



Form- A

FORM OF ORDER SHEET

Court of _____

Case No. - 5818 /2021

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	07/06/2021	<p>The appeal of Mr. Sana Ullah presented today by Roeda Khan 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> <p>This case is entrusted to S. Bench for preliminary hearing to be up there on <u>02/08/21</u>.</p> <p style="text-align: right;"> CHAIRMAN</p>
2-	02.08.2021	<p>Counsel for the appellant present. Preliminary arguments heard.</p> <p>When asked as to what was the cause that departmental appeal was not preferred within time, learned counsel contends that the impugned order was communicated to the appellant on 10.03.2021 and if the limitation is reckoned from said date, the departmental appeal is within time. In view of particular legal position to be discussed herein-after, the bar of limitation for the time-being is immaterial. In wake of COVID, 19, the Government of Khyber Pakhtunkhwa for the first time</p>

declared Public Health Emergency in March, 2020 for three months which was extended from time to time for further term and presently it has been extended by the Government vide Notification No. SOG/HD/1-102/Covid-19/2020/3062, dated 30.06.2021 for the period from 01.07.2021 to 30.09.2021. The case of the appellant falls within the period of emergency. In view of Section 30 of the Khyber Pakhtunkhwa Epidemic Control and Emergency Relief Act, 2020, the limitation period provided under any law shall remain frozen. Points raised Need consideration. Subject to all just and legal objections, this appeal is accepted for full hearing. 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 08.12.2021 before the D.B.

Appellant Deposited
Security & Process Fee

07/12/21


Chairman

Stipulated period passed reply not submitted.

15.09.2021

Learned Addl, A.G be reminded about the omission and for submission of reply/comments within extended time of 10 days.


Chairman

08.12.2021

Clerk of learned counsel for the appellant present. Mr. Kabirullah Khattak, Addl: AG alongwith Mr. Fayaz, H.C for respondents present.

Written reply/comments not submitted. Representative of the respondents seeks time to submit the same on the next date. Adjourned. To come up for written reply/comments on 03.02.2022 before S.B.


(MIAN MUHAMMAD)
MEMBER (E)

03.02.2022

The Tribunal is non-functional, therefore, the case is adjourned to 15.04.2022 before S.B for the same.


Reader


15/4/2022

Counsel for the appellant present. Mr. Fayaz, HC alongwith Mr.Kabirullah Khattak Addl. AG for the respondents present and submitted written reply on their behalf. The appellant may submit rejoinder within a fortnight, if sq advised. To come up for arguments on 3.08.2022 before D.B.


CHAIRMAN

3-8-2022

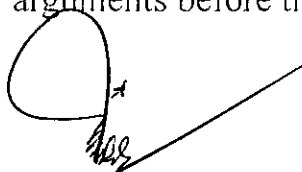
Proper DB not available the case
is adjourned to 14-10-2022

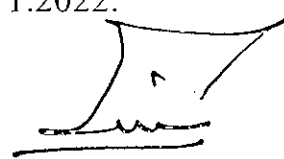

Reader

14.10.2022

Clerk of learned counsel for the appellant present. Mr. Muhammad Jan, 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 07.11.2022.


(Mian Muhammad)
Member (E)


(Salah-ud-Din)
Member (J)

07.11.2022

Appellant alongwith counsel present.

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

Learned counsel for the appellant requested for adjournment on the ground that she has not prepared the brief. Adjourned. To come up for arguments on 05.01.2023 before D.B.



(Fareeha Paul)
Member (E)



(Rozina Rehman)
Member (J)