

Form-A
FORM OF ORDERSHEET

Court of _____

Case No. 998/2017


S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1	08/09/2017	<p>The appeal of Mr. Amanullah resubmitted today by Mr. Saadullah Khan Marwat 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;"><i>[Signature]</i> REGISTRAR 8/9/17</p>
2-	13-9-17	<p>This case is entrusted to S. Bench for preliminary hearing to be put up there on <u>25-09-17</u></p> <p style="text-align: right;"><i>[Signature]</i> CHAIRMAN</p>
25.09.2017		<p>Counsel for the appellant present and requested for adjournment. Adjourned. To come up for preliminary hearing on 19.10.2017 before S.B.</p> <p style="text-align: right;"><i>[Signature]</i> (Muhammad Amin Khan Kurdi) Member</p>

19/10/2017

Counsel for the appellant present and argued that the appellant has not been treated in accordance with law. He further argued that appellant is working as Ward Orderly in the hospital since 1988 and the appellant was suspended by respondent No. 2 vide order dated 8/5/2003 on account of involvement in criminal case. Later-on he was acquitted and was reinstated in service on 3/12/2013, but no order regarding back benefits i.e salaries, seniority, increment etc has been made. He stated that a civil servant is entitled to all service benefits during suspension period. In this respect learned counsel for the appellant relied on 2009 PLC(C.S.) 178 .

Points urged at bar need consideration. The appeal is admitted for regular hearing subject to all legal objections including limitation. The appellant is directed to deposit security and process fee within 10 days. Thereafter, notices be issued to the respondents for written reply/comments on 30 /11/2017 before SB.

Appellant Deposited
Security & Access Fee


(GUL ZEB KHAN)
Member


30/11/2017

Counsel for the appellant and Mr. Kabirullah Khattak, AAG alongwith Mr. Yar Gul Assistant for respondents present. Mr. Khalid Rehman, Advocate submitted fresh Wakalatnama on behalf of respondent No. 1 to 3, which^{is} placed on file.. To come up for written reply/comments on 29/12/2017 before DB.


(Ahmad Hassan)
Member

29.12.2017

Clerk of the counsel for appellant present Addl: AG alongwith Noor Ali, Deputy Director for the respondent present. Written reply not submitted on behalf of respondents. Learned Addl: AG requested for adjournment. Adjourned. To come up for written reply/comments on 12.01.2018 before S.B.


(Gul Zeb Khan)
Member (E)


12.01.2018

Counsel for the appellant present. Mr. Kabirullah Khattak, Additional AG alongwith Mr. Subhanullah, Litigation Officer for respondents No. 1 to 3 and Mr. Jaffar Ali, Assistant for respondents No. 4 & 5 also present. Written reply on behalf of respondents No. 1 to 3 submitted. Representative of respondents No. 4 & 5 requested for further time for filing of written reply. Last opportunity granted. Adjourned. To come up for written reply/comments on behalf of respondents No. 4 & 5 on 24.01.2018 before S.B.


(Muhammad Amin Khan Kundi)
Member

24.01.2018

Learned counsel for the appellant and Mr. Kabir Ullah Khattak, learned Additional Advocate General along with representative Mr. Muhammad for the respondents present. Written reply submitted on behalf of respondents No.1, 2, & 3, while respondent No.4 & 5 relied on the same. Adjourned. To come up for rejoinder/arguments on 28.03.2018 before D.B


(Muhammad Hamid Mughal)
MEMBER

28.03.2018

Junior to counsel for the appellant and Mr. Kabir Ullah Khattak, learned Additional Advocate General alongwith Subhan Ullah, litigation Officer for the respondents present. Junior to counsel for the appellant seeks adjournment as senior counsel is not available. Adjourn. To come up for arguments on 30.05.2018 before D.B



(Muhammad Amin Kundi)
Member


(Muhammad Hamid Mughal)
Member

30.05.2018

Appellant in person and Junior to counsel for legal Advisor for respondent department also present. Appellant seeks adjournment as his counsel is not in attendance. Adjourned. To come up for arguments/rejoinder 03.08.2018 before D.B



(Ahmad Hassan)
Member


(Muhammad Hamid Mughal)
Member

03.08.2018

Appellant absent. Learned counsel for the appellant present. Mr. Ayub Amin, junior counsel for respondents No. 1 to 3 and Mr. Muhammad Jan, Deputy District Attorney for respondents No. 4 & 5 present. Junior counsel for respondents No. 1 to 3 requested for adjournment on the ground that learned senior counsel Mr. Khalid Rehman, Advocate for respondents No. 1 to 3 is busy before the Hon'ble Peshawar High Court. Adjourned. To come up for rejoinder and arguments on 28.09.2018 before D.B.


