



Form- A

FORM OF ORDER SHEET

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

Case No.- 7495 /2021

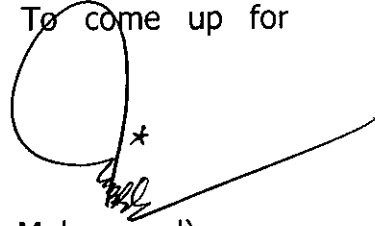
S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	04/10/2021	<p>The appeal of Mr. Saadat Khan resubmitted today by Muhammad Arif Jan Advocate may be entered in the Institution Register and put up to the Worthy Chairman for proper order please.</p> <p style="text-align: right;"> REGISTRAR</p>
2-		<p>This case is entrusted to S. Bench at Peshawar for preliminary hearing to be put up there on <u>30/11/21</u>.</p> <p style="text-align: right;"> CHAIRMAN</p>

30.11.2021

Counsel for the appellant present. Preliminary arguments have been heard.

Learned counsel for the appellant argued that the appellant has been dismissed from service vide impugned order dated 29.06.2020 and his departmental appeal was also rejected/filed vide appellate order dated 13.08.2021 both the orders are impugned and assailed in the service appeal which has been filed in the Service Tribunal on 09.09.2021. It was further contended that the appellant was sick and requested for medical leave but he was rather proceeded against for willful absence. However, necessary requirements under Rule-9 of the Khyber Pakhtunkhwa Civil Servants (Efficiency & Discipline) Rules 2011 have not been fulfilled and the appellant has been condemned unheard violating his fundamental rights guaranteed under Article-4 and 25 of the Constitution.


The appeal is admitted to regular hearing subject to all just legal objections including limitation. The appellant is directed to deposit security and process fee within 10 days. Thereafter notices be issued to respondents for submission of reply/comments. To come up for reply/comments on 02.02.2022 before S.B.

  
(Mian Muhammad)  
Member(E)

02.02.2022

Counsel for the appellant present. Mr. Muhammad Adeel Butt, Add: AG alongwith Mr. Sarmad Ali, ASI for respondents present.

Written reply not submitted. Representative of the respondents seeks time for submission of written reply/comments on the next date. Adjourned. To come up for written reply/comments on 06.04.2022 before S.B.

  
(Attiq Ur Rehman Wazir)  
Member(E)

06.04.2022

Appellant present in person. Mr. Sarmad Ali, SI (Legal) for the respondents present.

Representative of the respondents furnished reply/comments. Placed on file. To come up for arguments on 07.07.2022 before the D.B. The appellant may submit rejoinder, within a fortnight, if so advised.



Chairman

07.07.2022

Appellant in person present. Mr. Kabirullah Khattak, Additional Advocate General for the respondents present.

Appellant requested for adjournment on the ground that his counsel is not available today due to strike of lawyers. Adjourned. To come up for arguments on 31.08.2022 before the D.B.



(Mian Muhammad)  
Member (E)



(Salah-ud-Din)  
Member (J)

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)