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IN THE COURT OF SESSIONS JUDGE, ORAKZAI AT BABER MELA

Case Title: Khalil Ullah etc vs Director Anti Corruption etc

FIR no. _____, Dated: _____, u/s: _____, PS: _____

Serial No of order or proceedings	Date of Order Proceedings	Order or other Proceedings with Signature of Judge or Magistrate and that of parties or counsel where necessary.
1	2	3
Order No.05	16.12.2025	<p>Counsel for the petitioners present. Sr. PP for the State present. Respondent No. 3 to 5 in person present. Comments received. Arguments heard and record perused.</p> <p>This application u/s 22-A CrPC was submitted by the petitioners for registration of FIR against the respondents No. 3 to 5. The petitioners submitted their application that the respondent No. 3 usurped the education department and was appointed to the same position despite being transferred multiple times. He has issued various transfer and posting orders of the employees of Education Department without having lawful authority. The respondent No. 3 has issued the order of earned leave with pay in lieu of illegal gratification from one Raza Hassan, a contract base teacher, who, despite living abroad, is shown posted in a remote school in mountainous area (Sra Khona). It was further submitted that respondent No. 4 is unlawfully in possession of the District Account Office as an Assistant Account Officer who, by making a false entry in the service book of Tariq Hussain, a junior Physical Education Teacher in Grade-15, is paying him a salary of Grade-16. Similarly, the respondent No. 3 also provided 04 months salary to one Muhammad Ibrar despite his</p>


 Haq Nawaz
 Sessions Judge
 Orakzai at Baber Mela

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		<p>degree been found fake. The petitioners have made multiple applications and complaints to the respondents No. 1 and 2, but to no avail. Hence, this petition was filed.</p> <p>After hearing both the parties and perusal of the record, it was found that the complaint was filed for registration of case against the respondents/public servants. According to 2018 PCr.LJ 50, if a public servant was involved in a case of corruption, a case could be registered against him by the Anti-Corruption Establishment and not by the local police. Local police in such case had no jurisdiction to investigate or register FIR against a public servant nor it was in the domain of Ex-officio Justice of Peace to order for registration of FIR in cases of corruption. Separate procedure and proper forum were available in such like cases.</p> <p>In view of the above, this Court has got no jurisdiction to entertain the present complaint. It is, therefore, dismissed. File of this Court be consigned to record room after its necessary completion and compilation.</p> <p><u>Announced:</u> 16.12.2025</p> <p> (HAQ NAWAZ) Sessions Judge/Justice of Peace, Orakzai at Baber Mela</p>