



Form- A

FORM OF ORDER SHEET

Court of _____

Case No.- 7671 /2021

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	26/10/2021	<p>The appeal of Mr. Zia-ur-Rehman resubmitted today by Mr. Noor Muhammad Khattak Advocate may be entered in the Institution Register and put up to the Worthy Chairman for proper order please.</p> <p style="text-align: right;"> REGISTRAR</p>
2-		<p>This case is entrusted to S. Bench at Peshawar for preliminary hearing to be put there on <u>02/11/21</u>.</p> <p style="text-align: right;"> CHAIRMAN</p>

02.11.2021

Counsel for the appellant present. Preliminary arguments have been heard. Memorandum of appeal and the copies of record annexed there with has been perused.

According to the learned counsel for the appellant, the appellant is an officer of BS-17 (Management Cadre) and he is aggrieved of the impugned order dated 06.09.2021 whereby his earlier order dated 27.08.2021 was modified and he was relieved w.e.f 15.09.2021 to join two months training at MMC Mardan. The appellant preferred departmental appeal on 16.09.2021 on which no order of the appellate authority is arrived; hence, the instant service appeal filed in the Service Tribunal on 22.10.2021. Learned counsel for the appellant was confronted with a pertinent question regarding the order dated 27.08.2021 which is not available with the connected documents. Learned counsel for the appellant replied that it has not been communicated to the appellant and being member of management service he has already acquired the requisite qualification. It was further observed that the name of the appellant does not appear in the notification of up-gradation from BS-17 to BS-18 of Management Cadre dated 15.07.2017. He replied that the issue has been challenged through another service appeal in this Tribunal. Learned counsel for the appellant vehemently argued that valuable rights of the appellant would certainly effect if he is relieved to join the training basically meant for general cadre doctors whereas the appellant is a doctor of management cadre. The appeal is admitted for regular hearing subject to all just legal objections. The appellant is directed to deposit security and process fee within 10 days. Thereafter, notices be issued to the respondents for submission of written reply/comments in office within 10 days after receipt of notices, positively. If the written reply/comments are not submitted within the stipulated time, or extension of time is not sought through written application with sufficient cause, the office shall submit the file with a report of non-compliance. File to come up for arguments on 03.12.2021 before the D.B.

The appeal is also accompanied by an application seeking the suspension of the impugned order dated 06.09.2021 till final decision of the appeal. Notice of said application be also given to the respondents for the date fixed. The operation of impugned order is suspended till date fixed.

(Mian Muhammad)
Member(E)

Appellate
Security Deposited
Process Fee

03.12.2021

Counsel for the appellant present. Mr. Muhammad Adeel Butt, Additional Advocate General for respondents present.

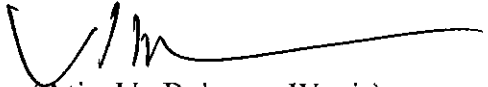
Written reply/comment on behalf of respondents not submitted. Learned AAG seeks time to contact the respondents for submission of written reply/comments. Adjourned. To come up for written reply/comments on 03.01.2022 before S.B. Operation of the impugned order is suspended till next date.


(MIAN MUHAMMAD)
MEMBER (E)

03.01.2022

Junior to counsel for the appellant present. Mr. Kabirullah Khattak, AAG for respondents present.

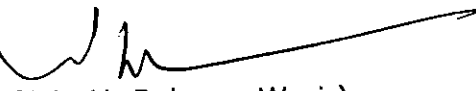
Reply/comments on behalf of respondents are still awaited. Learned AAG sought time for submission of reply/comments. Last opportunity is granted to respondents to furnish reply/comments on or before next date, failing which their right to submit reply/comments shall be deemed as struck off by virtue of this order. To come up for arguments before the D.B on 20.01.2022. Operation of the impugned order is suspended till next date.


(Atiq-Ur-Rehman Wazir)
Member (E)

20.01.2022

Clerk of counsel for the appellant present. Mr. Muhammad Riaz Khan Paindakhel, Asstt. AG for the respondents present.


Due to general strike of the Bar, counsel for the appellant is not in attendance. Case to come up for arguments on 21.02.2022 before the D.B.


(Atiq-Ur-Rehman Wazir)
Member (E)


Chairman

21.02.2022

Due to retirement of the Worthy Chairman, the Tribunal is defunct, therefore, case is adjourned to 04.03.2022 for the same as before.


Reader.

04.03.2022

Due to retirement of the Worthy Chairman, the Tribunal is defunct, therefore, case is adjourned to 01.04.2022 for the same as before.

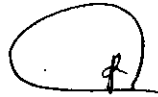

Reader.

01.04.2022

Junior of learned counsel for the appellant present.

Mr. Jaffar Ali Assistant alongwith Asif Masood Ali Shah, learned Deputy District Attorney for the respondents present.

