


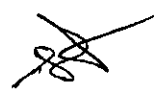


Form- A

FORM OF ORDER SHEET

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

Case No.- 7673 /2021

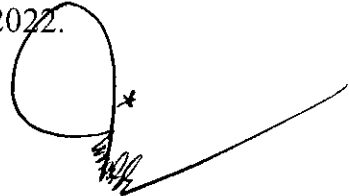
S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	26/10/2021	<p>The appeal of Mr. Saeed-ur-Rehman presented today by Mr. Noor Muhammad Khattak Advocate may be entered in the Institution Register and put up to the Worthy Chairman for proper order please.</p> <p style="text-align: right;"> REGISTRAR</p>
2-		<p>This case is entrusted to S. Bench at Peshawar for preliminary hearing to be put there on <u>14/21/21</u>.</p> <p style="text-align: right;"> CHAIRMAN</p>
14.12.2021		<p>Clerk of learned counsel for the appellant present.</p> <p>Former requests for adjournment on the ground that learned counsel is not available today. To come up for preliminary hearing on 23.02.2022 before S.B at <u>_____</u></p> <p style="text-align: right;"> (MIAN MUHAMMAD) MEMBER (E)</p>
23.02.2022		<p>Due to retirement of the Hon'able Chairman, the case is adjourned to 19.05.2022 for the same before D.B.</p> <p style="text-align: right;"> Reader</p>

19.05.2022

Learned counsel for the appellant present. Preliminary arguments heard.

Learned counsel for the appellant while arguing the case, contended that the appellant is aggrieved of the impugned order dated 17.06.2021 whereby minor penalty of "withholding of his promotion for a period of 3 years" was imposed on him. The appellant feeling aggrieved, submitted departmental appeal to respondent No.1 on 01.07.2021 which was however not responded. Hence the instant service appeal was filed in Service Tribunal on 26.10.2021. It was further argued that the appellant has been issued charge sheet and statement of allegations. He has not been provided an opportunity of personal hearing and the end of justice have not been met before imposition of the penalty. However, Show Cause Notice has been issued to the appellant on 04.12.2020 which was accordingly replied by the appellant. Since the laid down and prescribed procedure under the Khyber Pakhtunkhwa Government Servants (Efficiency & Discipline) Rules 2011, has not been followed the impugned order is therefore illegal and has no force of law.

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 18.07.2022.

  
(Mian Muhammad)  
Member(E)

18.07.2022

Appellant alongwith his counsel present and submitted application for extension of time to deposit security and process fee. Application is allowed and appellant is directed to deposit security and process fee within 03 days, thereafter, notice be issued to the respondents for submission of reply/comments. Adjourned. To come up for reply/comments on 20.09.2022 before S.B.

Appellant Deposited  
Security & Process Fee

19/7/22



(Mian Muhammad)  
Member (E)

20.09.2022

Appellant in person present. Mr. Bakht Ali, Litigation Officer alongwith Mr. Muhammad Adeel Butt, Additional Advocate General for the respondents present and sought further time for submission of written reply/comments. Adjourned. To come up for submission of written reply/comments on 04.11.2022 before the S.B.




(Salah-Ud-Din)  
Member (J)

04.11.2022

Appellant present through counsel.

Kabir Ullah Khattak, learned Additional Advocate General for respondents present.

Written reply on behalf of respondents not submitted. Learned Additional AG sought time to contact the respondents for written reply. Adjourned. To come up for written reply on 17.11.2022 before S.B.



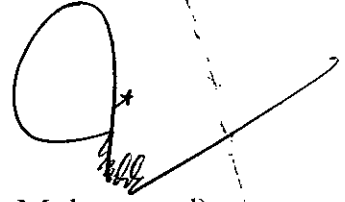
(Rozina Rehman)  
Member (J)

RECORDED  
19/7/22

17.11.2022

Clerk of learned counsel for the appellant present. Mr. Kabirullah Khattak, Additional Advocate General alongwith Bakht Ali, Litigation Officer and Mr. Ahmad Bilal, Assistant for the respondents present.

Reply/comments on behalf of respondents not submitted. Learned Additional Advocate General seeks time to contact the respondents for submission of reply/comments. Adjourned. To come for reply/comments on 19.12.2022 before S.B.



(Mian Muhammad)  
Member (E)