
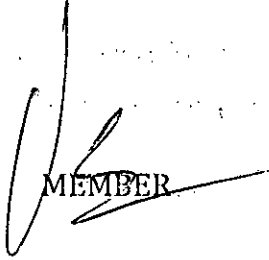



Form- A
FORM OF ORDER SHEET

Court of _____

Case No. 184/2017

S.No.	Date of order proceedings	Order or other proceedings with signature of judge or Magistrate
1	2	3
1	16/02/2017	<p style="text-align: center;">The appeal of Mr. Muhammad Yaqoob resubmitted today by Mr. Kazim Raza Marwat 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-	20-2-2017	<p style="text-align: center;">This case is entrusted to S. Bench for preliminary hearing to be put up there on <u>27-02-2017</u></p> <p style="text-align: right;"> MEMBER</p>
	27.02.2017	<p style="text-align: center;">Counsel for the appellant present and requested for adjournment. Adjourned for preliminary hearing to 15.03.2017 before S.B.</p> <p style="text-align: right;"> (ASHFAQUE TAN) MEMBER</p>

15.03.2017

Clerk to counsel for the present. Requested for adjournment.
Request accepted. To come up for preliminary hearing on 25.04.2017
before S.B.



(AHMAD HASSAN)

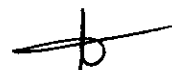
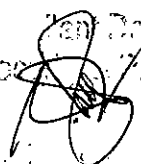
MEMER

25.04.2017

Counsel for the appellant present. Preliminary arguments heard and case file perused. The appellant is serving as TRA in Revenue Department in District, Lakki Marwat. Mr. Nek Nawaz who was appointed as TRA on 07.12.2005 is junior to the appellant and was serving in (BPS-5), whereas the appellant was drawing salary in (BPS-7). The seniority list notified by the respondents has shown Mr. Nek Nawaz senior to the appellant. Feeling aggrieved of this decision, he filed departmental appeal before the Commissioner Bannu which was rejected. Hence, the instant service appeal on 02.02.2017. Seniority list has not been firmed up in accordance with the rules.

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 23.05.2017 before S.B.

Jan Deposited
Secy. Private Fee



(Ahmad Hassan)

Member

23.05.2017

Appellant in person, Amjad Imran, Reader, Farmanullah, Supdt. and Muhabat Khan, AAO alongwith Addl. AG for official respondents and private respondent no. 6 in person present. Written reply not submitted. Requested for adjournment. Request accepted. To come up for written reply/comments on 10.07.2017 before S.B.


(Ahmad Hassan)
Member

10.07.2017

Appellant in person present. Mr. Amjad Imran, Reader and Mohabbat Khan, Assistant Account Officer alongwith Mr. Ziaullah, Deputy District Attorney for official respondents No. 1 to 5 also present. Private respondent No. 6 in person present and submitted Wakalatnama of Mr. Muhammad Asif Yousafzai, Advocate. Wakalatnama placed on record. Written reply by official respondents as well as private respondent not submitted. Learned Deputy District Attorney for official respondents and private respondent No. 6 requested for adjournment. Adjourned. To come up for written reply/comments on 15.08.2017 before S.B.


(Muhammad Amin Khan Kundi)
Member

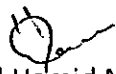
15/8/2017

Counsel the appellant and Mr. Kabirullah, Assistant AG for the respondents present. Written reply by respondents not submitted and Assistant AG seeks adjournment. Adjourned. To come 12/9/2017 before SB.


(GUL ZEB KHAN)
MEMBER

12.09.2017

Appellant in person present. Mr. Mahabat Khan, Assistant Account Officer alongwith Mr. Muhammad Adeel Butt, Additional AG for official respondents No. 1 to 5 and private respondent No. 6 with counsel present. Written reply not submitted. Requested for further adjournment. Representative of the department is directed to furnish authority letter on or before the next date. Adjourned. To come up for written reply/comments on 09.10.2017 before S.B.


(Muhammad Hamid Mughal)
Member

09.10.2017


Appellant in person, Addl:AG alongwith Mr. Abdul Shakoor, AAO, Mr. Farmanullah, Supdt for official respondents no. 1 to 5 and private respondent no.6 in person present. Written reply on behalf of official respondents submitted, copy of which is handed over the appellant. To come up for rejoinder and final hearing on 21.11.2017 before D.B.


(AHMAD HASSAN)
MEMBER

21.11.2017

Counsel for the appellant present. Mr. Muhammad Jan, DDA for the respondents present. Counsel for the appellant seeks adjournment. Adjourn. To come up for arguments on 25.01.2017 before D.B.


(Gul Zeb Khan)
Member


(Muhammad Hamid Mughal)
Member

25.01.2018


Counsel for the appellant present. Mr. Zia Ullah, DDA for the respondents present. Counsel for the appellant seeks adjournment. Adjourned. To come up for arguments on 14.03.2018 before D.B.



