

Form- A
FORM OF ORDER SHEET

Court of _____

Case No. 1217/2018

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	04/10/2018 5-10-18	<p>The appeal of Mst. Dilara presented today by Mr. Javed Iqbal Gulbella Advocate may be entered in the Institution Register and put up to the Learned Member for proper order please.</p> <p style="text-align: right;"><i>[Signature]</i> REGISTRAR 4/10/18</p> <p>This case is entrusted to S. Bench for preliminary hearing to be put up there on <u>19-10-18</u></p> <p style="text-align: right;"><i>MA</i> MEMBER</p>
2-		

19.10.2018

Learned counsel for the appellant present.
Preliminary arguments heard.

Appellant (Staff Nurse) has filed the present appeal u/s of the Khyber Pakhtunkhwa Service Tribunal Act 1974 against the order dated 05.06.2018 whereby she was relieved from DHQ Hospital Charsadda on administrative grounds and was directed to report Director General Health Services Khyber Pakhtunkhwa Office. Learned counsel for the appellant while assailing the impugned order argued inter alia that the salary of the appellant has also been stopped.

Points raised need consideration. The present appeal is admitted for regular hearing subject to all just legal objections. The appellant is directed to deposit security and process fee within 10 days. Thereafter notices be issued to the respondents for written reply/comments. To come up for written reply/comments on 05.12.2018 before S.B.

Till the next date fixed, ad-interim relief is granted to the effect that the Director General Health Services Khyber Pakhtunkhwa (respondent No.2) is directed to release the salary to the appellant from the date of her arrival/joining of her new posting in compliance of the order dated 05.06.2018.

Appellant Deposited
Security & Process Fee


Member

05.12.2018

Appellant alongwith counsel and Hazrat Shah, Superintendent for respondents No. 1 & 2 alongwith Addl. AG for the respondents present.

Representative of respondents No. 1 & 2 requests for further time to furnish requisite comments/reply while respondent No. 3 is unrepresented today. The matter is adjourned to 02.01.2019 for submission of reply/comments while respondent No. 3 shall also be put on fresh notice for the said date.

Appellant stated at the bar that interim relief granted to her on 19.10.2018 has not been regarded by the respondent department. On the other hand, representative of respondents No. 1 & 2 undertakes that needful shall be done within the shortest possible time.

Chairman



Service Appeal No. 1217/2018

02.01.2019

Appellant alongwith her counsel present. Mr. Kabirullah Khattak, Additional AG alongwith Mr. Aziz-ur-Rehman, Medical Officer for the respondent present. Written reply on behalf of respondents not submitted. Learned Additional AG requested for further adjournment. Adjourned. To come up for written reply/comments on 25.02.2019 before S.B.


Muhammad Amin Khan Kundi
Member

25.02.2019

Appellant with counsel present. Mr. Kabirullah Khattak, Addl: AG alongwith M/S Hazrat Shah, Supdt, Jafar Shah, Assistant, Ayub Jan, Senior Clerk and Saleem Javed, Litigation Officer. Written reply submitted which is placed on file. Case to come up for rejoinder and arguments on 15.04.2019 before D.B.


Member
(Ahmad Hassan)

15.04.2019

Counsel for the appellant and Mr. Muhammad Jan, Deputy District Attorney alongwith M/S Javed Saleem, Litigation Officer and Ayub Jan, Senior Clerk for the respondents present. Learned counsel for the appellant submitted rejoinder and seeks adjournment for arguments. Adjourned. To come up for arguments on 09.05.2019 before D.B.


(HUSSAIN SHAH)
MEMBER


(M. AMIN KHAN KUNDI)
MEMBER

09.05.2019 Learned counsel for the appellant and Mr. Muhammad Jan learned Deputy District Attorney for the respondents present. The learned Member (Executive) Mr. Hussain Shah is on leave, therefore, the bench is incomplete. Adjourned. To come up for arguments on 13.06.2019 before D.B.

MA

(Muhammad Amin Khan kundi)
Member

13.06.2019 Appellant alongwith her counsel and Mr. Riaz Ahmad Paindakheil, Assistant AG for the respondents present. Learned counsel for the appellant furnished copy of order dated 26.12.2018 whereby the appellant has been transferred from DHQ Hospital Charsadda to Category-C Hospital Shabqadar Charsadda. He also furnished^a copy of order dated 24.04.2019 whereby the appellant has been transferred from DHQ Hospital Charsadda to Women & Children Hospital Rajjar Charsadda. Copies of both the orders^{are} placed on record. Learned counsel for the appellant also stated the he want^{ed} to challenge the aforesaid orders through amendment in service appeal. Learned Assistant AG expressed no objection. As such, to come up for amended service appeal on 10.07.2019 before D.B.

AH
(Ahmad Hassan)
Member

MA
(M. Amin Khan Kundi)
Member

10.07.2019

Clerk to counsel for the appellant and Mr. Usman Ghani learned District Attorney present. Clerk to counsel for the appellant submitted amended service appeal. Adjourn. To come up for further proceedings on 26.07.2019 before D.B. The respondents if they desire, may also furnish reply to the amended service appeal on the next date fixed.

Member

Member

26.07.2019

Learned counsel for the appellant and Mr. Zia Ullah learned Deputy District Attorney for the respondents present. Learned counsel for the appellant requested for adjournment. Adjourned. To come up for further proceedings on 18.09.2019 before D.B.



