

29.05.2017

Clerk to counsel for appellant and Mr. Muhammad Jan, Deputy District Attorney for official respondent present. Counsel for Respondent No. 3 present and submitted fresh Wakalat Nama. Clerk to counsel for appellant submitted rejoinder which is placed on file. To come up for arguments on 08.09.2017 before D.B.

  
(Muhammad Amin Khan Kundi)  
Member

  
(Gul Zeb Khan)  
Member

8/9/2017

Agent to counsel for the appellant and Mr. Muhammad Adeel Butt, AAG for the respondents present. Arguments could not be heard due to non-availability of DB. To come up for arguments on 24/10/2017 before DB.

  
(Muhammad Hamid Mughal)  
MEMBER

24.10.2017

Clerk of counsel for the appellant and Mr. Muhammad Jan, DDA ~~along with~~ for the respondents present. Clerk of counsel for the appellant seeks adjournment as counsel for the appellant is not in attendance. Granted. To come up for arguments on 12.01.2018 before the D.B.

  
Member

  
Chairman

12.01.2018


Appellant in person present and Mr. Usman Ghani, District Attorney for the respondents present. Appellant seeks adjournment as his counsel is not attendance today. Granted. To come up for arguments on 15.03.2018 before D.B.

Member 

Chairman 

15.03.2018

Junior to counsel for the appellant and Learned Deputy District Attorney for the respondents present. Junior to counsel for the appellant seeks adjournment as learned counsel for the appellant is not available. Adjoin. To come up for arguments on 10.05.2018 before D.B

  
(Muhammad Amin Kundi)  
Member

  
(Muhammad Hamid Mughal)  
Member

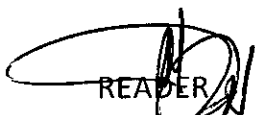
10.05.2018

The Tribunal is defunct due to retirement of Hon'ble Chairman. Therefore, the case is adjourned. To come up on 25.07.2018.

  
READER


25.07.2018


Since 25.07.2018 has been declared as public holiday on account of General Election. Therefore, case is adjourned on 28.08.2018 before D.B

  
READER

28.08.2018

Clerk of the counsel for appellant and Mr. Ziaullah, Deputy District Attorney for the respondents present. Clerk of the counsel for appellant seeks adjournment on the ground that learned counsel for the appellant is not available today. Adjourned. To come up for arguments on 08.10.2018 before D.B.

  
(Ahmad Hassan)  
Member

  
(Muhammad Amin Khan Kundi)  
Member

08.10.2018

Junior counsel for the appellant present. Mr. Riaz Ahmad Paindakhel, Assistant AG for the respondents present. Junior counsel for the appellant requested for adjournment on the ground that learned senior counsel for the appellant is not available today. Adjourned. To come up for arguments on 20.11.2018 before D.B.

  
(Ahmad Hassan)  
Member

  
(Muhammad Amin Kundi)  
Member

20.11.2018

Junior to counsel for the appellant and Mr. Muhammad Jan learned Deputy District Attorney present. Junior to counsel for the appellant seeks adjournment as senior counsel for the appellant is busy before Darul Qaza Swat. Granted by way of last chance. To come up for arguments on 09.01.2019 before D.B

  
Member

  
Member

09.01.2019

*For the appellant*  
Learned counsel and Mr. Muhammad Jan learned Deputy District Attorney for the respondents present. Learned counsel for the appellant requested for adjournment to furnish copy of impugned order dated 18/6/015. Adjourn. To come up for arguments on 19.02.2019 before

D.B  
  
Member

  
Member

19.02.2019

Junior to counsel for the appellant and Mr. Kabirullah Khattak learned Addl; AG for the respondents present. Junior to counsel for the appellant requests for adjournment as senior learned counsel for the appellant is not available. Adjourn. To come up for arguments on 04.04.2019 before D.B.

  
Member

  
Chairman

04.04.2019

Appellant in person; and Mr. Zia Ullah learned Deputy District Attorney for the respondents present.

Due to general strike on the call of Bar Council learned counsel for the appellant is not in attendance.

Adjourned to 28.05.2019 before D.B.

