

Service Appeal No. 145/2018


08.05.2018

The Tribunal is non-functional due to retirement of our Hon'ble Chairman. Therefore, the case is adjourned. To come up for same on 03.07.2018.


Reader

03.07.2018

Counsel for the appellant and Mr. Sardar Shaukat Hayat, Addl: AG for the respondents present. Written reply not submitted. Requested for adjournment. Adjourned. To come up for written reply/comments on **17.08.2018** before S.B.


Member

17.08.2018

Neither appellant nor her counsel present. Mr. Arshad Ali, ADO alongwith Mr. Kabirullah Khattak, Addl: AG for respondents present. Written reply submitted which is placed on file. Case to come up for rejoinder, if any, and arguments on 17.10.2018 before D.B.


Chairman

17.10.2018

Learned counsel for the appellant and Mr. Riaz Ahmed Paindakhel learned Assistant Advocate General for the present. Learned counsel for the appellant seeks adjournment. Adjourned. To come up for rejoinder/arguments on 30-11-18 before D.B.


Member


Member

30.11.2018

Learned counsel for the appellant and Mr. Kabirullah Khattak learned Additional Advocate General for the respondents present. Learned counsel for the appellant submitted rejoinder which is placed on file, and seeks adjournment. Adjourn. To come up for arguments on 15.01.2019 before S.B.


Member


Member

15.01.2019

None present on behalf of the appellant. Mr. Kabirullah Khattak, Additional AG for the respondents present. Notice be issued to appellant and her counsel for attendance and arguments for 11.03.2019 before D.B.


(Ahmad Hassan)
Member


(M. Amin Khan Kundi)
Member

11.03.2019 Clerk to counsel for the appellant and Mr. Kabirullah Khattak learned Additional Advocate General for the respondents present. Clerk to counsel for the appellant requested for adjournment as counsel for the appellant is not in attendance. Adjourn. To come up for arguments on 03.05.2019 before D.B



Member



Member

03.05.2019 Appellant in person and Mr. Muhammad Jan, Deputy District Attorney for the respondents present. Appellant seeks adjournment on the ground that her counsel is not available today. Adjourned to 19.06.2019 for arguments before D.B.



(AHMAD HASSAN)
MEMBER



(M. AMIN KHAN KUNDI)
MEMBER

19.06.2019 Clerk to counsel for the appellant and Mr. Riaz Paindakhel learned Assistant Advocate General for the respondents present. Clerk to counsel for the appellant requested for adjournment as counsel for the appellant is not in attendance. Adjourn. To come up for arguments on 08.08.2019 before D.B.




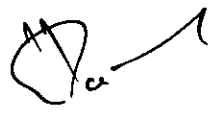
Member



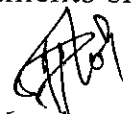
Member


08.08.2019 None for the appellant present. Mr. Muhammad Jan, DDA for respondents present. Due to general strike on the call of Pakistan Bar council, the case is adjourned. To come up for arguments on 31.10.2019 before D.B.


Member


Member


30.10.2019 Mr. Ihsan Ullah (Apprentice) present on behalf of the learned counsel for the appellant. Mr. Usman Ghani learned District Attorney alongwith Mr. Arshad ADO for the respondents present. Former request for adjournment on the ground that counsel for the appellant is busy before the Hon'ble Peshwar High Court Peshawar. Adjourn. To come up for arguments on 06.12.2019 before D.B.


Member


Member

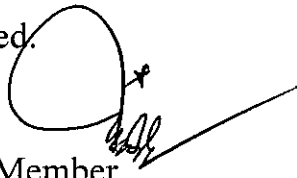
6-12-19

The Bench is incomplete.
therefor case is adjourned to
12-2-2020


Reader

12.02.2020

Clerk to counsel for the appellant present. Mr. Usman Ghani, District Attorney alongwith Mr. M. Arshad ADEO for respondents present. Clerk to counsel for the appellant seeks adjournment as his counsel is not available today. Adjourned To come up for arguments on 26.03.2020 before D.B. Appellant be put on notice for the date fixed.


Member


Member

26.03.2020

Due to public holidays on account of Covid-19, the case is adjourned. To come up for the same on 12.06.2020 before D.B.


Reader

12.06.2020

Bench is incomplete. Therefore, the case is adjourned. To come up for the same on 25.08.2020 before D.B.


Reader

25.08.2020

Due to summer vacation case to come up for the same on 29.10.2020 before D.B.




Reader

29.10.2020

Junior to counsel for the appellant and Addl. AG for the respondents present.

The Bar is observing general strike, therefore, the matter is adjourned to 05.01.2021 for hearing before the D.B.



(Atiq-ur-Rehman Wazir)
Member

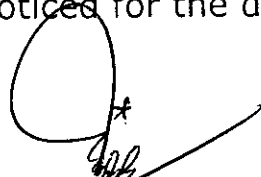


Chairman


05.01.2021

Neither appellant is in attendance nor anyone else representing her has appeared when the appeal was called for hearing lastly on 12:25 P.M. Mr. Kabirullah Khattak, Additional Advocate General and Mr. Touseef-ur-Rehman, ADO (Litigation), for the respondents are present.

Perusal of the preceding order sheet revealed that almost ten adjournments have been granted for arguments which have not been addressed so far, in the circumstances, last chance is provided to the learned counsel for appellant to argue the appeal on 29.03.2021 before D.B. In the meanwhile, appellant and her respective counsel be noticed for the date fixed.



(MIAN MUHAMMAD)
MEMBER (EXECUTIVE)



(MUHAMMAD JAMAL KHAN)
MEMBER (JUDICIAL)

29.03.2021


The concerned D.B is not available today, therefore, the appeal is adjourned to 29.06.2021 for the same.