Comments submitted on behalf of respondents, copy of the same handed over to junior of the learned counsel for the appellant who requested for adjournment. Adjourned. To come up for rejoinder, if any, as well as arguments on 14.04.2022 before the D.B. Operation of the impugned order shall remain suspended till the date fixed.



(Rozina Rehman)
Member (J)



(Salah-Ud-Din)
Member (J)

14.04.2022

Appellant alongwith his counsel present. Mr. Muhammad Adeel Butt, Additional Advocate General for the respondents present.

Learned counsel for the appellant requested that time may be granted to him for submission of rejoinder. Adjourned. To come up for rejoinder as well as arguments on 26.04.2022 before the D.B. Operation of the impugned order shall remain suspended till the date fixed.



(Mian Muhammad)
Member (E)

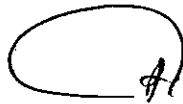


(Salah-ud-Din)
Member (J)

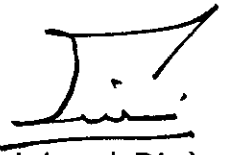
26.04.2022

Appellant alongwith his counsel present. Mr. Safi Ullah, Focal Person and Mr. Faheem Ullah, Litigation Officer alongwith Mr. Muhammad Adeel Butt, Additional Advocate General for the respondents present.

Learned counsel for the appellant sought adjournment on the ground that he has not made preparation for arguments today. Adjourned. To come up for arguments on 18.05.2022 before the D.B. Operation of impugned order shall remain suspended till the date fixed.



(Rozina Rehman)
Member (J)



(Salah-ud-Din)
Member (J)

18.05.2022

Learned counsel for the appellant present. Mr. Muhammad Adeel Butt, learned Additional Advocate General for respondents present.

Learned counsel for the appellant requested for adjournment in order to prepare the brief. Adjourned. To come up for arguments on 10.06.2022 before the D.B. Operation of impugned order shall remain suspended till the date fixed.



(Rozina Rehman)
Member (J)



(Salah-Ud-Din)
Member (J)

10.06.2022

Bench is incomplete, case is adjourned to 22.07.2022 for the same as before



Reader.

22.07.2022

Counsel for appellant present.

Mr. Muhammad Adeel Butt, learned Additional Advocate General for respondents present.

Learned counsel for appellant made a request for adjournment in order prepare the brief of the case. Adjourned. To come up for arguments on 22.08.2022 before D.B.


(Fareeha Paul)
Member (E)


(Rozina Rehman)
Member (J)

22.08.2022

Junior of learned counsel for the appellant present. Mr. Asif Masood Ali Shah, Deputy District Attorney for the respondents present.

Junior of learned counsel for the appellant requested for adjournment on the ground that learned counsel for the appellant is busy before the Hon'ble Peshawar High Court, Peshawar. Adjourned. To come up for arguments on 16.09.2022 before the D.B.


(Rozina Rehman)
Member(J)


(Salah-Ud-Din)
Member(J)

16.09.2022

Junior to counsel for the appellant.

Muhammad Adeel Butt, learned Additional Advocate General for respondents present.

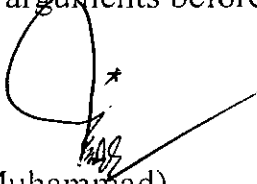
Arguments could not be heard as learned Member Executive (Miss. Fareeha Paul) is on leave. Therefore, case is adjourned to 14.10.2022 for arguments before D.B.


(Rozina Rehman)
Member (J)

14.10.2022

Clerk of learned counsel for the appellant present. Mr. Kabirullah Khattak, Additional Advocate General for the respondents present.

Clerk of learned counsel for the appellant requested for adjournment on the ground that learned counsel for the appellant is not available today due to strike of the lawyers. Adjourned. To come up for arguments before the D.B on 26.10.2022.



(Mian Muhammad)
Member (E)

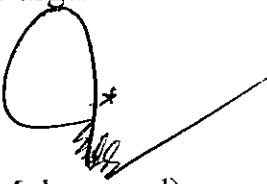


(Salah-ud-Din)
Member (J)

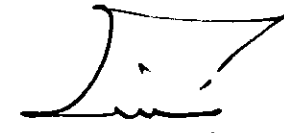
26.10.2022

Clerk of learned counsel for the appellant present. Mr. Asif Masood Ali Shah, Deputy District Attorney for the respondents present.

Clerk of learned counsel for the appellant requested for adjournment on the ground that learned counsel for the appellant is not available today due to strike of lawyers. Adjourned. To come up for arguments before the D.B on 08.11.2022.



(Mian Muhammad)
Member (E)



(Salah-ud-Din)
Member (J)


SCANNED
KPST
PESHAWAR


08.11.2022

Clerk of counsel for the appellant present.

Muhammad Adeel Butt learned Additional Advocate General for the respondents present.

Former requested for adjournment on the ground that learned counsel for the appellant is busy in hon'ble Peshawar High Court. Adjourned. To come up for arguments on 30.11.2022 before D.B.


(Fareeha Paul)
Member (E)


(Rozina Rehman)
Member (J)