  
Member

  
Chairman

28.05.2019

Appellant in person and Mr. Riaz Ahmad Paindakheil, Assistant AG for the respondents present. Appellant requested for adjournment on the ground that his counsel is not available today. Adjourned to 04.07.2019 for arguments before D.B.

  
(HUSSAIN SHAH)  
MEMBER

  
(M. AMIN KHAN KUNDI)  
MEMBER

04.07.2019

Junior to counsel for the appellant present. Mr. Zia Ullah learned Deputy District Attorney for the respondents present. Junior to counsel for the appellant requested for adjournment as senior counsel for the appellant is not in attendance. Adjourned. To come up for arguments on 30.08.2019 before D.B.

  
(Hussain Shah)  
Member

  
(M. Amin Khan Kundi)  
Member

28.08.2019

Counsel for the appellant present. Mr. Ziaullah, DDA for respondents present. Learned counsel for the appellant seeks adjournment. Adjourn. Case to come up for arguments on 26.09.2019 before D.B.

  
Member

  
Member

26.09.2019

Counsel for the appellant and Mr. Ziaullah, Deputy District Attorney for the respondents present. Learned counsel for the appellant requested for adjournment. Adjourned to 10.12.2019 for arguments before D.B.

  
(HUSSAIN SHAH)  
MEMBER

  
(M. AMIN KHAN KUNDI)  
MEMBER

10.12.2019

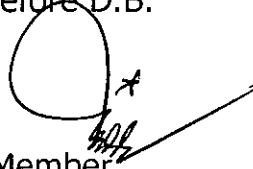
Lawyers are on strike on the call of Khyber Pakhtunkhwa Bar Council. Adjourn. To come up for further proceedings/arguments on 12.02.2020 before D.B.

  
Member

  
Member

12.02.2020

Appellant in person present. Addl: AG for respondents present. Appellant seeks adjournment as his counsel was busy before the Peshawar High Court, Peshawar. Adjourned. To come up for arguments on 27.03.2020 before D.B.

  
Member

  
Member

27.03.2020

Due to public holidays on account of Covid-19, the case is adjourned. To come up for the same on 18.06.2020 before D.B.

  
Reader

18.06.2020

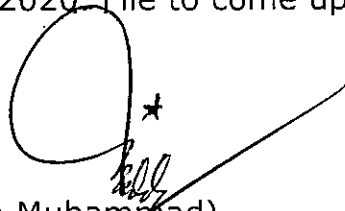
Due to Covid-19, the case is adjourned. To come up for the same on 07.09.2020 before D.B



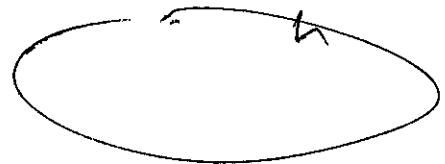
Reader

07.09.2020

Mr. Muhammad Saddique, junior for senior counsel is present for appellant. Mr. Usman Ghani, District Attorney for the respondents is also present. Junior counsel requested for adjournment that his senior counsel has proceeded to Islamabad and is not available today. Adjourned to 25.11.2020. File to come up for arguments before D.B.



(Mian Muhammad)  
Member (Executive)

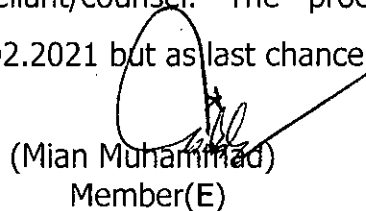


(Muhammad Jamal Khan)  
Member (Judicial)

25.11.2020

Counsel for the appellant and Addl. A.G for the respondents present.

Once again a request for adjournment is made on account of engagement of learned counsel before the Apex Court today. The record shows that on previous various occasions adjournments were sought by the appellant/counsel. The proceedings are adjourned to 16.02.2021 but as last chance.



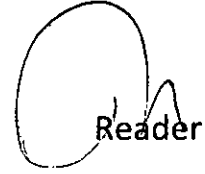
(Mian Muhammad)  
Member(E)



Chairman

16.02.2021

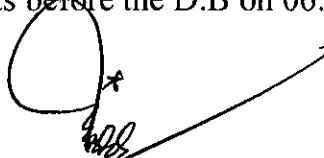
Due to Pandemic of Covid-19, the case is adjourned to  
27.05.2021 for the same.

