


FORM OF ORDER SHEET

Court of _____

Appeal No. 718/2024

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	29/05/2024	<p>The appeal of Mr. Muhammad Iflikhar presented today by Mr. Fazal Shah Mohmand Advocate. It is fixed for preliminary hearing before Single Bench at Peshawar 31.05.2024. Parcha Peshi given to the counsel for the appellant.</p> <p>By the order of Chairman  REGISTRAR</p>

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR

Service Appeal No 718 /2024

Muhammad IftikharAppellant

V E R S U S

PPO. & othersRespondents

I N D E X

S.No.	Description of Documents	Annexure	Pages
1.	Service appeal with affidavit		1-4
2.	Copy of regularization order dated 02-08-2020	A	5-6
3.	Copy of transfer order dated 17-05-2022	B	7-8
4.	Copy of order dated 06-12-2023	C	9
5.	Copy of pay Slips	D	10
6.	Copy of removal order dated 05-01-2024 & application dated 15-01-2024	E & F	11-13
7.	Copy departmental Appeal and TCS receipt	G	14-15
8.	Vakalat Nama		16

Dated:-27-05-2024

M. Iftikhar
Appellant

Through

Fazal Shah Mohmand
Fazal Shah Mohmand
Advocate,
Supreme Court of Pakistan

OFFICE:- Cantonment Plaza Flat 3/B Khyber Bazar Peshawar Cell# 0301 8804841
Email:- fazalshahmohmand@gmail.com

①

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR

Service Appeal No 718 /2024

Muhammad Iftikhar, Ex Constable No 6221, Capital City Police
Peshawar.

.....Appellant

V E R S U S

1. Superintendent of Police Head Quarters Capital City Police
Peshawar.
2. Capital City Police Officer Khyber Pakhtunkhwa Peshawar.

.....Respondents

APPEAL U/S 4 OF THE KPK SERVICE TRIBUNAL ACT
1974 AGAINST THE ORDER DATED 05-01-2024
WHEREBY, THE APPELLANT HAS BEEN REMOVED FROM
SERVICE AND AGAINST WHICH DEPARTMENTAL
APPEAL OF THE APPELLANT HAS NOT BEEN
RESPONDED SO FAR DESPITE THE LAPSE OF MORE
THAN THE STATUTORY PERIOD OF NINETY DAYS.

PRAYER:-

On acceptance of this appeal the impugned Order dated 05-01-2024 may kindly be set aside and the appellant may kindly be ordered to be reinstated in service with all back benefits.

Respectfully Submitted:-

1. That the appellant was enlisted as Special Police Officer (SPO) in the year 2019 and later on regularized w.e.f 01.03.2020 along with others and since enlistment the appellant performed his duties with honesty and full devotion and to the entire satisfaction of his high ups. **(Copy of regularization order dated 01-03-2020 is enclosed as Annexure A).**
2. That the appellant was transferred to District Khyber on 02-08-2022, where he regularly performed his duties. **(Copy of transfer order dated 02-08-2022 is enclosed as Annexure B).**
3. That in the month of October 2023 fact finding inquiry was initiating and the appellant along with others were brought to police lines at about 10:00 PM on leave days i.e. Saturday and Sunday where he was forced to sign a blank paper and was also directed to deposit his service book, service card, cheque

book and ATM card etc., which are still not returned to the appellant despite repeated requests.

4. That the salary of the appellant was subsequently stopped, after the mentioned preliminary inquiry on the allegations of ghost/illegal/fake employees vide order dated 06-12-2023 **(Copy of order dated 06-12-2023 is enclosed as Annexure C)**
5. That the appellant was duly enlisted as SPO and later on regularized and he performed his duties honestly and also received salaries from respondent departments. **(Copy of pay Slips are enclosed as Annexure D)**
6. That in the meanwhile the appellant was removed from service vide order 05-01-2024, copy of which was obtained through RTI Commission on 15-01-2024. **(Copy of removal order dated 05-01-2024 & application dated 15-01-2024 is enclosed as annexure E & F)**
7. That the appellant visited the office of respondent No. 2 on 02.02.2024 to submit departmental appeal, however the same was not entertained where after the appellant sent his departmental appeal through registered courier (TCS) on 02.02.2024 which has not been responded so far. **(Copy departmental Appeal and TCS receipt are enclosed as Annexure G).**
8. That the impugned Order dated 05-01-2024 to the extent of appellant is against the law, facts and principles of natural justice on grounds inter alia as follows:-

G R O U N D S :-

- A. That the impugned order dated 05-01-2024 is illegal, unlawful and void ab-initio.
- B. That mandatory provisions of law and rules have been badly violated by the respondents and the appellant has not been treated according to law and rules.
- C. That no charge sheet and show cause notice was issued to the appellant.
- D. That no regular inquiry was conducted in the matter to have found out the true facts and circumstances.

