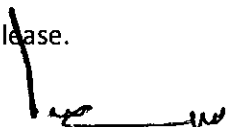



Form- A

FORM OF ORDER SHEET

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

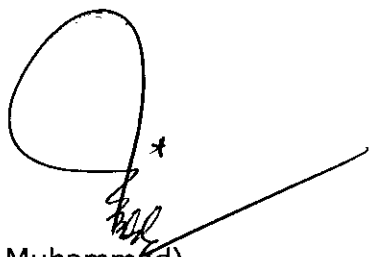
Case No.- 74 89 /2021

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	30/09/2021	<p>The appeal of Mr. Nabi-ud-Din resubmitted today by Syed Ghufuranullah Shah 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 is aggrieved of the impugned act of the respondents for not considering the service of appellant as qualified Drawing Master from the date of his first entry into service i.e 19.11.1994. Based thereon the impugned seniority list dated 20.03.2016 was issued w.e.f the promotion of appellant as SST (BS-16). He submitted departmental appeal on 14.07.2017. However, without waiting for order on his departmental appeal, the appellant approach<sup>ed</sup> the Peshawar High Court in writ petition which was disposed of on the basis of jurisdiction, on 19.05.2021 where-after the appellant filed the instant service appeal in the Service Tribunal on 25.08.2021. As the question of limitation arises i.e whether limitation is to be counted from the date of submission of his departmental appeal or from the date of choosing the wrong forum in writ petition which stands disposed of on 19.05.2021? It would, therefore, be appropriate to issue a pre-admission notice to the official respondents to submit their reply/parawise comments and assist the Tribunal. Adjourned. To come up for preliminary hearing on 02.02.2022 before S.B.

  
(Mian Muhammad)  
Member(E)

02.02.2022

Junior of learned counsel for the appellant present. Mr. Muhammad Adeel Butt, Add: AG for respondents present. Preliminary arguments could not be heard due to learned Member (Executive) Mian Muhammad is on leave. To come up for preliminary hearing on 05.04.2022 before S.B.



Reader

05.04.2022

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

Written reply/comments on behalf of respondents have not been submitted. Learned Additional Advocate General seeks further time to furnish reply/comments. Request is accepted. To come up for written reply/preliminary hearing on 16.05.2022 before S.B.

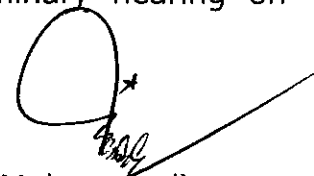


Chairman

16.05.2022

Learned counsel for the appellant present. Mr. Muhammad Adeel Butt, Addl. AG for the respondents present.

Learned AAG seeks time to furnish written reply/comments. Last opportunity is granted. To come up for written reply/comments as well as preliminary hearing on 21.07.2022 before S.B.

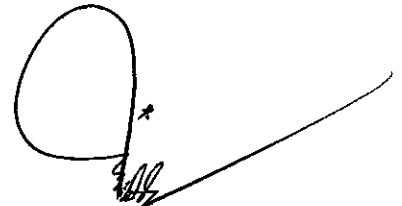


(Mian Muhammad)  
Member (E)

21.07.2022

Learned counsel for the appellant present. Mr. Muhammad Adeel Butt, Additional Advocate General for the respondents present.

It is evident from the previous order sheet dated 16.05.2022 that the respondents department had been given last chance for submission of reply/comments. Despite last chance, the respondent department could not submit the requisite reply/comments today. Learned Additional Advocate General appeared on behalf of the respondents at fault and requested for yet another chance enabling him to contact and consult the respondents to submit reply/comments. The request is acceded to but as last chance whereafter coercive measures <sup>shall</sup> invariably be initiated against the respondents at fault. Adjourned. To come up for reply/comments as well as preliminary hearing on 10.10.2022 before S.B.



(Mian Muhammad)  
Member (E)

10.10.2022

Counsel for the appellant present. Mr. Muhammad Adeel Butt, Additional AG for respondents present.

File to come up alongwith connected Service Appeal No. 7486/2021 titled "Hameed Ullah Vs. Government of Khyber Pakhtunkhwa" on 16.11.2022 before S.B.

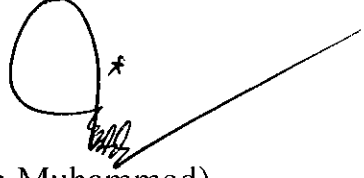


(Fareeha Paul)  
Member (E)

16.11.2022

Learned counsel for the appellant present. Mr. Kabirullah Khattak, Additional Advocate General alongwith Mr. Murad Ali Shah, ADO for the respondents present.

Reply/comments on behalf of respondents not submitted. Representative of the respondents requested for time to submit reply/comments. Last opportunity is granted. To come up for reply/comments as well as preliminary hearing on 15.12.2022 before S.B.

  
(Mian Muhammad)  
Member (E)