

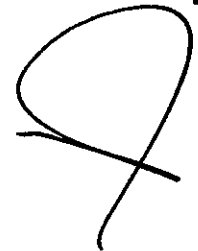


Form- A

FORM OF ORDER SHEET

Court of _____

Case No.- _____ 199/2022

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	17/02/2022	<p>The appeal of Mr. Dildar Hussain presented today by Mr. Shabir Hussain Gigyani 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 there on <u>06-04-2022</u></p> <p style="text-align: right;"> CHAIRMAN</p>
3.	06-04-2022	<p>None present. Notice to the appellant & Counsel for 17-05-2022</p> <p style="text-align: right;"></p>

17.05.2022

Learned counsel for the appellant present. Preliminary arguments heard.

Learned counsel for the appellant opened his arguments apprising the court that the appellant was serving as Sepoy in Kurram Levy Force since 03.06.1996. The appellant was nominated in FIR U/S 302 PPC on 28.01.2015 who also surrendered voluntarily on 08.02.2015 to the authorities of Ex-FATA. The Trial court of Additional Session Judge-II Kurram awarded him the penalty of 14 years rigorous imprisonment vide order dated 23.09.2020. The appellant assailed and challenged the said order in criminal appeal No. 881-P/2020 before the Hon'ble Peshawar High Court and the Peshawar High Court set aside the judgement of trial court dated 23.09.2020 vide its judgement dated 11.11.2021. The Peshawar High Court, Peshawar acquitted the appellant of the charge leveled against him. On the departmental proceedings, the appellant was dismissed from service vide impugned order dated 08.07.2021 against which departmental appeal was filed but during pendency of his criminal appeal before the Hon'ble Peshawar High Court, the appellate order was passed on 18.01.2022 and his departmental appeal was dismissed on the ground being devoid of merits. The appellant, thereafter instituted the instant service appeal invoking Sec 4 of the Khyber Pakhtunkhwa Service Tribunal Act, 1974 on 17.02.2022.

Points raised need consideration. The appeal is admitted to regular hearing, subject to all just and legal objections. The appellant is directed to deposit security and process fee within 10 days. Thereafter, notices be issued to the respondents for submission of written reply/comments. To come up for reply/comments before the S.B on 17.06.2022.

(Mian Muhammad)
Member(E)

Rs-500/-
Appellant Deposited
Security & Process Fee
A. M. M. / 17/5/22

17th June 2022

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

Learned AAG assured that reply/comments is almost ready and will be submitted in few days. The respondents are directed to submit reply/comments within 7 days from today, failing which their right to file reply shall be deemed as struck off by virtue of this order. To come up for arguments before the D.B on 05.09.2022. The case will not be adjourned on the ground of non-filing of reply/comments.



(Kalim Arshad Khan)
Chairman

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

Assistant to counsel for the appellant present.

Mr. Muhammad Riaz Khan Paindakhel, Assistant Advocate General for the respondents present.

Former requested for adjournment due to engagement of learned senior counsel for the appellant in Honourable Peshawar High Court. Adjourned. To come up for arguments on 06.01.2023 before the D.B.



(FAREEHA PAUL)
Member(E)



(ROZINA REHMAN)
Member (J)