- E. That no evidence was collected in support of the allegations thus the charges never stood established against the appellant.
- F. That the appellant was not heard in person and ex parte action has been issued against him in violation of the principles of natural justice.
- G. That there is no omission and commission on part of the appellant and the appellant could not be punished for the fault of others if any, strangely the alleged master mind have been transferred only and no action has been taken against them, hence the impugned order smacks malice. .
- H. That the appellant has about 5 years of service with unblemished service record.
- I. That the appellant seeks the permission of this honorable tribunal for further/additional grounds at the time of arguments.

It is therefore prayed that appeal of the appellant may kindly be accepted as prayed for in the heading of the appeal.

Any other relief deemed appropriate and not specifically asked for, may also be granted in favor of the appellant.

Dated:-27-05-2024

M. J. Khan
Appellant

Through

Fazal Shah
Fazal Shah Mohmand
Advocate,
Supreme Court of Pakistan

&
Baseer Ahmad Shah
Baseer Ahmad Shah

&
Ibad Ur Rehman Khalil
Ibad Ur Rehman Khalil
Advocates Peshawar

4

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR

Service Appeal No _____/2024

Muhammad IftikharAppellant

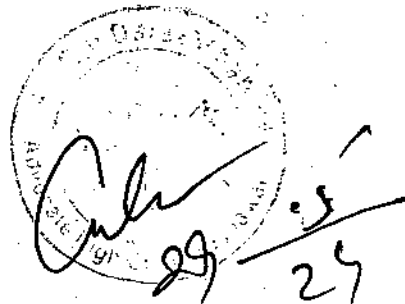
V E R S U S

PPO. & othersRespondents

A F F I D A V I T

I, Muhammad Iftikhar, Ex Constable No 6221, Capital City Police Peshawar, do hereby solemnly affirm and declare on oath that the contents of this **Appeal** are true and correct to the best of my knowledge and belief and nothing has been concealed from this honorable Tribunal.

M. Iftikhar
DEPONENT





OFFICE OF THE CAPITAL CITY POLICE OFFICER,
PESHAWAR.



ORDER

No. SO-Budget/HD/15-29/2016 Vol-II: In pursuance of the provisions of Section 3 read with Section 5 of the Khyber Pakhtunkhwa Special Police Officer (Regularization of Service) Act, 2019 (Khyber Pakhtunkhwa Act No. XXVII of 2019) and on the recommendation of Provincial Police Officer Khyber Pakhtunkhwa and approval of the Provincial cabinet, the Home and Tribal Affairs Department is pleased to notify herewith regularization of the following Special Police Officers (SPOs) working in CCP Peshawar under DPO Code PR4003-Peshawar City Police as Constables (BPS-07) with effect from 01.03.2020.

Therefore, in the light of above notification the following Special Police Officers are hereby absorbed as Regular Constable (BPS-07) in Capital City Police, Peshawar. They are allotted Constabulary numbers noted against their names.

