

17.1.2019

Counsel for the appellant present.

Notice be issued to respondent No. 2 for production of record pertaining to office order No. 9333-40 dated 14.05.2018 (departmental proceedings against the appellant) for 21.02.2019 before S.B.

  
Chairman

21.02.2019

Counsel for the appellant and Addl. AG alongwith Luqman Shah Dental Technician for the respondents present.

Representative of respondents though is in attendance but is not in possession of relevant record. He has been directed to produce the same on next date of hearing. Adjourned to 26.03.2019 before S.B.

  
Chairman

26.03.2019




Learned counsel for the appellant and Mr. Kabir Ullah Khattak learned Additional Advocate General alongwith Luqman Shah Assistant present. Representative of the respondent department submitted record placed on file and copy of which is also given to learned counsel for the appellant. Adjournment requested. Adjourned to 19.04.2019 before S.B.

  
Member

**Form- A**  
**FORM OF ORDER SHEET**

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

Case No. 1372/2018

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	06/11/2018	<p style="text-align: center;">The appeal of Mr. Ghuncha Din presented 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 6/11/18</p>
2-	17-11-2018	<p style="text-align: center;">This case is entrusted to S. Bench for preliminary hearing to be put up there on <u>3-12-18</u>.</p> <p style="text-align: right;"> CHAIRMAN</p>
	03.12.2018	<p style="text-align: center;">Nemo for appellant present. It seems that learned counsel for the appellant or the appellant had not been served for the hearing fixed today. Adjourned. Notice be issued to the appellant/his counsel for 17.01.2019 for preliminary hearing before S.B.</p> <p style="text-align: right;"> Chairman</p>

19.04.2019            Learned counsel for the appellant and Mr. Kabirullah Khattak, Addl: AG alongwith Mr. Luqman Shah, PAT for respondents present. Representative of the re respondents department stated that relevant record has already been placed on file. Learned counsel for the appellant has not gone through the record furnished by representative of the respondents. Adjourn. To come up for preliminary hearing on 24.04.2019 before S.B. Representative of the respondents stated that he came from District Shangla. Representative is relieved from attendance in the present case till further order.

Member

24.04.2019            Counsel for the appellant and Add: AG for respondents present. Learned counsel for the appellant seeks adjournment as he has not prepared the case. Adjourned. Case to come up for preliminary hearing on tomorrow i.e. 25.06.2019 before S.B.

(Ahmad Hassan)  
Member

25.04.2018

Counsel for the appellant present. Preliminary arguments heard and case file perused. Learned counsel for the appellant argued that on the basis of allegations contained in the charge sheet and statement of allegations, various penalties were awarded to him vide impugned order dated 26.05.2015. Feeling aggrieved, he filed departmental appeal on 26.05.2015 followed by service appeal on 1090/2015, which was accepted by this Tribunal vide judgment dated 13.01.2018. In pursuance of the directions contained in the said judgment de-novo enquiry was conducted minor penalty of recovery of salary w.e.f 14.05.2013 to 15.04.2015 was imposed on him vide impugned order dated 14.05.2018. Feeling aggrieved, he filed departmental appeal on 11.06.2018 and was rejected on 08.10.2018, hence, the present service appeal. Impugned order is against the law and rules. Codal formalities were not observed before awarding the penalty. He was condemned unheard. A separate application for suspending the operation of impugned order has also been submitted.

Points urged need consideration. Admit, subject to deposit of security and process fee within 10 days, thereafter, notices be issued to the respondents for written reply/comments for 24 .06.2018 before S.B. Notice of this application be also issued to the respondents for the date fixed.

Appellant Deposited  
Security & Process Fee ▶

  
(AHMAD HASSAN)  
MEMBER

25.06.2019 Counsel for the appellant and Addl: AG for respondents present. Written reply/comments not submitted. Requested for adjournment. Adjourned. Case to come up for written reply/comments on 20.08.2019 before S.B.



(Ahmad Hassan)  
Member

20.08.2019 Junior to counsel for thje appellant and Mr. Muhammad Riaz Khan Paindakhel, Assistant AG alongwith Luqman Shah, PST for the respondents present.

Representative of the respondents has submitted joint parawise comments on behalf of respondents which are placed on record. To come up for arguments before D.B on 12.11.2019. The appellant may submit rejoinder within a fortnight, if so advised.



Chairman

12.11.2019 Appellant in person present. Mr. Zia Ullah learned Deputy District Attorney alongwith M/S Shehan Shah SET and Omer Hayat Admin Officer for the respondents present. Appellant submitted rejoinder which is placed on file and seeks adjournment. Adjourn. To come up for arguments on 14.01.2020 before D.B



Member



Member

14.01.2020

Appellant absent. Learned counsel for the appellant absent. Mr. Muhammad Jan learned Deputy District Attorney for the respondents present. Due to general strike of the bar on the call of Khyber Pakhtunkhwa Bar Council, the case is adjourned. To come up for further proceedings/arguments on 11.03.2020 before D.B. Appellant be put to notice for the date fixed,

  
Member

  
Member

11.03.2020

Junior to counsel for the appellant and Mr. Zia Ullah learned Deputy District Attorney present. Junior to counsel for the appellant seeks adjournment as senior learned counsel for the appellant is not available. Adjourn. To come up for arguments on 29.04.2020 before D.B.

