




Form- A

FORM OF ORDER SHEET

Court of \_\_\_\_\_

Case No.- 4979 /2021

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	29/04/2021	<p>The appeal of Saadat Ali Khan resubmitted today by Mr. M. Usman Khan Turlandi, 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</p>
2-		<p>This case is entrusted to S. Bench for preliminary hearing to be put up there on <u>21/06/21</u></p> <p style="text-align: right;"> CHAIRMAN</p>
	21.06.2021	<p>Nemo for the appellant. Notice be issued to appellant/counsel. To come up for preliminary hearing on 22.09.2021 before S.B.</p> <p style="text-align: right;"> Chairman</p>

**Saadat Ali Khan 4979/2021**

22.09.2021

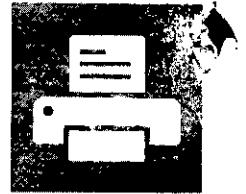
Counsel for the appellant present. Preliminary arguments heard.

Learned counsel for the appellant argued that the appellant was "dismissed from service" vide impugned order dated 10.01.2018. He submitted departmental appeal on 15.02.2021 when he was finally acquitted in criminal case by the court of competent jurisdiction on 13.02.2021. Consequent upon his final acquittal, he preferred departmental appeal against the impugned order, on 15.02.2021. His departmental appeal was however, rejected/filed on 31.03.2021, hence, the instant service appeal was filed on 16.04.2021. It was further argued that the appellant was nominated in FIR No. 1383 dated 19.09.2016 under section 382/155-c/411-PPC and FIR No. 1133 dated 06.10.2017 under section 381/411 PPC in PS Chamkani and as such no opportunity of self defense was provided to the appellant when departmentally proceeded against on the basis of criminal cases registered against him. The appellant has been acquitted in FIR No. 1133 by the Court of JMJC-II Peshawar on 29.09.2018 and also acquitted in FIR No. 1383 by the Court of Judicial Magistrate-VIII Peshawar on 13.02.2021. It was further contended that the entire proceedings have been under-taken against the appellant in violation of the rules and fundamental rights have been encroached upon on personal whims and wishes, the impugned as well as appellate orders having been passed malafide and contrary to Article-4-25 and 27 of the Constitution, are therefore liable to be set aside and the appellant be reinstated in service with all back benefits.

Points raised need consideration. The appeal is provisionally admitted to regular hearing, subject to all just and 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 submission of written reply/comments in office within 10 days after receipt of notices, positively. If the written reply/comments are not submitted within the stipulated time or extension of time is not sought, the office shall submit the file with a report of non-compliance. File to come up for arguments on 31.01.2022 before the D.B.

Appellant Deposited  
Security & Process Fee

(Mian Muhammad)  
Member(E)



You have correctly installed your HP LaserJet Pro M404 M405 PCL-6 (V4) on DESKTOP-J0B4M7E.

### PRINTER PROPERTIES

Submitted Time: 2:02:20 PM  
Date: 9/5/2022  
User Name: PLRN\Muhammad.8408786  
Computer Name: DLSKIOP-J0B4M7E  
Printer Name: HP LaserJet Pro M404 M405 PCL-6 (V4) (Copy 1)  
Printer Model: HP LaserJet Pro M404 M405 PCL-6 (V4)  
Color Support: No  
Port Name(s): USB002  
Data Format: RAW  
Printer Location:  
Print Processor: winprint  
Comment:  
OS Environment: Windows x64

### PRINT DRIVER PROPERTIES

Driver Name: HP LaserJet Pro M404 M405 PCL 6 (V4)  
Driver Type: Type 4 - User Mode  
Driver Version: 8.0.1329.6884


### ADDITIONAL PRINT DRIVER FILES

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31.01.2022

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

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

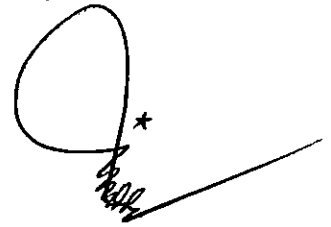


(Atiq-Ur-Rehman Wazir)  
Member (E)

31.03.2022

None for the appellant present. Mr. Muhammad Adeel Butt, Addl: AG alongwith Mr. M. Raziq, HC for respondents present.

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



(MIAN MUHAMMAD)  
MEMBER(E)

17<sup>th</sup> June 2022

Junior to counsel for the appellant present. Mr. Kabirullah Khattak, Addl. AG alongwith Ahmad Jan, Inspector (Legal) for the respondents present.

Despite three 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 05.09.2022. The case will not be adjourned on the ground of non-filing of reply/comments.



(Kalim Arshad Khan)  
Chairman

05.09.2022

Due to leave of the Worthy Chairman, the Bench is incomplete. Case to come up for the same on 15-11-2022 before the D.B.



Reader

15<sup>th</sup> Nov. 2022 Junior to learned counsel for the appellant present.

Mr. Naseerud Din Shah, Assistant Advocate General for the respondents present.

Former requested for adjournment due to engagement of learned counsel for the appellant before Honourable Peshawar High Court. Adjourned. To come up for arguments on 10.01.2023 before the D.B.

**(FAREEHA PAUL)**  
Member(E)



**(ROZINA REHMAN)**  
Member (J)