





Form-A  
FORM OF ORDERSHEET

Court of \_\_\_\_\_

Case No. 484/2018

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1	06/04/2018	<p>The appeal of Mr. Shams Zaman resubmitted today by Mr. Muhammad Anwar 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 6/4/18</p>
2-	09/04/18.	<p>This case is entrusted to S. Bench for preliminary hearing to be put up there on <u>23/04/18</u>.</p> <p style="text-align: right;"> CHAIRMAN</p>
	23.04.2018	<p>Counsel for the appellant present and requested for adjournment. Granted. To come up for preliminary hearing on 11.05.2018 before the S.B.</p> <p style="text-align: right;"> Chairman</p>
	11.05.2018	<p>The Tribunal is non functional due to retirement of the Honorable Chairman. Therefore, the case is adjourned. To come up for the same on <u>11.07.2018</u> before S.B.</p> <p style="text-align: right;"> Reader</p>

11.07.2018

Junior counsel for the appellant present. Preliminary arguments could not be heard due to killing of a lawyer Barrister Haroon Bilour in a suicide attack during the election campaign. To come up for preliminary hearing on 12.07.2018 before S.B.

  
Chairman

12.07.2018

Neither appellant nor his junior counsel present. Preliminary arguments could not be heard due to killing of a lawyer Barrister Haroon Bilour in a suicide attack during the election campaign. To come up for preliminary hearing on 03.08.2018 before S.B.

  
Chairman

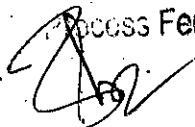
03.08.2018

Mr. Muhammad Anwar, Advocate counsel for the appellant present and heard in limine.

Contends that the appellant has been deprived from right of seniority without any lawful justification.

Points raised need consideration. The appeal is admitted to full hearing, subject to all legal objections. The appellant is directed to deposit security and process fee within 10 days. Thereafter, notices be issued to the respondents. To come up for written reply/comments on 18.09.2018 before S.B.

Appellant Deposited  
Sec. Process Fee



  
Chairman

18.09.2018

Counsel for the appellant present. Mr. Kabirullah Khattak, Addl: AG for respondents present. Written reply not submitted. Learned AAG sought some time to submit the same. Case to come up for written reply/comments on 02.11.2018 before S.B.

02.11.2018

Due to retirement of Hon'ble Chairman, the Tribunal is defunct. Therefore, the case is adjourned. To come up on 18.12.2018. Written reply not received.

  
Member



READER

18.12.2018

Learned counsel for the appellant present. Hazrat Shah Superintendent representative of the respondents present. Written reply not submitted. Representative of the respondents seeks time to furnish written reply/comments. Granted. To come up for written reply/comments on 24.01.2019 before S.B.



Member

24.01.2019

Clerk to counsel for the appellant present. Hazrat Shah Superintendent representative of the respondents No.1, 4, 5 present and submitted reply. No one present on behalf respondents No. 2 & 3. Notice be issued to respondents No.2 & 3 with direction to furnish written reply. Adjourn. To come up for written reply/comments on behalf of respondents No.2 & 3 on 07.03.2019 before S.B



Member

07.03.2019

Learned counsel for the appellant and Mr. Kabirullah Khattak learned Additional Advocate General for the respondents present. Written reply not submitted. No one present on behalf of respondents No. 2 & 3. Notice be issued to the respondents No. 2 & 3 for attendance and submitted written reply. Last opportunity is granted. Adjourned. To come up for written reply/comments on 16.04.2019 before S.B.

  
(Muhammad Amin Khan Kundi  
Member

16.04.2019

Junior to counsel for the appellant present. Written reply on behalf of respondents No.2 & 3 is still awaited. Rehmat Khan Superintendent representative of respondent No.2 present and seeks time to furnish written reply/comments. No one present on behalf of respondent No.3. Notice be issued to the said respondent with direction to furnish written reply/comments. Adjourn. To come up for written reply/comments on behalf of respondents No.2 & 3 on 30.05.2019 before S.B.

  
Member

30.05.2019

Counsel for the appellant and Addl. AG alongwith Hazrat Shah, Superintendent for the respondents present.

The reply already submitted by respondents No. 1, 4 and 5 is relied upon by respondent No. 2. Learned counsel for the appellant requests for time to furnish correct nomenclature and address of respondent No. 3. May do so within a within a fortnight where-after office shall issue notice to respondent No. 3 for submission of reply on next date of hearing.

Adjourned to 05.07.2019 before S.B.

  
Chairman

05.07.2019

Counsel for the appellant. Mr. Ziaullah, DDA alongwith Mr. Sajid, Supdt for respondents present. Learned counsel for the appellant submitted correct nomenclature and address of respondent no.3 which is placed on file. Moharar of the court is directed to correct the same in the penal of respondents and notice be also issued for submission of written reply/comments. Case to come up for written reply/comment of respondent no.3 on 03.09.2019 before S.B.