Member


Chairman

14.03.2018

appellant absent. Learned counsel for the appellant is also absent. However, junior to senior counsel for the appellant as well as junior to senior counsel for private respondent No. 6 present and seek adjournment. Mr. Riaz Ahmed Painsa Kheil, Assistant AG alongwith Mr. Farmanullah, Superintendent and Mr. Abdul Shakoor, Assistant Account Officer for official respondents No. 1 to 5 present. Adjourned. To come up for arguments on 14.05.2018 before D.B.


(Muhammad Amin Khan Kundi)
Member


(Muhammad Hamid Mughal)
Member

14.05.2018

Due to retirement of the worthy Chairman, the Tribunal is incomplete, therefore the case is adjourned. To come up for the same on 31.07.2018.



Reader

31.07.2018

Appellant in person and Mr. Kabir Ullah Khattak learned Additional Advocate General alongwith Mr. Farman Ullah Superintendent for official respondents present. Clerk to counsel for private respondent also present. Appellant seeks adjournment on the ground that his counsel is not in attendance. Adjourned. To come up for arguments on 26.09.2018 before D.B.



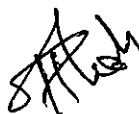
(Ahmad Hassan)
Member




(Muhammad Hamid Mughal)
Member

26.09.2018

Appellant in person and Mr. Kabir Ullah Khattak learned Additional Advocate General present. Appellant seeks adjournment as his counsel is not in attendance. Adjourn. To come up for arguments on 05.11.2018 before D.B.



(Hussain Shah)
Member



(Muhammad Hamid Mughal)
Member

05.11.2018

Due to retirement of Hon'ble Chairman, the Tribunal is defunct. Therefore, the case is adjourned. To come up on 27.12.2018.



READER

27.12.2018

Syed Numan Ali Bukhari, Advocate junior to Mr. Muhammad Asif Yousafzai, Advocate and Mr. Ziaullah, DDA alongwith M/S Farmanullah, Superintendent and Abdul Shakoor, AAO for the official respondents and clerk of counsel for private respondent No. 6 present.

Learned counsels for appellant as well as private respondent No. 6 are reported to be indisposed. Adjourned to 25.02.2019 for arguments before the D.B.


Member


Chairman


25.02.2019

Appellant in person, Mr. Muhammad Jan, Deputy District Attorney for the official respondents and Syed Nauman Ali Bukhari, Advocate for private respondent No. 6 present.

Mr. Amanullah Khan Marwat Advocate submitted Wakalatnama on behalf of respondent No. 6 while the learned counsel for the appellant is reported to be engaged before the Honourable High Court today.

Adjourned to 13.05.2019 before the D.B


Member


Chairman

13.05.2019


Nemo for the appellant. Mr. Zia Ullah Learned Deputy District Attorney alongwith Mr. Javed Assistant for the respondents present. Due to leave of the worthy Chairman the case is adjourned to 22.07.2019 for arguments before D.B.


(Hussain Shah)
Member

22.07.2019

Nemo for the appellant. Mr. Zia Ullah Learned Deputy District Attorney for the official respondents present. Learned counsel for the private respondents also present. Notice be issued to the appellant and his counsel for attendance. Adjourned. To come up for further proceedings on 12.09.2019 before D.B.


(Hussain Shah)
Member


(M. Amin Khan Kundi)
Member

12.09.2019

Learned counsel for the appellant present. Mr. Riaz Khan Paindakhel learned Assistant Advocate General alongwith M/S Arif Superintendent and Farman Ullah Superintendent for the official respondents and counsel for private respondent No.6 present. Learned counsel for the appellant seeks adjournment. Adjourn. To come up for arguments on 26.11.2019 before D.B.


(Hussain Shah)
Member


(M Hamid Mughal)
Member

26.11.2019

Learned counsel for the appellant present. Mr. Usman Ghani learned District Attorney alongwith Farman Ullah Superintendent for official respondents present. Private respondent No.6 with counsel present. Learned counsel for the appellant seeks adjournment. Adjourned by way of last chance. To come up for arguments on 27.12.2019 before D.B.


Member


Member

27.12.2019

Appellant in person present. Mr. Muhammad Jan learned Deputy District Attorney for official respondents present. Private respondent No.6 with counsel present. Appellant seeks adjournment as his counsel is not available. Private respondent No.6 with counsel is available and on the previous date, last chance was given. Hence, adjourned at the cost of Rs.3000/- to be paid by the appellant to private respondent No.6. To come up for arguments on 28.02.2020 before D.B.


Member


Member

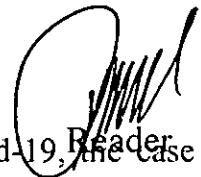
28.02.2020 Appellant with counsel present. Mr. Riaz Paindakhele learned Assistant Advocate General for the official respondent present. Private respondent No.6 alongwith his counsel present. Adjournment requested. Adjourn. To come up for further proceedings on 31.03.2020 before D.B.