S.No.	Name & SPO Belt No.	Father Name	Allotted No.
1	UMAR AMJAD	MUHAMMAD AMJAD	
2	MUHAMMAD ISMAIL	YOUSAF	
3	MUHAMMAD HILAL	MUHAMMAD YUNAS	
4	IRHAN	KHALID GUL	
5	MUJEEN ALI	ABDUL MANAN	
6	QAZI SONAIL	IMAM DIN	
7	MUHAMMAD TAHIR	SARZAMIN	
8	HAMZA	MUSA KHAN	
9	JAMAL UD DIN	SHER DIL	
10	HAMID ALI	AHMAD ALI	
11	SHAHZAD ALI	MURAD ALI	
12	MUHAMMAD IFTIKHAR	SHAKIR ULLAH	
13	SIFAT ULLAH	AMIN ULLAH	
14	MUHAMMAD IJAZ	TARIQ KHAN	
15	SALMAN SHEHZAD	SHARFAD GUL	
16	YOUNAS KHAN	GUL KHAN	
17	MUHAMMAD SALMAN	GUL KHAN	
18	USMAN	SALIM	
19	USMAN KHAN	DAVID KHAN	
20	JALAL UD DIN	SHERDIL KHAN	
21	MUHAMMAD UBAID	LAIQAT ALI SHAH	
22	SAID AMIN	MUHAMMAD AMIN	
23	QARAZ MEHMOOD	TAJ MEHMOOD	
24	UMAR FAROOQ	ZAHOR AHMAD	
25	BILAL	SALIM	
26	JUNAID	MUSTAQIM SHAH	
27	RAHIM GUL	ABDUL GANI	
28	WASIM SHOUKAT	SHOUKAT HUSSAIN	
29	AMIR HUSSAIN	RAHMAN HUSSAIN	
30	HAZRAT GUL	HABIB GUL	

ATTESTED

[Signature]

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BETTER COPY

OFFICE OF THE CAPITAL CITY POLICE OFFICER,
PESHAWAR

ORDER

No. SO/Budget/HD/15-29/2016 Vol-II: In pursuance of the provisions contained in section 3 read with Section 5 of the Khyber Pakhtunkhwa Special Police Officer (Regularization of Service) Act, 2019 (Khyber Pakhtunkhwa Act No. XXVII of 2019) and on the recommendation of Provincial Police Officer Khyber Pakhtunkhwa and approval of the Provincial cabinet, the Home and Tribal Affairs Department is pleased to notify herewith regularization of the following Special Police Officers (SPOs) working in CCP Peshawar under DDO Code PR4093-Peshawar City Police.as Constables (BPS-07) with effect from 01.03.2020.

Therefore, in the light of above notification the following Special Police Officers are hereby absorbed as Regular Constable (BPS-07) in Capital City Police, Peshawar. They are allotted Constabulary numbers noted against their names.

S.No	Name & SPO Belt No.	Father Name	Allotted No.
1.	UMAR AMJAD	MUHAMMAD AMJAD	
2.	MUHAMMAD ISMAIL	YOUSAF	
3.	MUHAMMAD HILAL	MUHAMMAD YOUNAS	
4.	IRFAN	KHALID GUL	
5.	MOEEN ALI	ABDUL MANAN	
6.	QAZI SOHAIL	IMAM DIN	
7.	MUHAMMAD TAHIR	SARZAMIN	
8.	HAMZA	MUSA KHAN	
9.	JAMAL UD DIN	SHER DIL	
10.	HAMID ALI	AHMAD ALI	
11.	SHAHZAD ALI	MURAD ALI	
12.	MUHAMMAD IFTIKHAR	SHAKIR ULLAH	
13.	SIFAT ULLAH	AMIN ULLAH	
14.	MUHAMMAD IJAZ	TARIQ KHAN	
15.	SALMAN SHEHZAD	SHAHDDAD GUL	
16.	YOUSAF KHAN	GUL KHAN	
17.	MUHAMMAD SALMAN	GUL KHAN	
18.	USMAN	SALIM	
19.	USMAN KHAN	JAVID KHAN	
20.	JALAL UD DIN	SHERDIL KHAN	
21.	MUHAMMAD UBAID	LAIQAT ALI SHAH	
22.	SAID AMIN	MUHAMMAD AMIN	
23.	QARAZ MEHMOOD	TAJ MEHMOOD	
24.	UMAR FAROOQ	ZAHOOOR AHMAD	
25.	BILAL	SALIM	
26.	JUNAID	MUSTAQIM SHAH	
27.	RAHIM GUL	ABDUL GANI	
28.	WASIM SHOUKAT	SHOUKAT HUSSAIN	
29.	AMIR HUSSAIN	RAHMAN HUSSAIN	
30.	HAZRAT GUL	HABIB GUL	