(Hussain Shah)
Member

(M. Amin Khan Kundi)
Member

18.09.2019

Mr. Tahir Advocate, junior to counsel for the appellant present. Mr. Zia Ullah learned Deputy District Attorney for the respondents present. Junior to counsel for the appellant seeks adjournment. Adjourn. To come up for arguments on 19.09.2019 before D.B.

Member



Member

19.09.2019

Learned counsel for the appellant present. Mr. Usman Ghani learned District Attorney present and seeks adjournment to furnish reply of the amended appeal. Adjourn. To come up for reply if any, and arguments on 26.09.2019 before D.B.

Member

Member

26.09.2019


Clerk of counsel for the appellant and Mr. Usman Ghani, District Attorney for the respondents present. Clerk of counsel for the appellant requested for adjournment on the ground that learned counsel for the appellant is busy in the Hon'ble Peshawar High Court and cannot attend the Tribunal today. Adjourned to 25.10.2019 for arguments before D.B.



(HUSSAIN SHAH)
MEMBER


(M. AMIN KHAN KUNDI)
MEMBER

25.10.2019

Appellant with counsel present. Mr. Zia Ullah learned Deputy District Attorney for the respondents present. Learned counsel for the appellant seeks adjournment. Adjourned. To come up for arguments on 09.12.2019 before D.B


(Hussain Shah)
Member


(M. Amin Khan Kundi)
Member

09.12.2019

Clerk to counsel for the appellant present. Addl: AG for respondents present. Clerk to counsel for the appellant seeks adjournment due to general strike of the Bar. Adjourned. To come up for arguments on 06.02.2020 before D.B.


Member


Member

06.02.2020


Appellant in person present. Mr. Riaz Ahmed Paindakhel learned Assistant Advocate General for the respondents present and requested for adjournment on the ground that he received copy of amendment service appeal today. Adjourn. To come up for further proceedings/arguments on 19.02.2020 before D.B.


Member


Member

19.02.2020

Appellant in person present. Mr. Kabirullah Khattak learned Additional AG alongwith Mr. Javed Saleem Litigation Officer for the respondents present. Representative of the respondent department seeks time to furnish written reply/comments of the amended appeal. Adjourned. To come up for written reply/comments of amended appeal and arguments on 03.04.2020 before D.B.


(Hussain Shah)
Member


(M. Amin Khan Kundi)
Member

03-04-2020

Due to COVID 19, the case is adjourned
for the same on 30.6.2020.



30.06.2020

Due to COVID-19, the case is adjourned to 25.08.2020
for the same.


Reader

25.08.2020

Due to summer vacation case to come up for the
same on 28.10.2020 before D.B.


Reader

28.10.2020

Proper D.B is on Tour, therefore, the case is
adjourned for the same on 30.12.2020 before D.B.


Reader

30-12.2020

Due to summer vacation, case is adjourned to
17-3.2021 for the same as before.


Reader

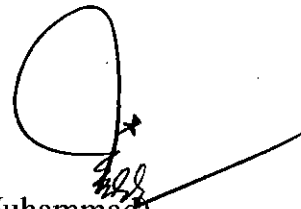
17.03.2021

Counsel for the appellant and Mr. Noor Zaman Khattak,
District Attorney alongwith Mr. Asad, Assistant for
respondents present.

Learned District Attorney requests for time to submit
reply/comments in respect of amended service appeal
submitted by the appellant.

It is revealed from the record that the reply of amended
appeal was to be submitted on 19.02.2020, however, thereafter,
the proceedings were adjourned on five occasions due to
different reasons. The respondents are allowed time but as a
last chance.

Adjourned to 30.04.2021 before D.B.



(Mian Muhammad)
Member (E)



Chairman

30.4.2021

Due to COVID-19, the case is adjourned
to 4.8.2021 for the same.


Reader

04.08.2021

Junior to counsel for appellant present.

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

Former made a request for adjournment as senior counsel is busy before Hon'ble Peshawar High Court, Peshawar; granted. To come up for arguments on 09.12.2021 before D.B.



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



(Rozina Rehman)
Member (J)

09.12.2021

Junior to counsel for the appellant and Mr. Noor Zaman, District Attorney for the respondents present.

Senior counsel for the appellant is stated to be busy before the Hon'ble High Court today. Request for adjournment is made by his junior. Request is accorded. To come up for arguments on 30.03.2021 before the D.B.



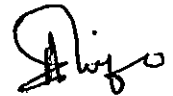
(Salah-ud-Din)
Member(J)



Chairman

30-3-2022

Proper DB not available the case is adjourned to come up for the same as before on 4-7-2022

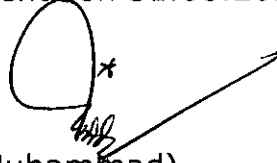


Reader

04.07.2022

Learned counsel for the appellant present. Mr. Riaz Ahmed Paindakhel, Assistant Advocate General for the respondents present.

Learned counsel for the appellant sought adjournment on the ground that he is proceeding for appearance in cases fixed in the august Peshawar High Court, Peshawar. 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

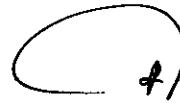
Junior to counsel for the appellant present.

Kabir Ullah Khattak learned Additional Advocate General for the respondents for respondents present.

Former requested for adjournment on the ground that his senior counsel is busy before Hon'ble Peshawar High Court Peshawar. Adjourned. To come up for arguments on 09.12.2022 before D.B.



(Fareeha Paul)
Member (E)



(Rozina Rehman)
Member (J)