Member


Member

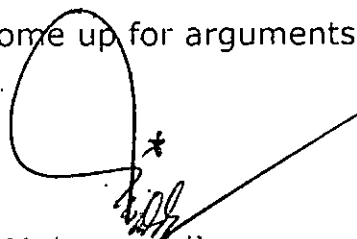
31.03.2020 Due to public holidays on account of Covid-19, the case is adjourned. To come up for the same on 23.06.2020 before D.B.

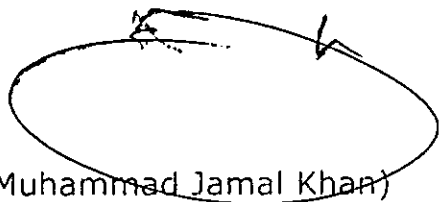
23.06.2020 Due to public holidays on account of Covid-19, the case is adjourned. To come up for the same on 21.09.2020 before D.B.


Reader


Reader

21.09.2020 Mr. Amanullah Khan, Advocate for appellant is present. Mr. Riaz Ahmad Paindakheil, Assistant Advocate General alongwith representative of the department Mr. Muhammad Arif, Superintendent and private respondent No. 6 are also present. Learned counsel for the appellant is seeking time for preparing the brief. Time is given. File to come up for arguments on 02.12.2020 before D.B.


(Mian Muhammad)
Member (Executive)


(Muhammad Jamal Khan)
Member (Judicial)

02.12.2020

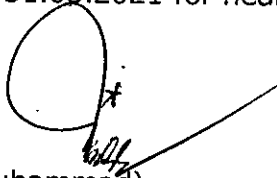
Due to pandemic of Covid-19, the case is adjourned to 23.02.2021 for the same as before.


Reader

23.02.2021

Appellant in person, Addl. AG alongwith Muhammad Ajmal Khan, Assistant Secretary for official respondents and private respondent No. 6 in person present.

Appellant as well as private respondent No. 6 request for adjournment due to non-availability of their learned counsel. Adjourned to 31.05.2021 for hearing before the D.B.


(Mian Muhammad)
Member(E)


Chairman


31.05.2021

Appellant in person present.

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

Former made a request for adjournment as his counsel is busy before Hon'ble Peshawar High Court; granted by way of last chance. To come up for arguments on 17.09.2021 before D.B.


(Mian Muhammad)
Member (E)


(Rozina Rehman)
Member (J)

17.09.2021

Junior to counsel for appellant present.

Asif Masood Ali Shah learned D.D.A for respondents present.

Former submitted an application for adjournment as senior counsel is busy before Hon'ble Peshawar High Court, Peshawar; granted. To come up for arguments on 18.01.2022 before D.B.



(Rozina Rehman)
Member (J)


Chairman

18.01.2022

Junior to counsel for the appellant present. Mr. Muhammad Rasheed, DDA for official respondents and respondent No. 6 in persons present.

Learned senior counsel for the appellant is not in attendance. Request for adjournment is made on his behalf. Case to come up for arguments on 11.05.2022 before the D.B.


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


Chairman

11.05.2022

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

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


(Fareeha Paul)
Member (E)


Chairman

O R D E R
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 21.06.2022 before D.B.



(Fareeha Paul)
Member(E)



(Kalim Arshad Khan)
Chairman

21st June, 2022

Counsel for the appellant present. Mr. Muhammad Riaz Khan, Asstt. AG for the respondents present.

Because of the Departmental Selection Committee proceedings, we could not record the judgment. To come up on 18.07.2022 for order.



(Fareeha Paul)
Member(E)




(Kalim Arshad Khan)
Chairman

15th July, 2022

This appeal was fixed for 22.07.2022 but as the Division Bench of the Tribunal, which heard the appeal, was constituted for three days, therefore, it was deemed appropriate to fix this matter today for consideration.

In the meantime one of us (Hon'ble Chairman) remained busy in other administrative and developmental works as well as in the Departmental Selection Committee proceedings. Since some time has passed after hearing the arguments, therefore, in order to refresh our memories and on the request of learned counsel for the appellant and learned Asst: AG for the respondents to make some more submissions, the matter is adjourned for re-arguments on 13 / 9 / 2022 before D.B.

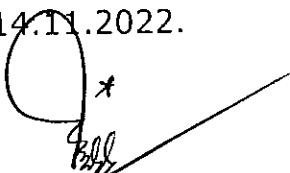

(Fareeha Paul)
Member(E)


(Kalim Arshad Khan)
Chairman

13.09.2022

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

Learned counsel for the appellant requested that as the appeal in hand was heard by a bench comprising of Worthy Chairman as well as learned Member (Executive) Ms. Fareeha Paul and has been fixed for re-arguments, therefore, the same may be placed for re-arguments before the said bench. Adjourned. To come up for re-arguments before the concerned bench on 14.11.2022.


(Mian Muhammad)
Member (Executive)


(Salah-Ud-Din)
Member (Judicial)

14.11.2022

Counsel for the appellant present.

Muhammad Jan, learned District Attorney 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)