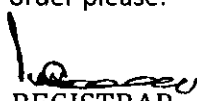



Form- A
FORM OF ORDER SHEET

Court of _____

Case No. 766 /2018 _____

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	01/06/2018	<p>The appeal of Mr. Mudasar Saeed resubmitted today by Uzma Syed 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 - 01/06/18</p> <p>This case is entrusted to Primary Bench preliminary hearing to be put up there on <u>13/6/18</u>.</p> <p style="text-align: right;"> CHAIRMAN</p>
2-		

13.06.2018

Counsel for the appellant Mudassar Saeed present. Preliminary arguments heard. It was contended by learned counsel for the appellant that the appellant was appointed as SST (Bio Chemistry) by the competent authority vide order dated 25.04.2017. It was further contended that after appointment the appellant assumed the charge and performed the duty. It was further contended that during service the appellant became ill and could not attend the duty due to his illness. It was further contended that the respondent-department has sent absence notice to the appellant on 11.09.2017 and the appellant submitted reply to the same wherein he alleged that due to illness he could not attend the duty. It was further contended that the respondent-department has withdrawn the appointment order of the appellant vide order dated 17.11.2017 without any reason. It was further contended that the appellant was ill and due to illness the appellant remained absent from duty and it was beyond his control to attend the duty but the respondent-department have ignored the absence reason of the appellant. It was further contended that neither proper inquiry was conducted nor any advertisement was published in the newspaper therefore, the impugned order is illegal and liable to be set-aside.

The contention raised by learned counsel for the appellant needs consideration. The appeal is admitted for regular hearing subject to deposit of security and process fee within 10 days, thereafter, notice be issued to the respondents for written reply/comments for 02.08.2018 before S.B.

Appellant Deposited.
Security & Process Fee


(Muhammad Amin Khan Kundi)
Member

02.08.2018

Appellant Mudassar Saeed alongwith his counsel Syed Noman Ai Shah, Advocate present. Mr. Kabirullah Khattak, Addl: AG for respondents present. Written reply not submitted. Learned AAG requested for adjournment. Granted. To come up for written reply/comments on 13.09.2018 before S.B.


Chairman

13.09.2018

Miss. Uzma Syed, Advocate counsel for the appellant present. Mr. Kabirullah Khattak, Addl: AG for respondents present. Written reply not submitted. Learned AAG requested for adjournment. Granted. Case to come up for written reply/comments on 31.10.2018 before S.B.


Chairman

31-10-18

*Due to Retirement of Honorable
Chairman the Tribunal is non functional
Therefore the case is adjourned to come
up for the same on 17-12-2018.*

Reader

17.12.2018

Appellant in person and Mr. Kabir Ullah Khattak learned Additional Advocate General alongwith Muhammad Azim AD present. Written reply not received. Representative of the respondents requested for time to furnish written reply/comments. Granted. To come up for written reply/comments on 23.01.2019 before S.B.


Member

23.01.2019

Learned counsel for the appellant present. Hazrat Shah Superintendent representative of the respondent department present. Written reply not submitted. Representative of the respondent department requested for time to furnish written reply/comments. Granted. To come up for written reply/comments on 14.02.2019 before S.B


Member

14.02.2019

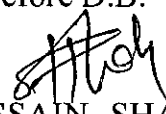
Clerk to counsel for the appellant present. Hayat AD representative of the respondent department present. Written reply not submitted. Representative of the respondent department seeks time to furnish written reply/comments. Granted by way of last chance. To come up for written reply/comments on 02.04.2019 before S.B.


Member

02.04.2019 Counsel for the appellant present. Mr. Kabirullah, Addl: AG alongwith Mr. Hayat, Asst: Director for respondents present. Written reply on behalf of respondents no. 1 and 2 submitted and stated that respondents no. 3 and 4 rely on the same. Case to come up for rejoinder and arguments on 28.05.2019 before D.B.



(Ahmad Hassan)
Member


28.05.2019 Counsel for the appellant and Mr. Kabirullah Khattak, Additional AG for the respondents present. Learned counsel for the requested for adjournment to furnish rejoinder. Adjourned to 22.07.2019 for rejoinder and arguments before D.B.


(HUSSAIN SHAH)
MEMBER


(M. AMIN KHAN KUNDI)
MEMBER

22.07.2019 Learned counsel for the appellant present. Mr. Muhammad Jan learned Deputy District Attorney for the respondents present. Learned counsel for the appellant seeks adjournment. Adjourned. To come up for arguments on 18.09.2019 before D.B.


