

24.12.2019

Appellant in person present. Mr. Muhammad Jan learned Deputy District Attorney alongwith Arshid Javid Inspector present. Appellant submitted rejoinder placed on file and seeks adjournment as his counsel is not available. Adjourn. To come up for arguments on 13.02.2020 before D.B.



Member



Member

13.02.2020

Counsel for the appellant and Mr. Kabirullah Khattak, Additional AG for the respondents present. Learned counsel for the appellant requested for adjournment. Adjourned to 20.03.2020 for arguments before D.B.



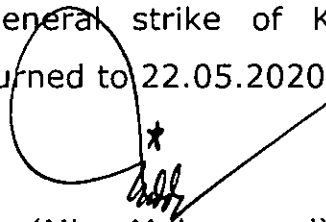
(Hussain Shah)
Member



(M. Amin Khan Kundi)
Member

20.03.2020

Clerk to counsel for the appellant and Mr. Kabirullah Khattak, Additional AG alongwith Mr. Inayat Gul, Clerk to Legal Advisor for the respondents present. Clerk to counsel for the appellant seeks adjournment on the ground that learned counsel for the appellant is not available today due to general strike of Khyber Pakhtunkhwa Bar Council. Adjourned to 22.05.2020 for arguments before D.B.



(Mian Muhammad)
Member

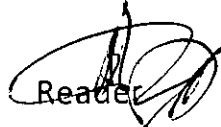


(M. Amin Khan Kundi)
Member

_____.2020

Due to COVID19, the case is adjourned to

11/8/2020 for the same as before.


Reader


11.08.2020


Due to summer vacations case to come up for the same on
13.10.2020 before D.B.


Reader

13.10.2020

Counsel for the appellant is present. Mr. Usman Ghani,
District Attorney for respondents No. 1 & 2 and Legal Advisor
for respondent No. 3 are also present. Learned counsel for
the appellant submitted that he has not prepared the brief
and requested for adjournment. Adjourned to 08.12.2020 on
which to come up for arguments before D.B.



(Atiq-ur-Rehman Wazir)
Member (Executive)


(Muhammad Jamal Khan)
Member (Judicial)

08.12.2020 Junior to counsel for the appellant and Mr. Muhammad Jan, DDA for the respondents present.

States that learned counsel for the appellant is over-occupied before the Honourable Peshawar High Court, therefore, adjournment is sought.

Adjourned to 26.02.2021 for hearing before the D.B.

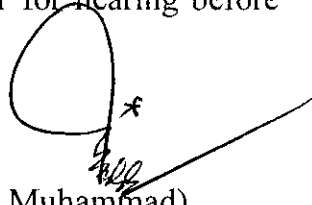

(Atiq-ur-Rehman Wazir)
Member(E)


Chairman

26.02.2021 Counsel for the appellant and Addl. AG for the respondents present.

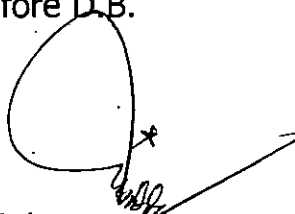
The Hon'ble Chairman is on leave. Due to incomplete bench, the matter is adjourned to 31.05.2021 for hearing before the D.B.

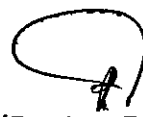
31.05.2021 Nemo for parties.


(Mian Muhammad)
Member(E)

Kabir Ullah Khattak learned Additional Advocate General for respondents present.

Both the parties be put on notice for 17.09.2021 for hearing before D.B.


(Mian Muhammad)
Member (E)


(Rozina Rehman)
Member (J)

19.09.2021

Counsel for appellant present.

Muhammad Rasheed learned D.D.A for respondents present.

Request for adjournment was made on behalf of respondents; granted. To come up for arguments on 18.01.2022 before D.B.



(Rozina Rehman)
Member (J)


Chairman

18.01.2022

Nemo for the appellant present. Mr. Riaz Khan Paindakheil, Assistant AG for respondents present.

Notice be issued to the appellant and his counsel for 11.05.2022 before D.B.


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


Chairman

11th May, 2022

Mr. Yasir Saleem, Advocate for the appellant present.
Muhammad Riaz Khan Paindakheil, Assistant Advocate General
and Mr. Gohar Rehman Khattak, Legal Advisor for the
respondents present.

Arguments heard. To come up for order before the D.B on
13.05.2022.



(Fareeha Paul)
Member(E)



Chairman

ORDER
13.05.2022

Deleted for reconstitution of Bench. To come up for
order on 26.05.2022.

Reader

26th May, 2022

Counsel for the appellant present. Mr. Muhammad
Riaz Khan Paindakhel, Assistant Advocate General for
respondents present.

To come up for order on 23.06.2022 before D.B.