  
Member

  
Member

29.04.2020

Due to public holidays on account of Covid-19, the case is adjourned. To come up for the same on 05.08.2020 before D.B.

05.08.2020

Due to summer vacation case to come up for the same on 16.10.2020 before D.B.

  
Reader

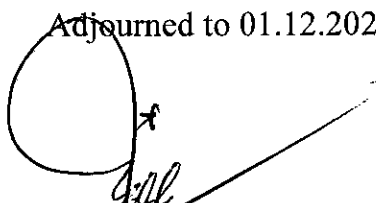
  
Reader


24.09.2020

Mr. Mir Zaman Safi, Advocate junior of Mr. Noor Muhammad Khattak, Advocate on behalf of the appellant is present. Mr. Muhammad Riaz Khan Paindakhel, Assistant Advocate General is present.

Junior to counsel for the appellant is seeking time for arguments as his senior counsel was busy before the Hona'ble Peshawar High Court, Peshawar.

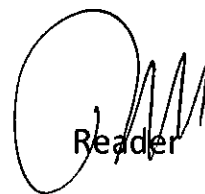
Adjourned to 01.12.2020 for arguments before D.B.

  
(Mian Muhammad)  
Member (E)

  
(Muhammad Jamal)  
Member(J)

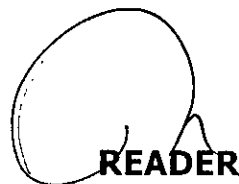
~~21.12.2020~~

Due to pandemic of Covid-19, the case is adjourned to 12.02.2021 for the same as before.

  
Reader

12.02.2020


Due to COVID-19, the case is adjourned for the same on 26.05.2021.


  
READER

26.05.2021

Mr. Afrasyab Khan Wazir, junior <sup>of learned</sup> counsel for the appellant present. Mr. Javed Ullah, Assistant Advocate General for respondents present.

Former sought adjournment on the ground that learned senior counsel was busy before the Dar-ul-Qaza, Swat. Adjourned. To come up for arguments before D.B on 14.09.2021.


  
(Mian Muhammad)  
Member (E)

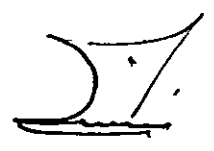
  
(Salah Ud Din)  
Member(J)

14.09.2021

Appellant alongwith Mr. Kamran Khan, junior of learned counsel for the appellant present. Mr. Muhammad Adeel Butt, Additional Advocate General for the respondents present.

Junior of learned counsel for the appellant requested for adjournment on the ground that learned counsel for the appellant is busy in the august Peshawar High Court, Peshawar. Adjourned. To come up for arguments before the D.B on 22.11.2021.

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

  
(SALAH-UD-DIN)  
MEMBER (JUDICIAL)



22.11.2021

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

  
READER


Due to retirement of the hon'ble Chairman the case is adjourned to come up for the same as before on 8-6-22


  
Reader

08.06.2022

Clerk of learned counsel for the appellant present. Mr. Luqman Shah, Litigation Officer alongwith Mr. Riaz Ahmad Paidakhel, Assistant 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 arguments on 29.08.2022 before the D.B.

  
(Fareeha Paul)  
Member (E)

  
(Salah-ud-Din)  
Member (J)

29.08.2022

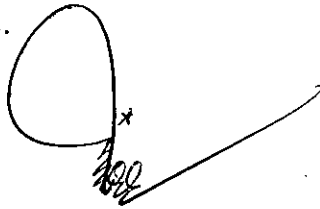
Bench is incomplete, therefore, case is adjourned to 27.10.2022 for the same as before.

  
Reader

27.10.2022

Learned counsel for the appellant present. Mr. Luqman Shah, Litigation Officer alongwith Mr. Naseer-ud-Din Shah, Assistant Advocate General for the respondents present.

Learned counsel for the appellant requested for adjournment on the ground that he has not made preparation for arguments. Adjourned. To come up for arguments before the D.B on 16.11.2022.



(Mian Muhammad)  
Member (E)



(Salah-ud-Din)  
Member (J)

16.11.2022

Appellant present in person.

Muhammad Jan learned District Attorney for respondents present.

Former made a request for adjournment that his counsel is not available today. Adjourned. To come up for arguments on 22.12.2022 before D.B.



(Fareeha Paul)  
Member (E)



(Rozina Rehman)  
Member (J)

SCANNED