  
(Ahmad Hassan)  
Member

03.09.2019

Junior counsel for the appellant and Mr. Sajid, Superintendent on behalf of respondent No. 2 alongwith Mr. Usman Ghani, District Attorney for the respondents present.

Para-wise comments/reply on behalf of respondents No. 1, 4 & 5 already submitted. Respondent No. 2 relied upon the para-wise comments/reply submitted by respondents No. 1, 4 & 5. Respondent No. 3 has not submitted written reply/comments. Fresh notice be issued to respondent No. 3 for submission of written reply.

Adjourned to 01.10.2019 but as a last chance.

  
CHAIRMAN

01.10.2019 Counsel for the appellant and Addl. AG alongwith Sajkid Superintendent for the respondents present.

Comments on behalf of respondents No. 1, 4 and 5 have already been furnished. Representative of respondent No. 2 relied on the same. Respondent No. 3 has not furnished the requisite reply/comments despite last opportunity. To come up for arguments on 02.12.2019 before the D.B. The appellant may submit rejoinder, within a fortnight, if so advised.

Chairman 

02.12.2019

Learned counsel for the appellant present. Mr. Zia Ullah learned Deputy District Attorney for the respondents present. Learned counsel for the appellant seeks adjournment. Adjourned. To come up for arguments on 21.01.2020 before D.B.

  
(Hussain Shah)  
Member

  
(M. Amin Khan Kundi)  
Member

21.01.2020


Due to general strike of Khyber Pakhtunkhwa Bar Council, learned counsel for the appellant is not available today. Mr. Kabirullah Khattak, Additional AG for the respondents present. Adjourned to 10.03.2020 for arguments before D.B.

  
(Hussain Shah)  
Member

  
(M. Amin Khan Kundi)  
Member

10.03.2020

Counsel for the appellant present. Asst: AG alongwith Mr. Saleem Javed, Litigation Officer for respondents present. Learned counsel for the appellant stated that the name of the appellant has been mentioned by the respondent-department in the provisional seniority list of Clinical Technician (BPS-12) in the Health Department, Khyber Pakhtunkhwa pertaining to the year 2017 but later on the respondent-department has issued seniority list of Qualified Paramedics Pharmacy Technician (BPS-12) pertaining to the year 2018-19 in which the name of the appellant have not been mentioned. Therefore, the representative of the respondents is directed to furnish copy of the same on the next date of hearing. He is also directed to produce copy of order passed on departmental appeal of the appellant if any with further directions to furnish all the relevant record. To come up for record and arguments on 07.05.2020 before D.B.

  
Member

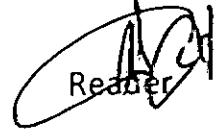
  
Member



7.5.2020

Due to COVID19, the case is adjourned to

27/7/2020 for the same as before.

  
Reader

27.07.2020

Due to COVID-19, the case is adjourned. To come for the same on 17.09.2020 before S.B.


  
Reader


17.09.2020

Junior counsel for appellant on behalf of appellant present.

Mr. Muhammad Jan learned Deputy District Attorney for respondents present.

Former requests for adjournment as senior counsel is busy before Hon'ble Peshawar High Court, Peshawar. Last opportunity is granted. To come up for argument on 20.11.2020 before D.B.

  
(Atiq ur Rehman Wazir)  
Member (E)


  
(Rozina Rehman)  
Member (J)

20.11.2020 Appellant with counsel present.

Mr. Muhammad Jan learned Deputy District Attorney for respondents present.

Attention was invited to order sheet dated 10.03.2020 vide which directions were issued to the representative of the respondents to furnish record but till today, that record was not produced. Even today, representative of the respondents is not available, therefore, D.D.A present in court is strictly directed to make sure presence of the representative alongwith entire record fully mentioned in the order sheet dated 10.03.2020, within 7 days positively.

Case is adjourned to 09.12.2020 for arguments, before D.B.

  
(Atiq ur Rehman Wazir)  
Member (E)

  
(Rozina Rehman)  
Member (J)

09.12.2020 Due to COVID-19, case is adjourned to 02.03.2021 for the same as before.

  
Reader

due to COVID-19, case is  
adjourned to 31-05-2021

  
Reader

31.05.2021

Appellant alongwith Mr. Hafeez, Junior of learned counsel for the appellant present. Mr. Saleem Javed, Litigation Officer alongwith Muhammad Rasheed, Deputy District Attorney for the respondents present and produced copy of minutes of the meeting dated 21<sup>st</sup> February 2018, un-signed provisional seniority list of the Degree holders Paramedics Pharmacy for the year 2020 as well as copy of Writ Petition No. 406-B/2018, which are placed in Service Appeal No. 480/2018 titled Khair ur Rehman Versus Secretary to Government of Khyber Pakhtunkhwa Administration and Establishment Department, Civil Secretariat, Peshawar and others. He is directed to produce seniority list of Qualified Paramedics Technician pertaining to the year 2018-19 on the next date of hearing. Adjourned. To come up for record and arguments before the D.B on 09.09.2021.