ATTESD

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copy

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copy to all concerned

OSI dated Peshawar the

9064 / 2705-2020

FOR CAPITAL CITY POLICE OFFICER
PESHAWAR

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ALAM ZEB	QAZI ALAUDDIN	IOBAL AHMAD	SHEHZAD GUL	LIVQAT ALI	ZAKIA	KHAN SHAH	FATHER NAME	ALLIOTED NO.
QAZI IRFAN	BISE AHAJ	ANWAR AHMAN SHEHZAD	QAZI ALAM	QAZI IRFAN	QAZI IRFAN	QAZI IRFAN	QAZI IRFAN	QAZI IRFAN

in pursuance of the provisions contained in the Regulation 5 of the Khyber Pakhtunkhwa Special Police Officer (Regulation) Act No. XXVII of 2019) and on the recommendation of Provincial Police Officer Khyber Pakhtunkhwa and approval of the Director of Provincial Police Officer Khyber Pakhtunkhwa Department is hereby notified that the following Special Police Officers (SPOs) working in Capital City Police, Peshawar are being posted as Constables (SPS-07) with effect from 31.03.2020.

in the light of above notification the following Special Police Officers are being posted as Regular Constable (SPS-07) in Capital City Police, Peshawar. They are:

Serial No. 1075-20216 Vol-II. In pursuance of the provisions contained in the Regulation 5 of the Khyber Pakhtunkhwa Special Police Officer (Regulation) Act No. XXVII of 2019) and on the recommendation of Provincial Police Officer Khyber Pakhtunkhwa and approval of the Director of Provincial Police Officer Khyber Pakhtunkhwa Department is hereby notified that the following Special Police Officers (SPOs) working in Capital City Police, Peshawar are being posted as Constables (SPS-07) with effect from 31.03.2020.

OFFICE OF THE CAPITAL CITY POLICE OFFICER
PESHAWAR

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**OFFICE OF THE CAPITAL CITY POLICE OFFICER,
PESHAWAR**

ORDER

No. SO/Budget/HD/15-29/2016 Vol-II: In pursuance of the provisions contained in section 3 read with Section 5 of the Khyber Pakhtunkhwa Special Police Officer (Regularization of Service) Act, 2019 (Khyber Pakhtunkhwa Act No. XXVII of 2019) and on the recommendation of Provincial Police Officer Khyber Pakhtunkhwa and approval of the Provincial cabinet, the Home and Tribal Affairs Department is pleased to notify herewith regularization of the following Special Police Officers (SPOs) working in CCP Peshawar under DDO Code PR4093-Peshawar City Police as Constables (BPS-07) with effect from 01.03.2020.

Therefore, in the light of above notification the following Special Police Officers are hereby absorbed as Regular Constable (BPS-07) in Capital City Police, Peshawar. They are allotted Constabulary numbers noted against their names.

S.No	Name & SPO Belt No.	Father Name	Allotted No.
1.	FARHAD ALI	KHAN SHAH	
2.	ALAM DIYAR	ZAKIR	
3.	IQBAL	LIAQAT ALI	
4.	MUHAMMAD ADNAN SHEHZAD	SHEHZAD GUL	
5.	IBNE AMIN	IQBAL AHMAD	
6.	QAZI IRFAN	QAZI ALAUDDIN	
7.	ALI ZEB	ALAM ZEB	

Sd/-
SP HQRS:
FOR CAPITAL CITY POLICE OFFICER,
PESHAWAR.

OBNO.2064
Dated 27-06-2019

No. _____ /OSI, dated Peshawar the ____ / ____ /2020.

Copy to all concerned.

ATTESTED

ATTESTED

For Inspector General of Police
Khyber Pakhtunkhwa, Peshawar

(Signature)

SR	NAME, RANK & NO.	FROM	TO
1	Muhammad Inqar 6221	District Police Peshawar	District Police Khyber
2	Muhammad Ibrahim 2327	District Police Orakzai	District Police Orakzai
3	Qazi Sohail 1393	District Police Orakzai	District Police Khyber

No. 1987-89 / M. IV, dated Peshawar, the 9-8-2022



NOTICE FOR THE
INSPECTOR GENERAL OF POLICE
KHYBER PAKHTUNKHWA
Peshawar
District Police Orakzai
District Police Khyber

(7)

Page-B

OFFICE OF THE
INSPECTOR GENERAL OF POLICE
KHYBER PAKHTUNKHWA
Central Police Office,
Peshawar

No.6987-89/E-IV, dated Peshawar, the 2-8--2022

ORDER

TRANSFER/POSTING:- The following Lower Subordinates of Khyber Pakhtunkhwa Police as noted against each their names, are hereby ordered with immediate effect.