(Ahmad Hassan)
Member (E)


(Muhammad Hamid Mughal)
Member (J)

28.09.2018

Counsel for the appellant present. Mr. Ziaullah, DDA for respondents present. Counsel for the appellant seeks adjournment. Granted. Case to come up for arguments on 13.11.2018 before D.B.



(Ahmad Hassan)
Member



(M. Amin Khan Kundi)
Member

13.11.2018

Due to retirement of Hon'able Chairman, the Tribunal is defunct. Therefore, the case is adjourned for the same on 02.01.2019 before D.B.



Reader

02.1.2019

Miss Uzma Syed Advocate and Mr. Subhanullah, Assistant for respondents No. 1 to 3 alongwith Mr. Ziaullah, DDA for the respondents present.

Replication on behalf of the appellant is submitted which is placed on record. To come up for arguments on 12.03.2019 for arguments before the D.B.



Member



Chairman

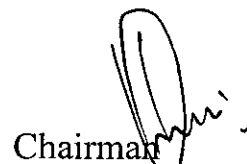
12.03.2019

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

Learned counsel for the appellant requests for adjournment as he could not prepare the brief of instant matter due to over work and requests for adjournment. Adjourned to 13.05.2019 before the D.B.



Member



Chairman

13.05.2019

Nemo for the appellant. Mr. Kabirullah Khattak learned Additional Advocate General for the respondents present. Due to leave of the worthy Chairman the case is adjourned to 23.07.2019 for arguments before D.B.


(Hussain Shah)
Member

23.07.2019

Appellant in person and Mr. Muhammad Jan, Deputy District Attorney for the respondents present. Appellant requested for adjournment on the ground that his counsel is not available today. Adjourned to 09.10.2019 for arguments before D.B.


(HUSSAIN SHAH)
MEMBER


(M. AMIN KHAN KUNDI)
MEMBER

09-10-2019

Due to tour of Honble Member to camp court Seat the case is adjourned to 19-12-2019


Reader

19.12.2019

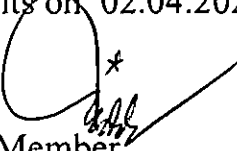
Lawyers are on strike as per the decision of Peshawar Bar Association. Adjourn. To come up for further proceedings/arguments on 21.02.2020 before D.B. Appellant be put on notice for the date fixed.


Member


Member

21.02.2020

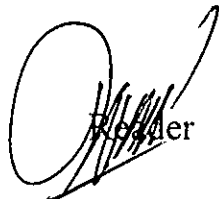
Appellant in person present. Mr. Taimur Ali Khan, Advocate appeared on behalf of the appellant and submitted fresh Wakalatnama on behalf of the appellant. Mr. Ziaullah, DDA for respondents present. Learned counsel for the seeks adjournment being freshly engaged. Adjourned To come up for arguments on 02.04.2020 before D.B.


Member


Member

02.04.2020

Due to public holidays on account of Covid-19, the case is adjourned. To come up for the same on 26.06.2020 before D.B.


Reader

26.06.2020

Due to public holiday on account of COVID-19, the case is adjourned for the same on 22.09.2020 before D.B.

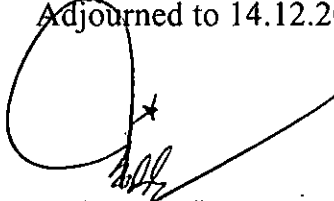

Reader

22.09.2020

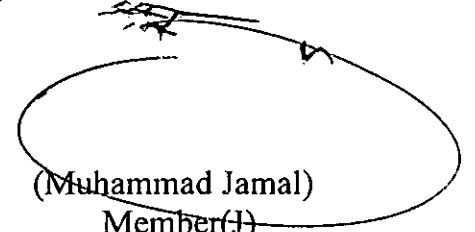
No one is present on behalf of the appellant. Mr. Kabirullah Khattak, Additional Advocate General for respondents present.

Perusal of the record reveals that on two occasions the case is adjourned on the ground of prevalence of Covid-19, therefore, we deem it appropriate to issue fresh notice to the appellant as well as his respective counsel for attendance and arguments on the next date of hearing.

Adjourned to 14.12.2020 for arguments before D.B.



(Mian Muhammad)
Member (E)



(Muhammad Jamal)
Member (J)

14.12.2020

Counsel for appellant present.

Kabir Ullah Khattak learned Additional Advocate General alongwith Subhan Ud Din Assistant for respondents present.

Representative of respondents made a request for adjournment. Adjourned. To come up for arguments on 10.02.2021 before D.B.



