

BEFORE THE KPK SERVICE TRIBUNAL PESHAWAR

Service Appeal No 1196/2024

Saddam FC No 335 posted at Police Line Nowshehera.

VERSUS

1. The inspector General of Police Khyber Pakhtunkhwa Peshawar
2. Regional Police officer Mardan.
3. District Police Officer Nowshehra

..... Respondents


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Dated 17/10/2023


Petitioner

Through


Roeeda Khan
Advocate, High Court
Peshawar

①

BEFORE THE KPK SERVICE TRIBUNAL PESHAWAR

Service Appeal No 1196/2024

Khyber Pakhtunkhwa
Service Tribunal

Diary No

16914

Dated

17-10-24

Saddam FC No 335 posted at Police Line Nowshehara.

VERSUS

1. The inspector General of Police Khyber Pakhtunkhwa Peshawar
2. Regional Police officer Mardan.
3. District Police Officer Nowshehara

..... Respondents

APPLICATION FOR AMENDMENT OF APPEAL.

Respectfully Sheweth:

The petitioner respectfully submit as under;

- 1- That the above noted Service appeal is pending adjudication before this Hon'ble Tribunal which is fixed for today i.e 17.10.2024.
- 2- That the applicant / appellant was challenged the impugned dismissal order dated 05.06.2023 before this Hon' able Tribunal.
- 3- That the applicant / appellant submitted revision petition on 18.07.2024 for reinstatement which was partially accepted whereby the impugned dismissal order dated 05.06.2023 was set aside and the appellant was reinstated on his service but minor punishment of forfeiture of two years approved service was imposed against the appellant as well as the intervening period is treated is leave without pay on

(2)

09.10.2024. (Copy of order 09.10.2024 is attached as Annexure-A).


- 4- That the applicant / petitioner wants to amend the above mentioned service appeal to the extent of minor punishment and leave without pay.
- 5- That there is no legal bar for acceptance of the instant application.

It is, therefore, respectfully prayed that on acceptance of this application, the petitioner may very graciously be allowed to amend the service appeal according to the extent of minor punishment as well as leave without pay.

Dated 17/10/2024


Petitioner

Through


Roeeda Khan
Advocate, High Court
Peshawar

Affidavit

I, Saddam FC No 335 posted at Police Line Nowshehera do hereby solemnly affirm and declare on oath that the contents of this application are true and correct to the best of my knowledge and belief and nothing has been concealed from this Hon'ble Court.


DEPONENT



17-10-24



OFFICE OF THE
INSPECTOR GENERAL OF POLICE
KHYBER PAKHTUNKHWA
PESHAWAR.

CA (3)

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-FC Saddam No. 335. The applicant was dismissed from service by DPO Nowshera vide OB No. 387, dated 05.06.2023, on the allegation that the appellant while posted at Police Lines, Nowshera was charged in a case vide FIR No. 248 u/s 302/324/114/34-PPC Police Station, Risalpur District Nowshera.

Proper departmental enquiry was initiated against the delinquent official & the then DSP HQ Nowshera was nominated as Inquiry Officer. The IO highlighted that motive behind the occurrence is previous blood feud enmity. Investigation so far revealed involvement of delinquent official but the case is under trial in the court, therefore suggested that the enquiry may be kept pending till the decision of the court.

The DPO did not agree with the recommendations of the enquiry officer & awarded him major punishment of dismissal from service.

Addl: Sessions Judge-VI, Nowshera acquitted the appellant vide judgment dated 31.05.2024 by extending him benefits of doubt. The Appellate Authority i.e. KPO Mardan, rejected and filed his appeal vide Order Endst: No. 1969/ES, dated 15.07.2024.

Meeting of Appellate Board was held on 26.09.2024 wherein petitioner was heard in person. The petitioner denied the allegations leveled against him.

The petitioner was heard in person. The Board by taking lenient view decided that his revision petition is hereby accepted by modifying his major punishment of dismissal from service into minor punishment of forfeiture of two years approved service. He is reinstated into service with immediate effect. The period he remained out of service be treated as leave without pay.

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

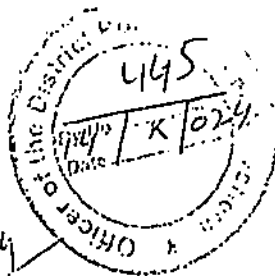
No. SI 2655-59 /24, dated Peshawar, the 09-10-2024.

Copy of the above is forwarded to the:

1. Regional Police Officer, Mardan. Service Roll and Fauji Missal received vide your office memo No. 2777/IS, dated 19.08.2024 is returned herewith for your office record.
2. District Police Officer, Nowshera.
3. AIG/Legal, Khyber Pakhtunkhwa, Peshawar.
4. PA to Addl: IGP/HQrs: Khyber Pakhtunkhwa, Peshawar.
5. PA to DIG/HQrs: Khyber Pakhtunkhwa, Peshawar.

PO, EC, OTH, FINE, OBC

For n. a. i. c. i.
DPO Nowshera
14/10/24



(SONIA SHAMROZ KHAN)
PSP
AIG/Establishment,
For Inspector General of Police,
Khyber Pakhtunkhwa, Peshawar.

OB No: 773
Dated: 15/10/2024