



Form- A  
FORM OF ORDER SHEET

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

Case No. 29/2019

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	09/1/2019	<p style="text-align: center;">The appeal of Mr. Fazal Subhan resubmitted today by Mr. Noor Muhammad 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 9/1/19</p>
2-	16-1-19	<p style="text-align: center;">This case is entrusted to S. Bench for preliminary hearing to be put up there on <u>07-02-2019</u></p> <p style="text-align: right;"> CHAIRMAN</p>

07.02.2019

Counsel for the appellant present.

Contends that for upgradation to the post of SPST prescribed qualification from intermediate with PTC Certificate and 10 years service as PST was changed on 30.01.2018, to the effect that it was enhanced to Bachelor Degree from a recognized university and nine months training at RITE. The said change of rules was applied to the case of appellant for promotion while the erstwhile rules dated 13.11.2012 were applied in case of employees similar to appellant in other districts who were promoted/upgraded. The said act on the part of the respondents was discriminatory towards the appellant and others whose promotion/ upgradation was deferred on the count of notification dated 30.01.2018.

In view of the arguments of learned counsel and material available on record, instant appeal is admitted for regular hearing. The appellant is directed to deposit security and process fee within 10 days. Thereafter, notices be issued to the respondents. To come up for written reply/comments on 28.03.2019 before S.B.

Appellant Deposited  
Security & Process Fee

Chairman



28.03.2019 Appellant in person present. Written reply not submitted. M/S Luqman PET and Rehmat Khan Superintendent representatives of the respondent department present and seek adjournment to furnish written reply/comments. Granted. To come up for written reply/comments on 30.04.2019 before S.B

  
Member


30.04.2019 Counsel for the appellant and Mr. Usman Ghani District Attorney alongwith Sajid Khan Superintendent for the respondents present.

The representative of respondents requests for adjournment.

Adjourned to 20.06.2019 for submission for written reply/comments.

  
Chairman

20.06.2019 Junior counsel for the appellant and Mr. Sajid, Superintendent on behalf of respondent No. 3 alongwith Mr. Kabirullah Khattak, Additional AG present. None present on behalf of respondents No. 1, 2, 4 & 5 nor written reply on their behalf submitted therefore, notice be issued to respondents No. 1, 2, 4 & 5 with the direction to direct the representative to attend the court and submit written reply on the next date positively. Adjourned but as a last chance. Case to come up for written reply/comments on 05.08.2019 before S.B.

  
(Muhammad Amin Khan Kundi)  
Member

05.08.2019

Counsel for the appellant and Mr. Muhammad Jan, DDA alongwith Mr. Luqman, PET for respondents present.

Representative of the respondents has submitted written reply/comments which is placed on file.

To come up for arguments on 29.10.2019 before D.B. The appellant may furnish rejoinder within a fortnight, if so, advised.

  
Chairman

29.10.2019


Clerk to counsel for the appellant present. Addl: AG alongwith Mr. Asif Ali Shah, ADEO for respondents present. Clerk to counsel for the appellant seeks adjournment due to general strike of the bar. Adjourned. Case to come up for arguments on 05.12.2019 before D.B.


  
(Ahmad Hassan)  
Member

  
(M. Amin Khan Kundi)  
Member

05.12.2019

Learned counsel for the appellant present. Mr. Zia Ullah Deputy District Attorney alongwith Mr. Nazir Ahmed, Assistant for the respondents present. Learned counsel for the appellant seeks adjournment. Adjourned. To come up for further proceedings on 04.2.2020 before D.B.

  
(Hussain Shah)  
Member

  
(M. Amin Khan Kundi)  
Member

04.02.2020


Due to general strike of Khyber Pakhtunkhwa Bar Council, learned counsel for the appellant is not available today. Mr. Ziaullah, Deputy District Attorney alongwith Mr. Luqman Shan, PET for the respondents present. Adjourned to 19.03.2020 for arguments before D.B.

  
(Ahmad Hassan)  
Member

  
(M. Amin Khan Kundi)  
Member

19.03.2020

Clerk to counsel for the appellant present. Addl: AG alongwith Mr. Mian Asif Ali Shah, ADEO for respondents present. Due to general strike on the call of Peshawar Bar Council, the case is adjourned. To come up for arguments on 21.05.2020 before D.B.