S.NO	NAME, RANK & NO.	FROM	TO
1.	Muhammad Iftikhar 6221	District Police Mohmand	District Police Khyber
2.	Muhammad Ibrahim 2327	District Police Orakzai	District Police Khyber
3.	Qazi Sohail 1393	District Police Orakzai	District Police Khyber

Sd/-
(DR. ZAHID ULLAH) PSR
AIG/ESTABLISHMENT
For Inspector General of Police
Khyber Pakhtunkhwa, Peshawar.

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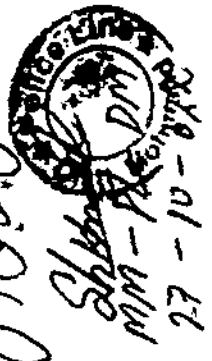
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ذکر عملی رکعت روز رجب موعود ۲۷

بوسید اللہ

نماز کو شروع کیا۔ اس وقت کہ نماز ۱۵/۱۰ وقت ۱۳:۰۰ بجے شروع ہوئی۔ اس وقت کہ نماز کو اختتام دیا گیا۔ جو کہ اللہ کی تعریف ہے۔
 نماز کو ختم کیا۔ $2 \times 16 = 32$ رکعتوں کی تعداد ہے۔ اس وقت کہ نماز کو ختم کیا گیا۔ جو کہ اللہ کی تعریف ہے۔
 جو کہ اللہ کی تعریف ہے۔ جو کہ اللہ کی تعریف ہے۔ جو کہ اللہ کی تعریف ہے۔ جو کہ اللہ کی تعریف ہے۔ جو کہ اللہ کی تعریف ہے۔
 جو کہ اللہ کی تعریف ہے۔ جو کہ اللہ کی تعریف ہے۔ جو کہ اللہ کی تعریف ہے۔ جو کہ اللہ کی تعریف ہے۔ جو کہ اللہ کی تعریف ہے۔

فصل اول

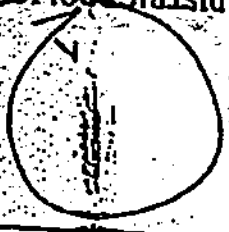


ATCOTI
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1. The Capital City Police Officer, Ferozpur
 2. USF 110, Khyber
 3. Government Khyber
 4. ...

Copies to:
 ON No. 1158 dated 16/12/2023
 No. 8821-52911A-DPO Khyber

DISTRICT POLICE OFFICER
 KHYBER



Sr.	Name/No.	Personnel No.
01	Unar Ferooz s/o Zahoor Ahmad No. 4556	997181
02	Hazrat Gul s/o Habib Gul No. 397	00522449
03	Ibrar Akhtar s/o Javed Akhtar No. 319	532197
04	Saud Ali s/o Mushtaqem Shah No. 4243	37673
05	Inani	699858
06	Muhammed Younas s/o Gul Khan No. 6208	377450
07	Salman Shehzad s/o Shehzad Gul No. 7168	00589967
08	Muhammad Nihal s/o Shakir Ullah No. 6221	700148
09	Faizan No. 354	0098163
10	Moeen Ali s/o Abdul Mannan No. 1579	985652
11	Shaukat Iqbal s/o Mir Khajam No. 1593	921365
12	Muhammed Ejaz s/o Tariq Khan No. 2466	553304
13	Muhammed Ubaid s/o Liaqat Ali No. 6472	395704
14	Farhad s/o Khan Shah No. 945	322369
15	Hamza s/o Musa Khan No. 1414	985649
16	Muhammed Tahir s/o Sher Zamin No. 6631	361979
17	Usman s/o Saleem No. 6048	544048
18	Feroz Mehmood s/o Taj Muhammad No. 6567	997180

30/11/2023, in pursuance of the directions, the pay of the following is hereby stopped with reference to Office Letter No. 20279/PA-SF-Contd. dated 16/11/2023, immediate effect will further orders.