(Hussain Shah)
Member


(M. Amin Khan Kundi)
Member

18.09.2019

Counsel for the appellant present. Addl: AG alongwith Mr. Irfanullah, Assistant for respondents present. Learned counsel for the appellant seeks adjournment. Adjourn. To come up for arguments on 28.10.2019 before D.B.



Member



Member

28.10.2019

Miss. Uzma, learned counsel for the appellant present and Mr. Riaz Ahmad Paindakheil, Assistant AG for the respondents present. Learned counsel for the appellant requested for adjournment. Adjourned to 03.12.2019 for arguments before D.B.



(Ahmad Hassan)

Member



(M. Amin Khan Kundi)

Member

03.12.2019

Junior to counsel for the appellant and Addl. AG alongwith Irfanullah, Assistant for the respondents present.

A request for adjournment is made due to non-availability of learned counsel for the appellant. Adjourned to 27.01.2020 for arguments before the D.B.



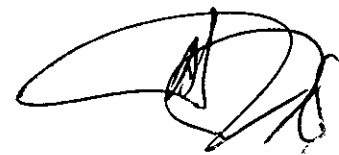
Member



Chairmah

27.1.2020

Learned members on tour at camp coast D. 1. Hence the case is adjourned to 31.3.2020



31-03-2020

Due to COVID19, the case is adjourned to
24/08/2020 for the same as before.


Reader

24.08.2020

Due to summer vacation case to come up for the
same on 03.11.2020 before D.B.


Reader

03.11.2020

Junior to counsel for the appellant and Usman Ghani,
District Attorney alongwith Mujahid Reader for the
respondents present.

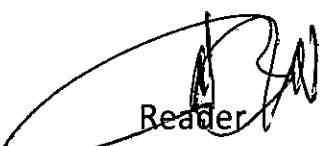
The Bar is observing general strike, therefore, the
matter is adjourned to 12.1.2021 for hearing before the
D.B.


(Mian Muhammad)
Member


Chairman

12.01.2021

Nemo for appellant. Addl: AG for respondents present.
Due to pandemic of Covid-19, the case is adjourned to
31.03.2021 for the same.


Reader

31.3.2021

Due to nonavailability of concerned DB, the case is adjourned to 01.07.2021 for the same as before.


Reader

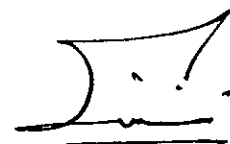
01.07.2021

Learned counsel for the appellant present. Mr. Asif Masood Ali Shah, Deputy District Attorney 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 21.10.2021.



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




(SALAH-UD-DIN)
MEMBER (JUDICIAL)

21.10.2021


Counsel for appellant present.

Kabir Ullah Khattak learned Additional Advocate General for respondents present.

Request for adjournment was made on behalf of appellant; granted by way of last chance. To come up for arguments on 31.01.2022 before D.B.



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




(Rozina Rehman)
Member (J)

31.01.2022

Learned counsel for the appellant present. Mr. Muhammad Riaz Khan Paindakheil learned Assistant Advocate General for the respondents present.

Learned counsel for the appellant requested for adjournment in order to prepare the brief of the case. Adjourned. To come up for arguments on 01.04.2022 before the D.B.



(Rozina Rehman)
Member (J)

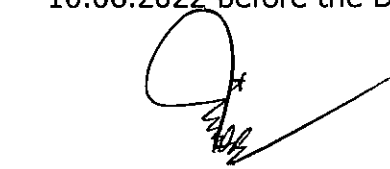


(Salah-Ud-Din)
Member (J)

1st April, 2022

Junior to counsel for the appellant present. Mr. Kabirullah Khattak, Addl. AG for the respondents present.

Former requests for adjournment due to non-availability of learned senior counsel. Adjourned. Last opportunity is granted. To come up for arguments on 10.06.2022 before the D.B.



(MIAN MUHAMMAD)
Member (E)



CHAIRMAN

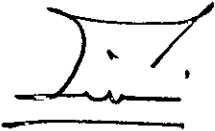
10.06.2022

Clerk of learned counsel for the appellant present. Mr. Muhammad Adeel Butt, Additional Advocate General for the respondents present.

Clerk of learned counsel for the appellant requested for adjournment on the ground that learned counsel for the appellant is not available today due to strike of lawyers. Adjourned. To come up for arguments on 05.09.2022 before the D.B.



(Fareeha Paul)
Member (E)



(Salah-ud-Din)
Member (J)

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

15th Nov. 2022

Counsel for the appellant present.

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

Former requested for adjournment in order to further prepare the brief. Adjourned. Being old case of 2018, last chance is given. To come up for arguments on 26.12.2022 before the D.B.



(FAREEHA PAUL)
Member(E)



(ROZINA REHMAN)
Member (J)