  
Reader

27.05.2021

Nemo for the appellant. Mr. Kabirullah Khattak,  
Additional Advocate General for the respondents present.

Today's date was fixed on note Reader, therefore,  
notice for prosecution of the appeal be issued to the  
appellant as well as his counsel and to come up for  
arguments before the D.B on 06.08.2021.

  
(Mian Muhammad)  
Member (E)


  
(Salah Ud Din)  
Member(J)

06.08.2021

Clerk to counsel for appellant present.

Javid Ullah learned Assistant Advocate General for  
respondents present.

Lawyers are on general strike, therefore, case is adjourned.  
To come up for arguments on 15.12.2021 before D.B.

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


  
(Rozina Rehman)  
Member (J)



15.12.202

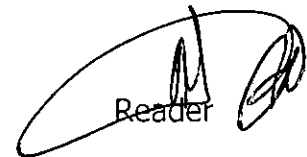
Appellant alongwith his counsal present .Mr .Asif Masood Ali Shah,  
Deputy District Attorney for the respondenets present .  
Learned counsal for the appellant seeks adjournment for  
Preparation of brief . Adjourned . to come up for arguments on  
15.02.2022 before the D.B

( Atiq ur Rehman Wazir )  
Member (E)

  
(Salah -ud- din )  
Member (j)

15.02.2022

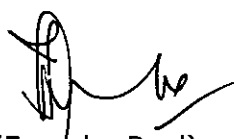
Due to retirement of the Worthy Chairman the  
Tribunal is defunct, therefore, case is adjourned to  
26.04.2022.for the same as before.

  
Reader

26<sup>th</sup> April, 2022

Neither appellant nor his counsel present. However,  
clerk to counsel for the appellant present. Mr. Kabirullah  
Khattak, Addl. AG for the respondents present.

Clerk to counsel for the appellant requested for  
adjournment as counsel for the appellant is not available  
today. Last opportunity is granted. To come up for arguments  
before the D.B on 08.06.2022.


  
(Fareeha Paul)  
Member (E)

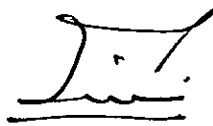
  
Chairman

08.06.2022

Appellant in person present. Mr. Riaz Ahmed Paindakhel, Assistant Advocate General for the respondents present.

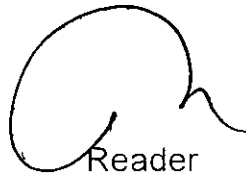
Appellant requested for adjournment on the ground that his counsel is not available today due to strike of lawyers. Adjourned. To come up for arguments on 29.08.2022 before the D.B.

  
(Fareeha Paul)  
Member (E)

  
(Salah-ud-Din)  
Member (J)

29.08.2022

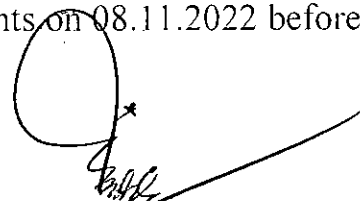
Bench is incomplete, therefore, case is adjourned to 27.10.2022 for the same as before.

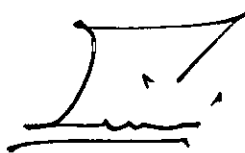
  
Reader

27.10.2022

Nemo for the appellant. Mr. Naseer-ud-Din Shah, Assistant Advocate General for the respondents present.

Notice for prosecution of the appeal be issued to the appellant as well as his counsel through registered post and to come up for arguments on 08.11.2022 before the D.B.

  
(Mian Muhammad)  
Member (E)

  
(Salah-Ud-Din)  
Member (J)

*Counsel was  
informed  
telephonically for  
the date fixed*  
**RECORDED**

S.A 1059/2016

08.11.2022


Nemo for appellant.

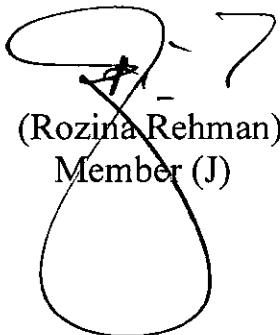
Naseer Ud Din Shah learned Assistant Advocate  
General respondents present.