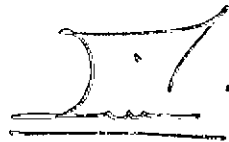

Reader

29.06.2021

Mr. Imran Khan, Advocate, for the appellant present. Mr. Kabirullah Khattak, Additional Advocate General for the respondents present.

We being Members of Larger Bench, remained busy in hearing arguments in the appeals fixed before the Larger Bench, therefore, arguments in the instant appeal could not heard. Adjourned. 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

Appellant present through representative.

Muhammad Riaz Khan Paindakheil learned Assistant Advocate General for respondents present.

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


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


(Rozina Rehman)
Member (J)

13.01.2022

Learned counsel for the appellant present. Mr. Muhammad Adeel Butt, Additional Advocate General for respondents present.

Learned counsel for the appellant requested for adjournment on the ground that he has not gone through the record. Adjourned. 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 in order to further prepare the brief. Last opportunity is granted. To come up for arguments before the D.B on 10.06.2022.



(Fareeha Paul)
Member (E)



Chairman

10.06.2022

D.B is incomplete, therefore, case is adjourned to 22.08.2022 for the same as before



Reader

22.08.2022

Appellant alongwith counsel present. Miss. Shandana Ghani Litigation Officer alongwith Mr. Naseer Ud Din Shah, Assistant Advocate General for the respondents present.

Partial arguments heard. To come up for remaining arguments on 25.08.2022 before the D.B.



(Rozina Rehman)
Member(J)



(Salah-Ud-Din)
Member(J)

25.08.2022

Appellant in person present. Mr. Muhammad Adeel Butt, Additional Advocate General for the respondents present.

Learned Member (Judicial) Ms. Rozina Rehman is on leave, therefore, remaining arguments could not be heard. Adjourned. To come up for remaining arguments on 31.08.2022 before the D.B.



(Salah-Ud-Din)
Member (Judicial)

31.08.2022

Clerk of learned counsel for the appellant present. Mr. Naseer-ud-Din Shah, Assistant Advocate General for the respondents present.

Learned Member (Judicial) Ms. Rozina Rehman is on leave, therefore, remaining arguments could not be heard. Adjourned. To come up for remaining arguments on 12.09.2022 before the D.B.




(Salah-ud-Din)
Member (Judicial)

12.09.2022

Learned counsel for the appellant present. Mr. Naseer-Ud-Din Shah, Assistant Advocate General for the respondents present.

Mr. Mian Muhammad, learned Member (Executive) is on leave, therefore, arguments could not be heard. Adjourned. To come up for arguments before the D.B on 11.10.2022.




(Salah-Ud-Din)
Member (J)


11th Oct., 2022

Junior to counsel for the appellant present. Mr. Muhammad Adeel Butt, Addl. A.G alongwith Shandan Ghani, ADEO for the respondents present.

Senior counsel for the appellant is not available. His junior requests for adjournment. Adjourned. To come up for arguments on 10.11.2022 before the D.B.



(Fareeha Paul)
Member (E)



(Kalim Arshad Khan)
Chairman


10.11.2022

Counsel for the appellant present.

Naseer Ud Din Shah learned Assistant Advocate General for the respondents present.

Former requested for adjournment on the ground that he has not prepared the brief. Adjourned. To come up for arguments on 09.12.2022 before D.B.





(Fareeha Paul)
Member (E)


(Rozina Rehman)
Member (J)

Form-A
FORM OF ORDERSHEET

Court of _____

Case No. 145/2018

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1	29/1/2018	<p>The appeal of Mst. Shagufta Naz presented today by Mr. Muhammad Imran Khan Advocate may be entered in the Institution Register and put up to Worthy Chairman for proper order please.</p> <p style="text-align: right;"> REGISTRAR</p>
2-	06/12/18.	<p>This case is entrusted to S. Bench for preliminary hearing to be put up there on <u>12/02/18.</u></p> <p style="text-align: right;"> CHAIRMAN</p>
	12.02.2018	<p>Clerk of the counsel for appellant present and requested for adjournment on the ground that learned counsel for the appellant is not in attendance today due to strike of the Bar. Adjourned. To come up for preliminary hearing on 05.03.2018 before S.B.</p> <p style="text-align: right;"> (Muhammad Amin Khan Kund) Member (J)</p>


05.03.2018

Learned counsel for the appellant present. Preliminary arguments heard and case file perused.

Learned counsel for the appellant argued that the appellant was appointed as C.T in the GGMS Shah Alam Peshawar on 15.12.1999. That the appellant performed her duty to the entire satisfaction of her superiors. That the appellant availed leave on the occasion of her marriage in 2012. That after one month the appellant went to the join her duty but she was not allowed to join duty in the school by the Head Mistress. That on 30.11.2017 when the appellant visited the office of the department to enquiry about her case, she was astonished when she was handed over with a letter dated 20.11.2017 regarding removal from service on the charges of absence from duty. That the appellant moved many applications to the department upon which no positive response was received. That the appellant is the only female member of her family as her husband has already died on 19.04.2008. That the appellant preferred departmental which was also rejected without cogent reason.

Points raised need consideration. Admitted for regular hearing subject to all legal objections including limitation. The appellant is also directed to deposit security and process within (10) days, whereafter notice be issued to the respondents department for written reply/comments on 23.04.2018 before S.B.

Appell
Secur. & Process Fee


(Gul Zeb Khan)
Member

23.04.2018

None present on behalf of appellant. Learned Addl. AG alongwith Mr. Muhammad Arshad, ADO for the respondents present. Written reply not submitted. Requested for adjournment. Adjourned. To come up for written reply/comments on 08.05.2018 before S.B.


Member