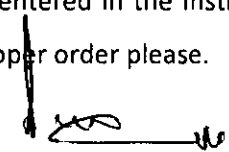


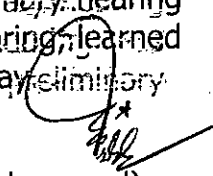


Form- A

FORM OF ORDER SHEET

Court of _____

Case No.- _____ 02 /2022

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	03/01/2021	<p>The appeal of Mr. Shandi Gul Afridi presented today by Mr. Muhammad Asif Yousafzai Advocate, may be entered in the Institution Register and put up to the Worthy Chairman for proper order please.</p> <p> REGISTRAR</p>
2-		<p>This case is entrusted to S. Bench at Peshawar for preliminary hearing to be put up there on <u>13/01/22</u>.</p> <p> CHAIRMAN</p>
	13.01.2022	<p>Nemo for appellant.</p> <p>Notice be issued to appellant/counsel for 10.03.2022 for preliminary hearing before S.B.</p> <p> (Rozina Rehman) Member (J)</p>
	19.01.2022	<p>The instant service appeal was fixed for preliminary hearing on 10.03.2022. However, on application for early hearing, learned Chairman ordered to fix it for preliminary hearing today. preliminary hearing today.</p> <p> (Mian Muhammad) Member(E)</p>

19.01.2022

Counsel for the appellant present. Preliminary arguments heard.

Learned counsel for the appellant while opening his arguments contended that the appellant is serving as ADEO and is aggrieved of the notification dated 10.12.2021 whereby his services were placed at the disposal of DEO (M) Khyber for further posting. The impugned notification has been issued pre-maturely because he was previously posted as ASDEO in the office of DEO, Khyber against the vacant post vide notification dated 26.07.2021. He relied on clause-i and iv of the posting/transfer policy as well as directions of the Establishment department circulated on 27.02.2013 on the basis of Constitutional Petition No. 23/2012 (Aneeta Turab-vs-State) and Service Tribunal Judgement delivered in service appeal No. 7123/2021 dated 09.11.2021 titled Muhammad Dawood, Settlement Tehsildar Tehsil and District Nowshera-vs-Government of Khyber Pakhtunkhwa. The appellant explored and exhausted the departmental channel seeking remedy to his grievance through departmental appeal dated 13.12.2021 but to no avail. Where-after he approached Service Tribunal through the instant service appeal on 03.01.2022.

The appeal is admitted to regular hearing subject to all just legal objections including limitation. The appellant is directed to deposit security and process fee within 10 days. Thereafter notices be issued to respondents for submission of reply/comments. To come up for reply/comments on 04.02.2022 before S.B.

An application for suspension of impugned order dated 10.12.2021 is also submitted with the memorandum of appeal. Status-quo be maintained till the date fixed, in respect of the appellant only.


(Mian Muhammad)
Member(E)

04.02.2022

Due to retirement of the Worthy Chairman, the Tribunal is defunct, therefore, case is adjourned to 21.02.2022 for the same as before.


Reader

Appellant Deposited
Security & Process Fee

19/01/22

21.02.2022

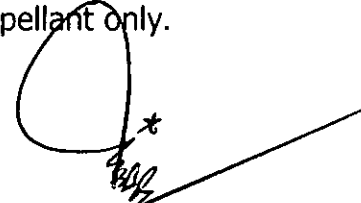
Due to retirement of the Worthy Chairman, the Tribunal is defunct. therefore, case is adjourned to 22.03.2022 for the same as before.


Reader.

21.03.2022

Appellant alongwith his counsel present. Mr. Kabirullah Khattak, Addl: AG alongwith Mr. Munawar Khan, ADEO and Mr. Murtaza, Supdt for the respondents present.

Written reply on behalf of the respondents submitted which is placed on file. A copy of the same is also handed over the learned counsel for the appellant. To come up for rejoinder as well as arguments on 06.04.2022 before D.B. Status-quo be maintained till the date fixed, in respect of the appellant only.


(MIAN MUHAMMAD)
MEMBER(E)

06.04.2022

Appellant present in person. Mr. Kabirullah Khattak Adl. AG along with Mr. Munawar Khan (ADEO) for respondents present.

Counsel are at strike. Therefore the case is adjourned to 19.04.2022 before D.B.


(Mian Muhammad)
Member (E)


Chairman

19th April, 2022

None present for the appellant. Mr. Muhammad Adeel Butt, Addl. AG alongwith Munawar Khan ADEO (Litigation) for the respondents present.

Notice be issued to appellant as well his learned counsel for the date fixed. To come up for arguments on 07.06.2022 before D.B.



(Mian Muhammad)
Member(E)



Chairman

07.06.2022

Clerk of learned counsel for the appellant present. Mr. Asif Masood Ali Shah, Deputy District Attorney 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 01.07.2022 before the D.B.



(Fareeha Paul)
Member (E)



(Salah-ud-Din)
Member (J)

01.07.2022

Learned counsel for the appellant present. Mr. Riaz Ahmad Painsdakhel, Assistant Advocate General for the respondents present.

Learned counsel for the appellant submitted rejoinder, copy of which handed over to learned Assistant Advocate General. Adjourned. To come up for arguments on 14.09.2022 before the D.B.



(Rozina Rehman)
Member (J)



(Salah-ud-Din)
Member (J)

14.09.2022

Appellant present through counsel.

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

Former made a request for adjournment in order to prepare the brief. Adjourned by way of last chance. To come up for arguments on 30.09.2022 before D.B.



(Fareeha Paul)
Member(E)



(Rozina Rehman)
Member(J)

30.09.2022

Appellant present through counsel.

Asif Masood Ali Shah, learned Deputy District Attorney for respondents present.

Former made a request for adjournment in order to prepare the brief. Adjourned. To come up for arguments on 21.10.2022 before D.B.



(Fareeha Paul)
Member (E)



(Rozina Rehman)
Member (J)

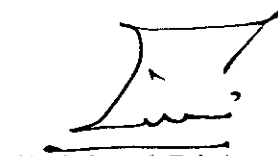
21.10.2022

Clerk of learned counsel for the appellant present. Mr. Muhammad Riaz Khan Paindakhel, 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 for arguments before the D.B on 04.11.2022.



(Mian Muhammad)
Member (E)



(Salah-ud-Din)
Member (J)

04.11.2022

Clerk of learned counsel for the appellant present. Mr. Muhammad Jan, District Attorney 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 before the D.B on 17.11.2022.

(Mian Muhammad)
Member (E)

(Salah-ud-Din)
Member (J)


17.11.2022

Clerk of counsel for the appellant present.

Naseer Uddin Shah learned Assistant Advocate General
Munawar Khan ADEO for respondents present.

Lawyers are on general strike, therefore, case is adjourned to
05.12.2022 for arguments before D.B.


(Fareeha Paul)
Member (E)


(Rozina Rehman)
Member (J)