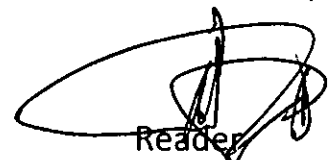
(Atiq ur Rehman Wazir)
Member (E)



(Rozina Rehman)
Member (J)

10.02.2021

Due to Pandemic of Covid-19, the case is adjourned to 06.05.2021 for the same.



Reader

Noted
14/12/20


06.05.2021

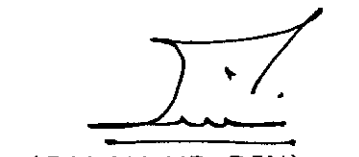
Due to demise of the Worthy Chairman, the Tribunal is non-functional, therefore, case is adjourned to 07.09.2021 for the same as before.


Reader

07.09.2021

Mr. Taimur Ali Khan, Advocate, for the appellant present. Mr. Kabirullah Khattak, Additional Advocate General for respondents No. 4 & 5 present. Mr. Muhammad Nazir, junior of Legal Advisor for respondents No. 1 to 3 present and requested for adjournment on the ground that Legal Advisor for respondents No. 1 to 3 is not available today. Adjourned. Last opportunity given. To come up for arguments before the D.B on 18.10.2021.


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



(SALAH-UD-DIN)
MEMBER (JUDICIAL)

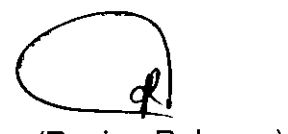
18.10.2021

Junior to counsel for appellant present.

Asif Masood Ali Shah, learned Deputy District Attorney for respondents present.

Lawyers are on general strike, therefore, case is adjourned to 13.01.2022 for arguments, before D.B.

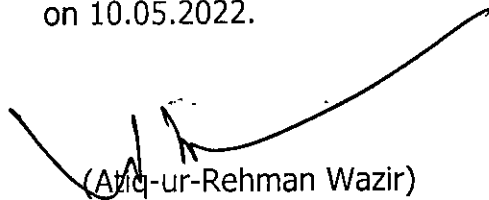

(Atiq-Ur-Rehman Wazir)
Member (E)


(Rozina Rehman)
Member (J)

13.01.2022

Learned counsel for the appellant present. Mr. Kabirullah Khattak, Addl. AG for respondents present.

Learned counsel for the appellant seeks adjournment in order to further prepare the brief. Request is accorded. To come up for arguments before the D.B on 10.05.2022.



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


Chairman

10.05.2022

Learned counsel for the appellant present. Mr. Riaz Khan Paindakheil, Asstt. AG for the respondents present.

Learned counsel for the appellant requested for adjournment on the ground that he has not gone through the record. Last opportunity is granted. To come up for arguments before the D.B on 19.07.2022.


(Fareeha Paul)
Member (E)


Chairman

19.07.2022

Appellant alongwith his counsel present.

Kabir Ullah Khattak, learned Additional Advocate General for respondents No.4 & 5 present. Junior to counsel for respondents No.1 to 3 present.

Junior to counsel for respondents No.1 to 4 requested for adjournment as senior counsel is busy before august Supreme Court of Pakistan. Adjourned by way of last chance. To come up for arguments on 13.09.2022 before D.B.

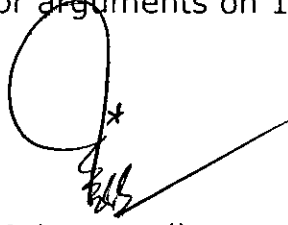

(Fareeha Paul)
Member(E)


(Rozina Rehman)
Member (J)

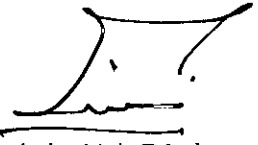
13.09.2022

Appellant alongwith his counsel present. Mr. Asif Yousafzai, Legal Advisor for respondents No. 1 and 3 present. Mr. Asif Masood Ali Shah, Deputy District Attorney for respondents No. 4 & 5 present.

When appeal was taken up for hearing, learned counsel representing respondents No. 1 and 3 requested that in view of Establishment of MTI Tribunal, the point of jurisdiction may be taken up first for arguments. Upon this, learned counsel for the appellant sought adjournment for preparation. Adjourned. To come up for arguments on 14.11.2022 before the D.B.



(Mian Muhammad)
Member (Executive)



(Salah-Ud-Din)
Member (Judicial)

14.11.2022

Counsel for the appellant present.

Kabir Ullah Khattak, learned Additional Advocate General alongwith Waheed Ullah Junior Clerk for respondents present.

Learned Member (Judicial) is on leave, therefore, arguments could not be heard. Adjourned. To come up for arguments on 02.01.2023 before D.B



(Fareeha Paul)
Member (E)