
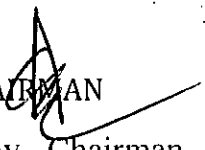



Form- A

FORM OF ORDER SHEET

Court of _____

Case No. - 7876/2021


S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	16/12/2021	<p>The appeal of Mr. Muhammad Zaman presented today by Mr. Muhammad Zafar Tahirkheli Advocate may be entered in the Institution Register and put up to the Worthy Chairman for proper order please.</p> <p> REGISTRAR</p>
2-	09.02.2022	<p>This case is entrusted to S. Bench at Peshawar for preliminary hearing to be put there on <u>09/02/22</u>.</p> <p> CHAIRMAN</p> <p>Due to retirement of the Worthy Chairman, the Tribunal is defunct, therefore, case is adjourned to 26.04.2022 for the same as before.</p> <p> Reader</p>

26.04.2022

Counsel for the appellant present. Preliminary arguments heard.

Learned counsel for the appellant while referring to the first round of litigation, started his arguments contending that the appellant has been serving the respondent-department as Constable since 27.05.2007. When FIR No. 1207 dated 02.10.2016 was registered against him under Section-15/17-AA at Police Station Banamari Peshawar, departmental proceedings were initiated against him as a result of which he was "dismissed from service" vide order dated 24.01.2017. He filed service appeal No. 284/2017 which was allowed vide judgement dated 21.05.2019. The respondents went in CPLA before the august Supreme Court of Pakistan which ordered de-novo enquiry in civil appeal No. 12 of 2021 dated 12.04.2021. Based on the report of de-novo enquiry, impugned order dated 19.07.2021 was issued which is alleged to have been received to the appellant on 09.11.2021 when he moved an application to the department for this purpose. His departmental appeal dated 11.11.2021 was partially accepted vide appellate impugned order dated 08.12.2021. It was further contended that the appellant was in judicial custody and no proper enquiry was conducted against him. The so called enquiry was conducted on his back and in his absence. The impugned orders are therefore, not maintainable under the canons of law and natural justice and may graciously be set aside.

The appeal is admitted to 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 respondents for submission of reply/comments. To come up for reply/comments on 14.07.2022 before S.B.

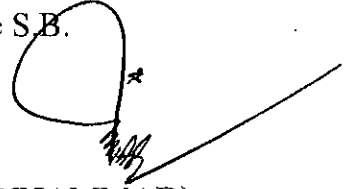

(Mian Muhammad)
Member(E)

Rs-500/-
Appellant Deposited
Security & Process Fee
26/4/22

14.07.2022

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

Reply/comments on behalf of respondents not submitted. Learned Additional Advocate General seeks time to contact the respondents for submission of reply/comments. Adjourned. To come up for reply/comments on 02.09.2022 before S.B.

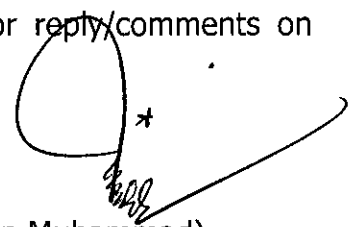


(MIAN MUHAMMAD)
MEMBER (E)

02.09.2022

Appellant in person present. Mr. Naseer-Ud-Din Shah, Assistant Advocate General for the respondents present.

Reply/comments on behalf of respondents not submitted, therefore, notice be issued to the respondents for submission of reply/comments. Adjourned. To come up for reply/comments on 13.10.2022 before S.B.



(Mian Muhammad)
Member (E)


*Notice issued
for the date
fixed*

**SCANNED
KPST
Peshawar**

13.10.2022

Junior to counsel for the appellant present. Mr. Muhammad Adeel Butt, Additional Advocate General for respondents present.

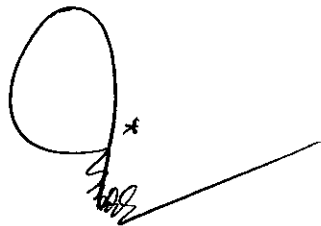
Written reply on behalf of respondents not submitted. Learned Additional AG seeks time for submission of written reply; granted by way of last chance. Adjourned. To come up for written reply on 14.11.2022 before S.B.


(Fareeha Paul)
Member (E)

14.11.2022

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

Reply/comments on behalf of respondents not submitted. Learned Additional Advocate General seeks time to contact the respondents for submission of reply/comments. Last opportunity is extended subject to cost of Rs. 2000/-. Adjourned. To come up for reply/comments before the S.B on 05.12.2022.


(Mian Muhammad)
Member (E)