(Fareeha Paul)
Member(E)



(Kalim Arshad Khan)
Chairman

1286/2018

23rd June, 2022

Junior to counsel for the appellant present. Mr. Muhammad Riaz Khan Paindakhel, Asstt. AG for the respondents present.

Because of the Departmental Selection Committee proceedings, we could not record the judgment. To come up on 08.07.2022 for order.


(Fareeha Paul)
Member(E)


(Kalim Arshad Khan)
Chairman

8-7-22

*Due to Public holidays on account of
Eid-ul-Adha therefore the case is adjournment
for the same case 19-10-22 before DR*

Reuben

19th Oct, 2022

Junior to counsel for the appellant present. Mr. Muhammad Riaz Khan Paindakhel: AG for respondents present.

This case was heard by us on 11.05.2022 and judgment was reserved for 13.05.2022, but because of non-availability of the bench on 13.05.2022, the order could not be recorded and announced. The matter was fixed for today but in view of the judgment of the august Supreme Court of Pakistan reported as 1996 SCMR 669, the matter was to be reheard and a request was made by Junior to counsel for the appellant for its rehearing by fixing on 10.11.2022 before D.B. Adjourned accordingly to 14.10.2022.



(Fareeha Paul)
Member(Executive)



(Kalim Arshad Khan)
Chairman

10.11.2022

Counsel for the appellant present.

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

On 11.05.2022, arguments were heard by the Bench comprising of Learned Chairman and Miss Fareeha Paul, learned Member (E) but the order could not be announced. On preceding date, the appeal was adjourned for rehearing but inadvertently it has been fixed before this Bench. This appeal be fixed before the said learned Bench for arguments on 29.11.2022.



(Fareeha Paul)
Member (E)





(Rozina Rehman)
Member (J)

Form- A
FORM OF ORDER SHEET

Court of _____

Case No. 1286/2018

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	10/10/2018	<p style="text-align: center;">The appeal of Mr. Muazam Khan resubmitted today by Mr. Yasir Saleem 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 10/10/18</p>
2-	11-10-2018	<p style="text-align: center;">This case is entrusted to S. Bench for preliminary hearing to be put up there on <u>26-11-2018</u>.</p> <p style="text-align: right;"> CHAIRMAN</p>

26.11.2018

Counsel for the appellant present.

States that the order of removal from service was passed against the appellant on 09.12.2016 where-against departmental appeal was rejected on 02.08.2018. The rejection order was communicated to the appellant on 15.08.2018, hence the instant appeal filed on 1.09.2018 was well within time.

Learned counsel also argued that the respondents had not adopted proper procedure while proceededⁱⁿ departmentally against the appellant and no proclamation in the newspaper ~~or otherwise~~ was required to be issued for ensuring participation of the appellant.

The instant appeal is admitted for hearing. The appellant is directed to deposit security and process fee within 10 days. Notices be issued to the respondents No. 1 and 2 for submission of written reply/comments on 14.01.2019 before S.B.

Appellant Deposited
Security Process Fee


Chairman

14.1.2019

Appellant in person and Addl. AC present.

Learned AAG states that no one from the respondents has contacted him, therefore, the reply is not ready for submission today. Adjourned to 21.03.2019 before S.B.


Chairman

21.03.2019

Nemo for the appellant. Mr. Kabirullah Khattak learned Addl: AG for the respondents present. Learned AAG seeks time to file written reply/comments. Adjourn. To come up for written reply/comments on 23.04.2019 before S.B.


Member


23.04.2019

Appellant in person present. Addl: AG for respondents present. Written reply/comments not submitted. Requested for adjournment. Adjourned. Case to come up for written reply of respondents on 18.06.2019 before S.B.


(Ahmad Hassan)
Member

18.06.2019

Counsel for the appellant and Mr. Kabirullah Khattak, Additional AG for the respondents present. Neither written reply on behalf of respondents submitted nor representative of the department is present therefore, notice be issued to the respondents with the direction to direct the representative to attend the court and submit written reply on the next date by way of last chance. Adjourned to 11.07.2019 for written reply/comments before S.B.


(Muhammad Amin Khan Kundi)
Member

11.07.2019

Counsel for the appellant and Addl. AG present.
Representative of the respondents is not in attendance.

Fresh notices be issued to the respondents by way of
last chance for submission of their written reply/comments
on 04.09.2019 before S.B.


Chairman

04.09.2019

Counsel for the appellant and Mr. Usman Ghani
District Attorney alongwith Noman, Inspector for the
respondents present.

Reply on behalf of respondents No. 1 to 3 submitted
which is placed on record. The appeal is assigned to D.B for
arguments on 06.11.2019. The appellant may submit
rejoinder, within a fortnight, if so advised.


Chairman

06.11.2019

Appellant with counsel present. Mr. Kabir Ullah Khattak
learned Additional Advocate General present. Learned counsel
for the appellant seeks adjournment. Adjourn. To come up for
arguments on 24.12.2019 before D.B.


Member


Member