ORDER
 No. 8821-52911A-DPO Khyber
 OFFICE OF THE
 DISTRICT POLICE OFFICER
 KHYBER



Amr C
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19
Anex D

**PAYROLL SYSTEM
AMENDMENT FORM
SINGLE EMPLOYEE ENTRY**

FORM PAY02
Date _____
Page No. _____

OFFICE OF THE _____ DAO KHYBER

FOR THE MONTH OF 11 / 2022

DDO Code (Cost Center) K H 4 0 3 7 Description: DPO KHYBER

Personnel Number: 00700148 Employee Name: Iftikhar Hussain National ID Card Number _____

Grade (Pay Scale Group) 07 Constable Buck # No. _____ Salary Status Start Stop

TR 473
15/11/22

nd. Type	Field ID	GENERAL DATA CHANGE		CHANGE IN PAYMENTS / DEDUCTIONS						Effective Date	Remarks	
		New Contents	Wage Type	Amount								
				Rupees	Paise	Adj						
		B.Pay	0001	1	7	2	2	0				Pay May please be Release by DPO Khyber
		HRA 45%	1001	-	-	2	3	8	4			
		UAA	1528	-	-	1	0	0	0			
		C.A	1210	-	-	1	9	3	2			
		Medical Allow	1300	-	-	1	5	0	0			
		R.A	1547	-	-	-	5	8	1			
		W.A	1557	-	-	-	1	5	0			
		C.R.A	1548	-	-	-	3	0	0			
		Risk Allow	2314	-	-	7	4	0	0			
		S.I.A Allow	1902	-	-	-	7	7	5			
		Fix D.A	2168	-	-	2	7	3	0			
		AR-22	2347	-	-	1	7	4	0			
		G.P Fund	3005	-	-	1	0	1	0		D	
		Police Welfare Fund	3530	-	-	-	3	9	9		D	
		R. Benefit	4004	-	-	-	4	5	0		D	

Prepared by _____

Audited/Checked By _____

Handwritten signature and date: 15/11/22

District Accounts Officer
Khyber Tribal District

Drawing & Disbursing Officer
District Police Officer
Khyber
Entered / Verified By _____



(11) Area E

**OFFICE OF THE
SUPERINTENDENT OF POLICE
HEADQUARTERS CCP PESHAWAR
Phone No. 091-9210737**

ORDER

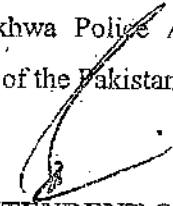
1. In compliance with the direction of DIG/HQrs: Khyber Pakhtunkhwa issued vide letter No. 101/PA/DIG/HQrs: dated 21.08.2023 and W/CCFO vide Endst: No. 4242-51 dated 02.11.2023 Mr. Muhammad Ifikhar Belt No. 6221 Personnel No. 700148 Khyber, was found to be ghost/illegal employee. He was proceeded against on account of receiving illegal salaries through bank account despite the fact that he did not found in the official record: -
2. Accordingly, Enquiry Committee headed by the SSP Coordination was constituted to enquire into the allegations. The Enquiry Committee, after going through the pros and cons of the issue, held that illegal employee Muhammad Ifikhar Belt No. 6221 was fictitiously recruited by master minds of the then Account Branch i.e. Budget Officer Aslam, Senior Clerk Haji Shahid Ali and Pay Officer Tahir Shah who were siphoning out salary from national exchequer on his name. The masterminds of this scam adopted tactics like illegally employing a namesake of previous dismissed police employee, illegal/fake/ghost employees recruited through fake orders/OB entries and fake transfer orders and thereafter starting their salaries in connivance of AG office etc.
3. Muhammad Ifikhar met Haji Shahid through his cousin Irshad, who runs a bakery shop in Lali Bagh Kakshal. In 2021, he handed over Rs.500,000 for his own recruitment and an additional Rs.500,000 for recruiting his Cousin Moeen Ali to Shahid Haji at his residence in Lali Bagh. After a week, Shahid Haji showed him an order supposedly comprising 5 persons from District Mohmand. However, he did not receive a copy of the order. He was taken to District Mohmand Police Lines, where he made his arrival without undergoing required procedures such as physical checkup, medical examination or training. The Service Roll of Muhammad Ifikhar (6221) was scrutinized, revealing that the notification of enlistment order as per Order Book No.2064, dated 27-01-2019, is fake, with scanned signatures.
4. The report of OB clerk on this Order book indicates an Ex-Pakistan Leave entry for FC Rehman Ullah (1778) and FC Adnan (2386). Additionally, the OASI report on Belt No. 6221 in CCP Peshawar states that FC Ifikhar Ahmed is serving in PBI HQrs, the allotted belt number is fake. His statement recorded in writing, he signed his statement and also affixed his thumb impression on his statement. Muhammad Ifikhar voluntarily handed over his ATM card and cheque book to the enquiry officer, demonstrating transparency and cooperation.

