showing revised dates of promotions of the petitioner and respondents from the rank of ASIs to SI:

· • • • • • • • • • • • • • • • • • • •		3	1	5	6
S/No	Name & Address	Range No. "Allofied	Distt. To which posted	Previous date of promotion as Sub Inspector	Revised Date of Promotion ns. Sub-Inspector
<u> </u>	MR. Abdul Hai Khan, Assistant Sub-Inspector	27/0	DI Khan	24.01.2002	23,11,2001
<u>.</u>	Mit. Syed inayat Ali Amind, Assistant Sub-Inspector	21/D	DI Khan	-24.01.2002	23.11.2001
<u>.</u>	MR. Kalim Ullah, Assistant Sub-Inspector	37/D	DI Khan	23,11,2001	23.11.2001
<u>a</u>	MR, Zia Hassan, Assistant Sub-Inspector	15/D	Tank	25.01.2002	13.12.2001
5	MR. Sninh-ud-Din Ayub, Assistant Sub-Inspector	46/D	Tank	23.11.2001	24.01.2002
<u>6</u>	MR. Shafioliah Khan, Assistant Sub-Inspector	47/D	f Bok	13,12,2001	I COLORED TO A COL
7	MR. Mohammed Nadcem Siddigi Assistant Sub-Inspector	11/D	DI Khan	24.01.2002	24.01.2002
B	MR. Tauhid Khan, Assistant Sub-Inspector	19/D	DI Khan	20.11.2002	21.01.2002

(SHAUKAT ÅBBAS) PSP Regional Police Officer

Dera Ismitil Khan

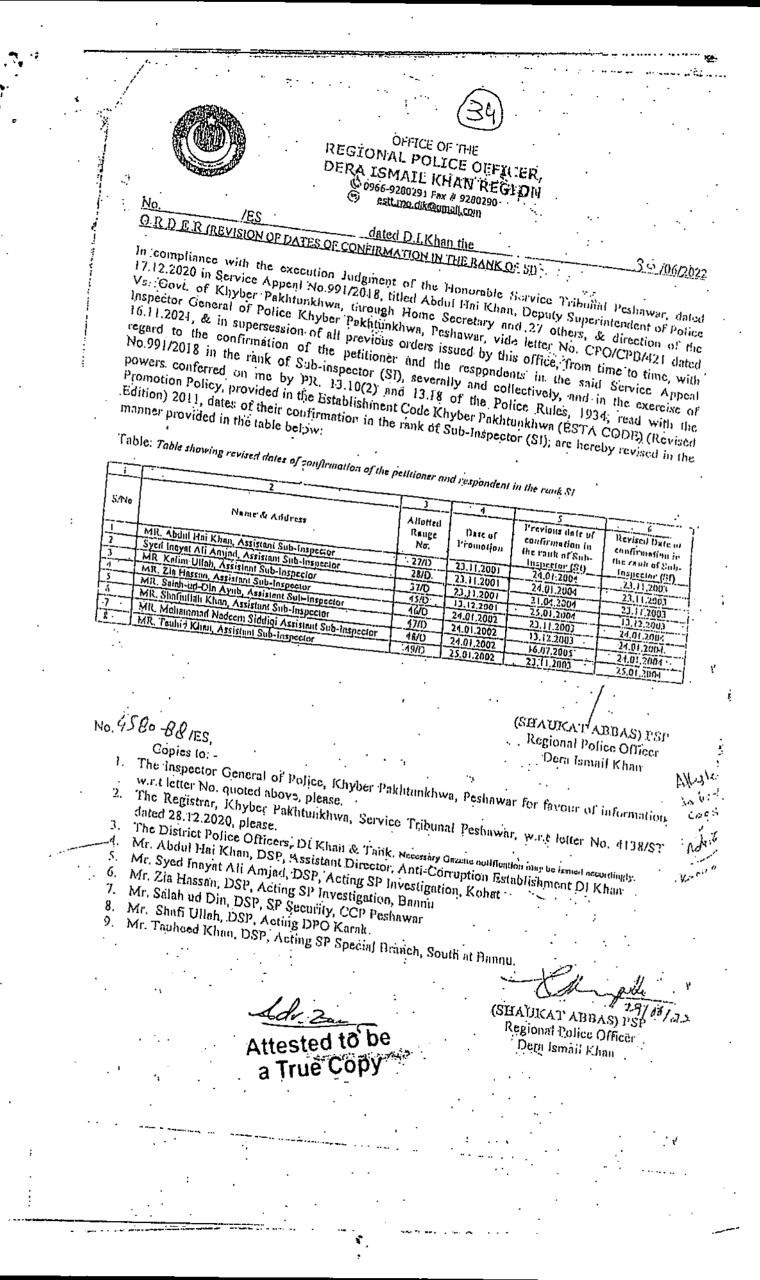
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Copies to: -

- The inspector General of Police, Khyber Pakhtunkhwa, Peshawar for favour of information 1. w.r.t letter No. quoted above, please.
- The Registrar, Khyber Pakhtunkhwa, Service Tribunal Peshawar, w.r.t letter No. 4138/ST 2. dated 28.12.2020, please.
- The District Police Officers, DI Khan & Tank. Necessary Orzette notification may be issued accordingly. 3.
- Mr. Abdul Hai Khan, DSP, Assistant Director, Anti-Corruption Establishment DI Khan 4.
- Mr. Syed Inayat Ali Amjad, DSP, Acting SP Investigation, Kohat
- Mr. Zia Hassan, DSP, Acting SP Investigation, Bannu 6.
- Mr. Salah ud Din, DSP, SP Security, CCP Peshawar 7.
- Mr. Shafi Ullah, DSP, Acting DPO Karak. 8.
- Mr. Tauheed Khan, DSP, Acting SP Special Branch, South at Bannu 9.

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(SHAUKAT ABBAS) PSP **Regional Police Officer** Dera Ismail Khan



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