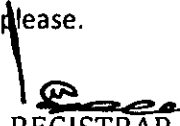




Form- A
FORM OF ORDER SHEET

Court of _____

Case No.- _____ 978/2019 _____

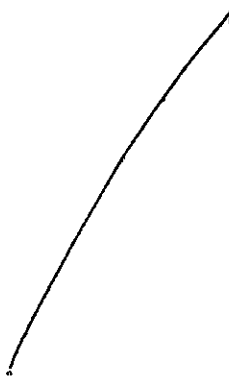
S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	26/07/2019	<p>The appeal of Mr. Tazj Ali Khan resubmitted today by Mr. Saadullah Khan Marwat Advocate may be entered in the Institution Register and put up to the Worthy Chairman for proper order please.</p> <p style="text-align: right;"> REGISTRAR 26/7/19</p>
2-	25.09.2019	<p>This case is entrusted to S. Bench for preliminary hearing to be put up there on <u>25-9-2019</u></p> <p style="text-align: right;"> CHAIRMAN</p> <p>Counsel for the appellant present.</p> <p>Learned counsel states that a Larger Bench of the Tribunal has been constituted to consider and decide the question of retrospective application of penalty. The hearing of the matter is fixed for 14.11.2019. He, therefore, requests for adjournment of the matter for hearing thereafter.</p> <p>Adjourned to 25.11.2019 before S.B.</p> <p style="text-align: right;"> Chairman</p>

25.11.2019

Appellant present in person.

Requests for adjournment on account of general strike of the Bar. Adjourned to 22.01.2020 before S.B.

Chairman



22.01.2020

Junior to counsel for the appellant present.

Requests for adjournment due to general strike of the Bar. Adjourned to 20.02.2020 in order to avail the outcome of case(s) pending before the Larger Bench regarding retrospective punishment.

Chairman



20.02.2020

Counsel for the appellant present and seeks adjournment. Adjourned to 06.04.2020 in order to avail the outcome of case (s) pending before the Larger Bench regarding retrospective punishment.

(MUHAMMAD AMIN KHAN KUNDI)
MEMBER



06.04.2020

Due to public holiday on account of COVID-19, the case is adjourned to 30.06.2020 for the same. To come up for the same as before S.B.


Reader

30.06.2020

Learned counsel for the appellant present and seeks adjournment. Adjourned to 22.09.2020 before S.B in order to avail the outcome of cases pending before Larger Bench of this Tribunal, regarding retrospective punishment.


Member (J)

22.09.2020

Junior to counsel for the appellant present.


On the last date of hearing instant matter was adjourned to avail the outcome of cases pending before the Larger Bench and having similar nature. The Larger Bench has not yet concluded the proceedings before it, therefore, instant matter is adjourned to 02.12.2020 before S.B.


Chairman

02.12.2020

Counsel for appellant is present.

Learned counsel requests for adjournment to a date after the decision of proposition regarding retrospective punishment by a Larger Bench of this Tribunal. Adjourned to 17.02.2021 before S.B.


(MUHAMMAD JAMAL KHAN)
MEMBER (JUDICIAL)

17.02.2021

The learned Member Judicial Mr. Muhammad Jamal Khan is under transfer, therefore, the case is adjourned. To come up for the same before S.B on 29.06.2021.

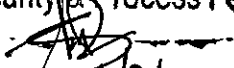

Reader

29.06.2021

Counsel for the appellant present. Preliminary arguments heard.

The impugned order dated 20.06.2014 of the departmental authority on factual side focuses the involvement of appellant in criminal case and conviction there-under, which obviously has nothing to do with terms and conditions of service of a government servant, except attraction of CSR 194 and 194-A. Whether the impugned order has been passed in compliance with due process of law is a big question to be answered by the respondents in their written reply/comments, which necessitate admission of appeal for regular hearing. Subject to all just and legal objections, including limitation, instant appeal is admitted for regular hearing. The appellant is directed to deposit security and process fee within 10 days. Thereafter, notices be issued to the respondents for submission of written reply/comments in office within 10 days of the receipt of notices, positively. If the written reply/comments are not submitted within the stipulated time, the office shall submit the file with a report of non-compliance. File to come up for arguments on 11.11.2021 before the D.B.

Appellant Deposited
Security & Process Fee


7/7/21


Chairman

stipulated period passed reply not submitted.


16.08.2021

Learned Addl, A.G be reminded about the omission and for submission of reply/comments within extended time of 10 days.


Chairman

11.11.2021

Mr. Saad Ullah Khan Marwat, Advocate, for the appellant present. Mr. Muhammad Rasheed, Deputy District Attorney for the respondents present and sought time for submission of reply/comments. Adjourned. To come up for submission of reply/comments as well as arguments on 31.01.2022 before the D.B.



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


(Salah-Ud-Din)
Member (J)

31.01.2022

Learned counsel for the appellant present. Mr. Muhammad Adeel Butt, Addl. AG for respondents present.

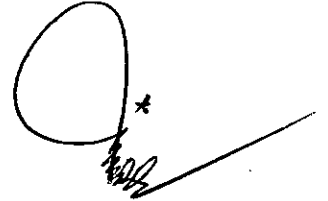
Reply/comments on behalf of respondents are still awaited. Learned Additional Advocate General sought time for submission of reply/comments. Granted. To come up for reply/comments before the S.B on 31.03.2022.


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

31.03.2022

Clerk of learned counsel for the appellant present. Mr. Muhammad Adeel Butt, Addl: AG alongwith Mr. Muhammad Faizan Zeb, SO for respondents and present.

Written reply/comments on behalf of respondents not submitted. Representative of the respondents seeks time to submit the same on the next date. Adjourned but as a last chance. To come up for written reply/comments on 17.06.2022 before S.B.



(MIAN MUHAMMAD)

17th June 2022

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

Despite four opportunities given to the respondents, they have not submitted reply. The respondents are given last opportunity to submit reply within 07 days from today, failing which their right to file reply shall be deemed as struck off by virtue of this order. To come up for arguments before the D.B on 31.08.2022. The case will not be adjourned on the ground of non-filing of reply/comments.



(Kalim Arshad Khan)
Chairman

31.08.2022

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

Learned Member (Judicial) Ms. Rozina Rehman is on leave, therefore, arguments could not be heard. Adjourned. To come up for arguments on 14.11.2022 before the D.B.




(Salah-ud-Din)
Member (Judicial)

14.11.2022

Counsel for the appellant present.

Kabir Ullah Khattak, learned Additional Advocate General for respondents present.

Learned Member (Judicial) is on leave, therefore, arguments could not be heard. Adjourned. To come up for arguments on 30.12.2022 before D.B



(Fareeha Paul)
Member (E)