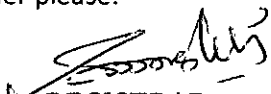





FORM OF ORDER SHEET

Court of _____

Case No.- 1301/2019

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	09/10/2019	<p>The appeal of Mr. Hameed Ullah resubmitted today by Mr. Hidayat Ullah Khattak 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-	28.11.2019	<p>This case is entrusted to S. Bench for preliminary hearing to be put up there on <u>28/11/19.</u></p> <p style="text-align: right;"> CHAIRMAN</p> <p>Appellant present in person.</p> <p>Requests for adjournment as his learned counsel is not available due to general strike of the Bar today. Adjourned to 07.01.2020 before S.B.</p> <p style="text-align: right;"> Chairman</p>
	07.01.2020	<p>Counsel for the appellant present.</p> <p>Learned counsel requests for time to provide the appointment order of the appellant which is relevant for the purpose of his status as civil servant. Adjourned to 30.01.2020 before S.B.</p> <p style="text-align: right;"> Chairman</p>

30.01.2020 Clerk to counsel for the appellant present and seeks adjournment as lawyers community is on strike on the call of Khyber Pakhtunkhwa Bar Council. Adjourn. To come up for preliminary hearing on 19.03.2020 before S.B.


Member

19.03.2020 Nemo for the appellant. Lawyers community is on strike on the call of Khyber Pakhtunkhwa Bar Council. Adjourn. To come up for preliminary hearing on 22.04.2020 before S.B.


Member

22.04.2020 Due to public holiday on account of COVID-19, the case to come up for the same on 28.07.2020 before S.B.


Reader

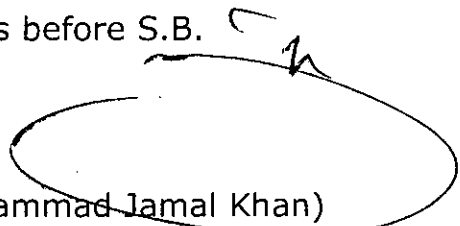
28.07.2020 Mr. Hidayatullah, Advocate, for appellant and appellant himself are present. Learned counsel for appellant stated that since the procurement of attested copies of appointment letter dated 20.06.2006 is in process and it is expected to receive it soon in near future, therefore, requested for adjournment. Adjourned to 20.10.2020. To come up for preliminary hearing before S.B.


(MUHAMMAD JAMAL KHAN)
MEMBER

20.10.2020

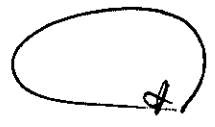
Appellant is present in person. Mr. Kabirullah Khattak, Additional Advocate General alongwith representative of the department Mr. Hameed Ullah, ADO, are also present.

Copy of the office order dated 20.06.2006 produced which is placed on file. 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 08.12.2020 on which to come up for preliminary arguments before S.B.


(Muhammad Jamal Khan)
Member (Judicial)

08.12.2020

Junior counsel present on behalf of appellant and made a request for adjournment as senior counsel is indisposed; adjournment allowed. To come up for preliminary hearing on 10.03.2021 before S.B.


(Rozina Rehman)
Member (J)

10.03.2021

Mr. Hidayatullah Khattak, Advocate, for appellant present.

At the outset of addressing his arguments in preliminary hearing, the impugned order dated 19.06.2019 went through which mentions the appellant as "being contract/temporary employee". Learned counsel for the appellant was confronted with the question; to produce appointment order of the appellant. He replied that request had been made for the same under Right to Information Act, 2013, however, it could not bear fruit. This plea seems to have already been taken by the learned counsel for appellant as reflected in order sheet dated 28.7.2020. Since the question of maintainability is to be addressed first, before admitting the instant service appeal, it is therefore, felt expedient to issue pre-admission notice to respondents for 16.06.2021, simultaneously, directing them to submit their reply/comments before S.B.


(MIAN MUHAMMAD)
MEMBER (E)

16.06.2021

Appellant in person and Mr. Muhammad Adeel Butt, Addl. AG alongwith Wazir Zada, A.D for the respondents present.

Although the respondents were required to submit their reply/comments but it was omitted from the notice. The office is directed to be careful in future and the process must be issued in compatibility of order sheets. The respondents seek time for submission of reply/comments. Request accorded. To come up for reply and preliminary hearing on 16.09.2021 before S.B.


Chairman

16.09.2021

Junior to counsel for appellant present.

Muhammad Adeel Butt learned A.A.G for respondents present.

Reply on behalf of respondents is still awaited. Learned A.A.G is directed to contact the respondents and furnish reply positively within 10 days in office. Adjourned. To come up for preliminary hearing on 04.11.2021 before S.B.


(Rozina Rehman)
Member (J)

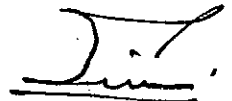
04.11.2021 , Appellant alongwith his counsel present. Mr. Kabirullah Khattak, Addl: AG for respondents present. Representative of the respondents are not present.

Written reply not submitted. Learned AAG seeks further time to contact the respondents for submission of written reply. Granted but as a last chance. To come up for reply/preliminary hearing on 12.01.2022 before S.B.


(Mian Muhammad)
Member(E)

12.01.2022

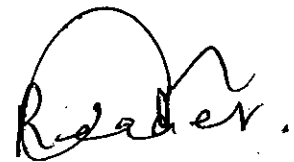
Appellant alongwith his counsel present. Mr. Muhammad Adeel Butt, Additional Advocate General for the respondents present and sought further time for submission of reply/comments. Adjourned. To come up for submission of reply/comments as well as preliminary hearing before the S.B on 08.02.2022.



(Salah-Ud-Din)
Member (J)

8-2-2022

Due to retirement of the Honorable Chairman the case is adjourned to come up for the same as before 22-04-2022



22.04.2022

Counsel for the appellant present. Mr. Kabirullah Khattak, Addl: AG for respondents present.

Pre-admission notice was issued to the respondents for submission of written reply/comments as is reflected in order sheet dated 10.03.2021. However, despite lapse of one year, the respondent-department could not be able to submit the requisite reply/comments. Learned AAG is therefore, directed to contact the department for submission of requisite written reply/comments well before the next date as the last chance has already been granted vide order sheet date 04.11.2021. Adjourned. To come up for written reply/parawise comments as well as preliminary hearing on 23.04.2022 before S.B.



(MIAN MUHAMMAD)
MEMBER(E)

23th June, 2022

None for the appellant present. Mr. Muhammad Riaz Khan Paindakhel, Asst: AG for respondents present.

Since the respondents were directed more than a year ago to file reply but they failed to file such reply, therefore, their right for submission of written reply stands struck off and the appeal be admitted to full hearing. The appellant is directed to deposit security and process fee within 10 days. To come up for arguments on the available record on 31.08.2022 before D.B.

Rs. 7000
Appellant Deposited
Security & Process Fee
K. Arshad Khan
7/7/22



(Kalim Arshad Khan)
Chairman

31.08.2022

Bench is incomplete, therefore, case is adjourned to 10.11.2022 for the same as before.



Reader

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 09.01.2023 before D.B.



(Fareeha Paul)
Member (E)



(Rozina Rehman)
Member (J)