Case was called time and again but none appeared  
on behalf of appellant till rising of the Bench. As such the  
instant service appeal stands dismissed in default for non-  
prosecution. No order as to costs. File be consigned to the  
record room.

Announced

08.11.2022




  
(Fareeha Paul)  
Member (E)

  
(Rozina Rehman)  
Member (J)

Form- A  
FORM OF ORDER SHEET

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

Case No. 1059/2016

S.No.	Date of order proceedings	Order or other proceedings with signature of judge or Magistrate
1	2	3
1	17/10/2016	<p style="text-align: center;">The appeal of Mr. Niamatullah resubmitted today by Mr. Iftikhar Ali Advocate may be entered in the Institution Register and put up to the Learned Member for proper order please.</p> <p style="text-align: right;"> REGISTRAR</p>
2-	20-10-2016	<p style="text-align: center;">This case is entrusted to S. Bench for preliminary hearing to be put up there on <u>26-10-2016</u></p> <p style="text-align: right;"> MEMBER</p>
	26.10.2016	<p style="text-align: center;">Appellant in person present. Preliminary arguments could not be heard due to general strike of the bar. To come up for preliminary hearing on 07.11.2016 before S.B.</p> <p style="text-align: right;"> Chairman</p>

07.11.2016

Appellant in person present and requested for adjournment. Adjournment granted. To come up for preliminary hearing on 28.11.2016 before S.B.

  
(PIR BAKHISH SHAH)  
MEMBER

28.11.2016

Appellant in person present. Seeks adjournment as his counsel is stated busy at Hon'ble Peshawar High Court, Peshawar. Adjourned to 12.12.2016 for preliminary hearing before S.B.

  
Chairman

13.12.2016

Since 12<sup>th</sup> December, 2016 has been declared as public holiday on account of 12<sup>th</sup> Rabi-ul-Awal, therefore, case to come up for the same on 28.12.2016 before S.B.

  
Reader

28.12.2016

Appellant with counsel present. Learned counsel for the appellant argued that the appellant was appointed as Political Naib Tehsildar North Waziristan Agency and was assigned the duty to collect arms and ammunition from Wah Factory. That during the process of collection of arms and its deposit one ammunition box was found missing and as a consequence thereof office order of the appellant serving as P.N.T Ghulam Khan NW Agency was withdrawn vide order dated 02.4.2015. Aggrieved from the said appellant preferred departmental appeal which was rejected vide order dated 23.08.2016 attested copy of which was issued to the appellant on 15.09.2016 and hence the instant service appeal on 10.10.2016.

That the appellant was condemned unheard as the appellant was attributed certain charges amounting to professional misconduct and on the strength of the same recovery worth Rs. 58,000/- was also made from the salary of the appellant and additionally directions regarding future career of the appellant were also issued in the adverse directions. That the stigma attributed to character and career of the appellant and an adverse impact of the same on future career of the appellant is against law and facts and liable to be set aside.

Appellant Deposited  
Security & Process Fee

Points urged need consideration. Admit. Subject to deposit of security and process fee within 10 days, notices be issued to the respondents for written reply/comments for 02.02.2017 before S.B.

  
Chairman

02.02.2017

Appellant in person and Mr. Amjid Imran, Reader alongwith Mr. Muhammad Adeel Butt, Additional AG for respondents present. Written reply by respondents not submitted and requested for adjournment. To come up for written reply/comments on 08.03.2017 before S.B.

  
(ASHFAQUE TAJ)  
MEMBER

08.03.2017

Counsel for the appellant and Addl. AG for the respondents present. Written reply not submitted. Requested for adjournment. Request accepted. To come up for written reply/comments on 11.04.2017 before S.B.

  
(MUHAMMAD AAMIR NAZIR )  
MEMBER

11.04.2017

Appellant with counsel and Mr. Amjad Imran, Reader to Commissioner Bannu alongwith Asstt AG for the respondents present. Written reply by respondent No. 2 & 3 submitted. Learned Asstt. AG relies on the same on behalf of remaining respondents. The appeal is assigned to D.B for rejoinder and final hearing for. 29.05.2017.

  
Chairman