Accepted

6. In this connection, it has also been observed in the judgment of the Apex Court of Pakistan vide Civil Petition No.4057 of 2021 & C.M. Appeal No.1 of 2022 wherein such illegal employments in a Government Department were declared illegal in which no pre-requisite criteria was being followed. Para-3 of the judgment ibid is reproduced for ready reference as under;

3. "Having heard learned counsel for the parties and going through the impugned judgment and on the basis of the comments filed by the Government of Khyber Pakhtunkhwa, it appears that at the time of appointing the petitioner no process was followed and the principle of transparency and open competition was entirely ignored. The petitioner was appointed in violation of the law and the rules and even if the termination letter does not mention so, it is clear and obvious from the record that this was indeed the case. Further no vested right to claim continuation of service has been pleaded or shown".

7. Hence, in exercise of the powers mentioned in Section 4(1)(b)(iii) of Khyber Pakhtunkhwa Police Rules, 1975 (amended 2014), Faizan Khan Personnel Number 0098163 ghost/illegal employee is hereby removed from Police record. He is also liable to be proceeded against under sections 110 & 115 of the Khyber Pakhtunkhwa Police Act, 2017 (Khyber Pakhtunkhwa Act No.II of 2017) and other relevant provisions of the Pakistan Penal Code.

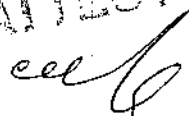

SUPERINTENDENT OF POLICE
HQRS CCP PESHAWAR

459-68
No. _____
OB No. 94

Dated Peshawar the 05/01/2024.
Dated: 05/01/2024.

Copies to:-

1. The Dy: Inspector General of Police, HQrs: Khyber Pakhtunkhwa at CFO Peshawar.
2. The Capital City Police Officer, Peshawar
3. The Senior Superintendent of Police, Operations, Peshawar
4. The Senior Superintendent of Police, Coordination, Peshawar
5. The District Police Officer, Khyber
6. The Pay Officer, EC-II, OASI, CRC & FMC

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سی سی پی پشاور

سٹیٹ پولیس

تاریخ 15-1-24

نمبر 6291

بم 13/1

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ATTEST

(بیل درخواست لف ہے)

تا ہم انہوں نے وصول کر کے سے انکار کر دیا

درخواست دینے کی کوشش کی

ہے جناب ایس پی سینڈ کوارٹر کو برجاستی حکم کی کاپی کے لئے

تا ہم مجھے انھی تک برجاستی کے حکم کی کاپی فراہم نہیں کی گئی

مجھے سمیت دیگر اہلکاران کو ملازمت سے برجاست کیا گیا ہے

الزامات کے تحت بند کی گئی جس کے بعد مجھے محکمہ کے بتایا کہ

جس پر انہیں اور مورخہ 6-12-2023 کو میری تیجواہ مخصوص

تاریخ ہے کہ میں محکمہ پولیس میں بطور کانسٹیبل ڈیوٹی انجام

دیا جا رہا ہے

Section:	
Date:	15/01/2024
Diary No:	11632
KP-RTI COMMISSION	

دیوان درخواست برائے عطا کی حکم برجاستی

خدمت جناب ڈائریکٹر رائٹ ٹو انفارمیشن جیٹر پختونخوا پشاور

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Part G

Before the Capital City Police Officer, Peshawar

Subject:- Appeal against the Order dated 05-01-2024, of the Superintendent of Police, Head Quarters, Peshawar, whereby the appellant has been removed from service.

