




Form- A

FORM OF ORDER SHEET

Court of _____

Case No.- 1613/2019

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	02/12/2019	<p>The appeal of Mr. Ijaz Hussain presented today by Mr. Assadullah Taimur 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 <i>02/12/19</i></p>
2-	<i>04/12/19</i>	<p>This case is entrusted to S. Bench for preliminary hearing to be put up there on <u>02/01/20</u></p> <p style="text-align: right;"> CHAIRMAN</p>
	02.01.2020	<p>Nemo for appellant. Notices be issued to appellant/counsel for preliminary hearing on 17.02.2020 before S.B.</p> <p style="text-align: right;"> Chairman</p>

17.02.2020

Learned counsel for the appellant present. Heard.

The appellant has filed the present service appeal against the original order dated 01.06.2019 and order of appellate authority dated 12.06.2019. Learned counsel for the appellant when confronted the issue of limitation, seeks adjournment to assist this Tribunal on the issue of limitation. Adjourn. To come up for preliminary hearing including hearing on the issue of limitation on 31.03.2020 before S.B.


Member

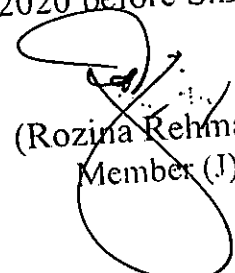
31.03.2020

Due to public holiday on account of COVID-19, the case is adjourned for the same on 22.06.2020 before S.B.


Reader

22.06.2020

Nemo for the appellant. Learned counsel for the appellant requested for adjournment on 17.02.2020 in order to assist the Tribunal on the point of limitation but today, he is not available. The preceding order sheet shows that the date was adjourned on note reader, therefore notice be issued to the appellant and his counsel for preliminary hearing on 19.08.2020 before S.B.


(Rozina Rehman)
Member (J)

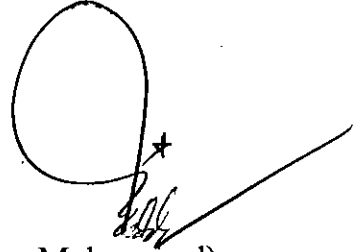
Noted
3/7/2020

19.08.2020

Counsel for the appellant present.

For clarification of few points, let pre-admission notice be issued to the learned Additional Advocate General. Learned counsel for the appellant is directed to provide spare copy of the instant appeal to learned AAG.

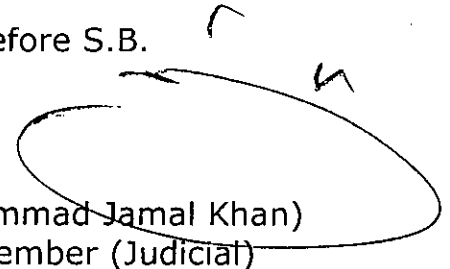
Adjourned to 23.10.2020 before S.B.


(Mian Muhammad)
Member(E)

23.10.2020

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

Since the Members of the High Court as well as of the District Bar Association Peshawar are observing strike today, therefore, the case is adjourned to 31.12.2020 on which date to come up for preliminary arguments before S.B.

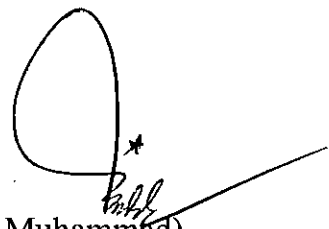

(Muhammad Jamal Khan)
Member (Judicial)

31.12.2020

Learned counsel for the appellant present. Mr. Noor Zaman Khattak, District Attorney for respondents present.

Learned District Attorney seeks adjournment as he has not prepared the brief.

Adjourned to 02.02.2021 before S.B.


(Mian Muhammad)
Member(E)

02.02.2021

Counsel for the appellant present.

Contends that the appellant was terminated from service on 01.06.2009 on the ground of long absence on his part. His departmental appeal was decided and was rejected on the point of delay.

In view of learned counsel the contents of impugned order do not provide exact period of absence attributable to the appellant. Similarly, the date(s) of absence are nowhere mentioned.

It is also argued that the appellant was not put to regular enquiry nor was issued any statement of allegations or the charge sheet. Despite, he was awarded major penalty which was not sustainable in the circumstances of the case.

In the light of available record and also the arguments of learned counsel, instant appeal is admitted to regular hearing subject to all just exceptions, more particularly, regarding the delay. Appellant is required to deposit security and process fee within 10 days. Thereafter, notices be issued to the respondents for submission of written reply/comments on 30.04.2021 before S.B.


Chairman

30.04.2021

Due to demise of the Worthy Chairman, the Tribunal is defunct, therefore, case is adjourned to 21.06.2021 for the same as before.


Reader

S.A No. 1613/2019

21.06.2021

Counsel for the appellant present. He states that appellant could not deposit the security and process fee due to unavoidable circumstances and submitted an application for extension of time to deposit the same.

Application is allowed and the appellant is directed to deposit security and process fee within three days positively. Thereafter, notices be issued to the respondents for submission of written reply/comments in office within 10 days of the receipt of the notice, positively. If the written reply/comments are not submitted within the stipulated time, the office is directed to submit the file with a report of non-compliance. File to come up for arguments on 08.11.2021 before the D.B.

Appellant Deposited
Security & Process Fee

21/6/21


Chairman

Stipulated period passed reply not submitted.

29.07.2021

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


Chairman

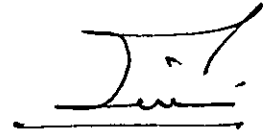
08.11.2021

Clerk of counsel for the appellant present. Mr. Riaz Khan Paindakheil, Assistant Advocate General for the respondents present.

Clerk of counsel for the appellant stated that learned counsel for the appellant is unable to attend the Tribunal today due to strike of Lawyers. Adjourned To come up for arguments before the D.B. on 09.02.2022.



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



(SALAH-UD-DIN)
MEMBER (JUDICIAL)

9-2-2022
Due to retirement of the Honorable
Chairman the case is adjourned to come
up for the same as before on 2-6-2022



Reader.

2-6-22 Proper DB not available in the case is
adjourned to 11-8-22



Reader

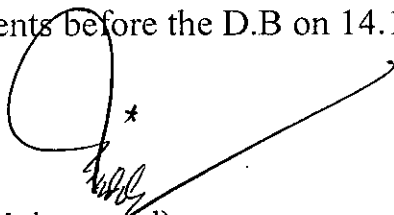
11-8-2022 Proper DB not available the case is adjourned
to 13-10-2022




Reader

13.10.2022

Learned counsel for the appellant present. Mr. Muhammad Ibrahim, Finance Officer alongwith Mr. Muhammad Jan, District Attorney for the respondents present and sought further time for submission of reply/comments. Last opportunity given to the respondents for submission of reply/comments and in case of failure, their defense for submission of reply/comments shall be deemed as struck off. Adjourned. To come up for reply/comments as well as arguments before the D.B on 14.11.2022.


(Mian Muhammad)
Member (E)



(Salah-ud-Din)
Member (J)

14.11.2022

Appellant present in person.

Muhammad Riaz Khan Paindakhel, learned Assistant Advocate General alongwith Muhammad Ibrahim 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)