  
(MAIN MUHAMMAD)  
MEMBER

  
(M.AMIN KHAN KUNDI)  
MEMBER

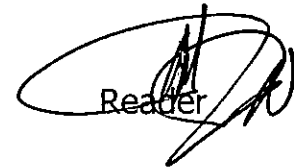
21 / 5 / 2020

Due to COVID-19 the case is adjourned. To come up for the same 13 / 8 / 2020 at Camp Court, D.I Khan

  
Reader

13 / 8 / 2020

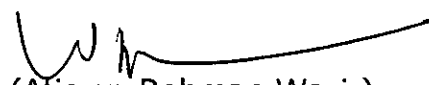
Due to COVID-19 the case is adjourned. To come up for the same 16 / 10 / 2020 at Camp Court, D.I Khan

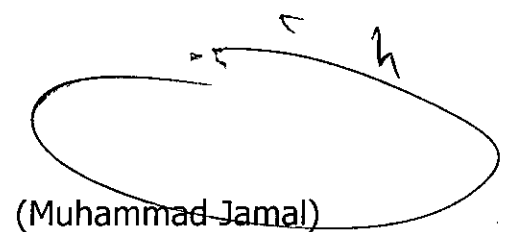
  
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16.10.2020

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

Former requests for adjournment as his senior counsel is busy before Hon'ble Peshawar High Court. Adjourned. To come up for arguments 10.12.2020 before the D.B.

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

  
(Muhammad Jamal)  
Member (J)

10.12.2020

Nemo for the appellant present. Mr. Kabirullah Khattak, Additional Advocate General and Mr. Nazir Ahmad, Assistant, for the respondents are present. Due to COVID-19, the case is adjourned to 03.03.2021 before D.B.

  
READER

03.03.2021


Due to COVID-19, the case is adjourned for the same on 02.06.2021 before D.B


  
READER

02.06.2021

Mr. <sup>Said</sup> Sber Khan, Advocate, junior of learned counsel for the appellant present. Mr. Nazir Akbar, Superintendent alongwith Mr. Riaz Ahmad Paindakheil, Assistant Advocate General for the respondents present.

Junior counsel for the appellant sought adjournment on the ground that learned senior counsel for the appellant is busy before the august Peshawar High Court, Peshawar. Adjourned. To come up for rejoinder and arguments before the D.B on 16.09.2021.

  
(ATIQU-UR-REHMAN WAZIR)  
MEMBER (EXECUTIVE)

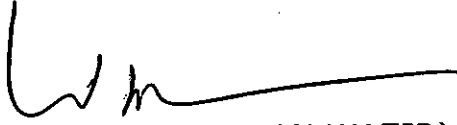
  
(SALAH-UD-DIN)  
MEMBER (JUDICIAL)

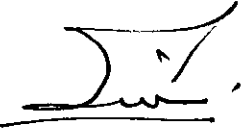


Service Appeal No. 29/2019

16.09.2021

Mr. Noor Muhammad Khattak, Advocate, for the appellant present. Mr. Kabirullah Khattak, Additional Advocate General for the respondents present and requested for adjournment on the ground that the brief of the instant appeal was assigned to Mr. Riaz Ahmed Paindakheil, Assistant Advocate General, however he has proceeded for offering of funeral. Adjourned. To come up for arguments before the D.B on 24.11.2021.

  
(ATIQ-UR-REHMAN WAZIR)  
MEMBER (EXECUTIVE)

  
(SALAH-UD-DIN)  
MEMBER (JUDICIAL)



24.11.2021

Proper D.B is not available, therefore, case is adjourned to 28 / 2 / 2022 for the same as before.

28-2-22

  
Reader

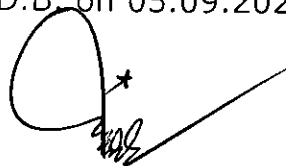
*Due to Retirement of the Hon, Eble  
Chairman the case is adjourned on  
13-6-22*

*Rafiqul  
Reader*

13.06.2022

Clerk of counsel for the appellant present. Mr. Kabirullah Khattak, Additional Advocate General for the respondents present.

Clerk of counsel for the appellant stated that learned counsel for the appellant is unable to attend the Tribunal today due to strike of Lawyers. Adjourned To come up for arguments before the D.B. on 05.09.2022.



(MIAN MUHAMMAD)  
MEMBER (EXECUTIVE)



(SALAH-UD-DIN)  
MEMBER (JUDICIAL)

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>h</sup> Nov. 2022 Counsel for the appellant present.

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

Former requested for adjournment in order to further prepare the brief. Adjourned. To come up for arguments on 27.12.2022 before the D.B.



(FAREEHA PAUL)  
Member(E)



(ROZINA REHMAN)  
Member (J)