(ATIQ-UR-REHMAN WAZIR)  
MEMBER (EXECUTIVE)



(SALAH-UD-DIN)  
MEMBER (JUDICIAL)

09.09.2021

Clerk to counsel for appellant present.

Kabir Ullah Khattak learned Additional A.G for respondents present.

Lawyers are on general strike. Therefore, case is adjourned. To come up for arguments on 25.01.2022 before D.B.



(Rozina Rehman)  
Member (J)



Chairman

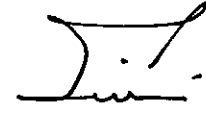
25.01.2022

Clerk of the learned counsel for the appellant present.  
Mr. Jaffar Ali Assistant alongwith Mr. Kabir Ullah Khattak  
Additional Advocate General for the respondents present.

Clerk of the learned counsel for appellant stated that  
learned counsel for appellant is unable to attend the Tribunal  
today due to strike of lawyers. Adjourned. To come up for  
arguments before the D.B on 31.03.2022.



(Rozina Rēhman)  
Member (J)




(Salah-Ud-Din)  
Member (J)

31.03.2022

Learned counsel for the appellant present. Mr.  
Muhammad Adeel Butt, Addl. AG alongwith Dr.  
Muhammad Haris, Deputy Director for the respondents.

During the course of arguments, it transpires that  
the seniority list of qualified Paramedics Technician  
pertaining to the year, 2018-19 as required on  
31.05.2021, has not been produced by the respondents.  
Representative of the respondents is directed to produce  
the same on or before the next date. To come up for  
record and arguments on 01.06.2022 before the D.B.



(Mian Muhammad)  
Member(Executive)



Chairman


01.06.2022

Learned counsel for the appellant present. Mr. Riaz Khan Paindakhel, Assistant Advocate General for the respondents present.

Respondents have been directed several times for production of seniority list for qualified Paramedic Technician pertaining to the year, 2018-19, however the same has not been submitted. Learned Assistant Advocate General shall intimate the respondents to positively produce the said seniority list and to come up for arguments before the D.B on 24.07.2022.



(Mian Muhammad)  
Member (E)

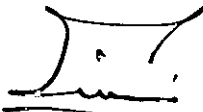


(Salah-ud-Din)  
Member (J)

25<sup>th</sup> July 2022

Learned counsel for the appellant present. Mr. Riaz Ahmad Paindakhel, Assistant Advocate General for respondents present.

Despite repeated directions, seniority list of qualified Paramedic Technicians pertaining to the year 2018-19 is not being produced by the respondents. When the learned Assistant Advocate General has nothing to say regarding this, therefore, last chance is given to the respondents on the cost of Rs. 20000/- with the direction that Secretary Health shall appear in person alongwith said seniority list on 21.09.2022 before the D.B.



(Salah-Ud-Din)  
Member (J)

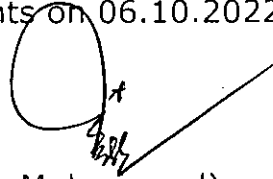


(Kalim Arshad Khan)  
Chairman

21.09.2022

Learned counsel for the appellant present. Mr. Muhammad Usman, Junior Clerk alongwith Mr. Asif Masood Ali Shah, Deputy District Attorney for the respondents present.

Several opportunities have been granted to the respondents for production of seniority list of qualified Paramedic Technicians pertaining to the years 2018-19, however the same has not been submitted even today. Vide previous order, it was directed that Secretary Health shall appear in person alongwith concerned seniority list, however respondent No. 4 i.e Secretary to Government of Khyber Pakhtunkhwa, Health Department, Civil Secretariat, Peshawar, did not appear before the Tribunal today, therefore, his salary stands attached till further orders. Registrar of this Tribunal shall send copy of this order to Accountant General Office Khyber Pakhtunkhwa, Peshawar for compliance. Adjourned. Learned Deputy District Attorney shall intimate Secretary Health to appear in person alongwith aforementioned record and to come up for arguments on 06.10.2022 before the D.B.



(Mian Muhammad)  
Member (Executive)

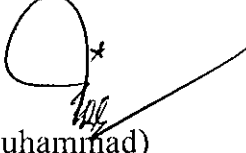



(Salah-Ud-Din)  
Member (Judicial)

06.10.2022

Appellant present in person. Mr. Kabir Ullah Khattak, Additional Advocate General alongwith Usman, Assistant respondents for present.

Representative of the department submitted record dated 21.02.2018 which placed on file. Appellant requested for adjournment on the ground that his counsel is not available today. Adjourned. To come up for arguments on 10.11.2022 before D.B.

  
(Mian Muhammad)  
Member (I)


  
(Kalim Arshad Khan)  
Chairman


10.11.2022

Junior to counsel for the appellant present.

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

Former made a request for adjournment due to engagement of learned senior counsel for the appellant before Hon'ble High Court today. Adjourned. To come up for arguments on 10.01.2023 before the D.B.

  
(Fareeha Paul)  
Member (E)

  
(Rozina Rehman)  
Member (J)