Respectfully Submitted:-

That the appellant was enlisted as Special Police Officer (SPO) on **27-01-2019** and later on Regularized w.e.f from 01-03-2020 along with others and since enlistment the appellant performed his duties with honesty and full Devotion to the entire satisfaction of his high ups. The appellant was transferred to District Khyber on 27-10-2022, where he regularly performed his duties and in the month of October, 2023 fact finding inquiry was initiated and the appellant along with others were brought to police Lines at about 10.00 P.M on leave days, i.e Saturday and Sunday where he was forced to sign a blank paper and was also directed to deposit his Service Book, Service Card, Check Book and ATM Card etc. which are still not returned to the appellant despite repeated requests. The salary of the appellant was subsequently stopped, after the mentioned preliminary inquiry on the allegations of ghost/illegal/Fake employees vide order dated 06-12-2023, and then the appellant was **removed from Police Record** vide Order dated 05-01-2024, which order is illegal and void ab-initio. The appellant was duly enlisted as SPO and later on regularized and he duly performed his duties. Thus the impugned order to the extent of the appellant is not tenable. The appellant was not heard and ex-parte action has been issued against him in violation of the principles of natural justice. No Charge Sheet and Show Causes Notice were issued to the appellant nor was any regular inquiry conducted in the matter. There is no omission or commission on part of the appellant and the appellant could not be punished for the fault of others if any. Strangely the alleged Masterminds have been transferred only and no action has been taken against them, hence the impugned order smacks malice.

It is therefore requested that on acceptance of this appeal impugned Order dated 05-01-2024 may kindly be set aside and the appellant may kindly be ordered to be reinstated in service with all back benefits.

M. Iftikhar
Muhammad Iftikhar, Ex Constable
No 6221, Capital City Police,
Peshawar R/O Gullbella Peshawar
Cell # 0318-9123181

Dated: 02/02/2024

ATTES
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بعدالت

حسب رخصت و غیر اکر و سس شراٹھنول یشاور

2 مخانب

محمد اشخار بنام لیس و غیر

موزخه

مقدمه

دعویٰ

جرم

باعث تحریر آنکے

مقدمہ مندرجہ عنوان بالا میں اپنی طرف سے واسطے پیروی و جواب دہی وکل کارروائی متعلقہ

لیسر احمد شاہ

آن مقام بش کیلئے جنیل شہاہ محمد Ascc عبادا ام تھان خلیل

مقرر کر کے اقرار کیا جاتا ہے۔ کہ صاحب موصوف کو مقدمہ کی کل کارروائی کا کامل اختیار ہوگا۔ نیز وکیل صاحب کو رضی نامہ کرنے و تقرر ثالثہ فیصلہ برحلف دینے جواب دہی اور اقبال دعویٰ اور بصورت ڈگری کرنے اجراء اور وصولی چیک دروپیہ اور عرضی دعویٰ اور درخواست ہر قسم کی تصدیق ذرائع پر دستخط کرانے کا اختیار ہوگا۔ نیز بصورت عدم پیروی یا ڈگری یکطرفہ یا اپیل کی برآمدگی اور منسوخی نیز دائر کرنے اپیل نگرانی و نظر ثانی و پیروی کرنے کا اختیار ہوگا۔ از بصورت ضرورت مقدمہ مذکور کے کل یا جزوی کارروائی کے واسطے اور وکیل یا مختار قانونی کو اپنے ہمراہ لانا اپنے بجائے تقرر کا اختیار ہوگا۔ اور صاحب مقرر شدہ کو بھی وہی جملہ مذکورہ با اختیارات حاصل ہوں گے اور اس کا ساختہ پر داخستہ منظور قبول ہوگا۔ دوران مقدمہ میں جو خرچہ دہر جائد التوائے مقدمہ کے سبب سے وہ ہوگا۔ کوئی تاریخ پیشی مقام دورہ پر ہو یا حد سے باہر ہو تو وکیل صاحب پابند ہوں گے۔ کہ پیروی مذکور کریں۔ لہذا وکالت نامہ لکھد یا کہ سند ہے۔

المرقوم 27 05 2024

واہ الع

کے لئے منظور ہے۔

Attated
Accepted

بمقام

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M. Ashkhat