

28.06.2022

Learned counsel for appellant present.

Mr. Riaz Khan Paindakheil learned Assistant Advocate General for respondents present.

Arguments were heard in the instant case by the undersigned and Ms. Fareeha Paul Member (Executive). Today, the learned Member Executive is busy in other Bench, therefore, order could not be announced. To come up for order on ~~15.07~~ 15.07.2022 before proper D.B.



(Rozina Rehman)  
Member (J)

15.07.2022

Proper Bench is not available, therefore, case is adjourned to 26.07.2022 for the same as before.



Reader

26.07.2022

Appellant alongwith his counsel present.

Muhammad Adeel Butt, learned Additional Advocate General for respondents present.

Order in the instant case could not be announced as Ms. Fareeha Paul learned Member (Executive) is on leave. therefore case is adjourned to 06.09.2022 for order before D.B.



(Rozina Rehman)  
Member (J)

06.09.2022

Appellant alongwith counsel present.

Muhammad Adeel Butt, learned Additional Advocate General for respondents present.

Case was fixed for orders but could not be announced as learned AAG requested for production of certain record in respect of appellant. He is strictly directed to make sure the production of relevant record alongwith personal appearance of an officer of respondents not below Grade-17 for clarification of the status of appellant. To come up for production of record/orders on 14.09.2022 before D.B.

  
(Fareeha Paul)  
Member(E)

  
(Rozina Rehman)  
Member(J)

14.09.2022

Appellant is absent.

Muhammad Riaz Khan Paindakheil, learned Assistant Advocate General alongwith Latif SCT for respondents for respondents present.

At the very outset this Bench was apprised in respect of fresh appointment of the present appellant in the respondent Department. Appellant is not in the habit of personal attendance and his brother is very much here to attend the Tribunal on his behalf. In this view of the matter, learned counsel for appellant is directed to make sure the presence of appellant on the next date, failing which, his appeal will be dismissed for non-prosecution. At the same time, brother of appellant is warned to be careful in future. To come up for further proceedings/arguments/orders on 28.09.2022 before D.B.

  
(Fareeha Paul)  
Member(E)

  
(Rozina Rehman)  
Member(J)

28.09.2022

Appellant alongwith counsel present.

Muhammad Jan, learned District Attorney for respondents present.

Fresh appointment order of the present appellant dated 10.12.2021 was produced and is placed on file. Learned counsel for appellant once again requested for adjournment in order to produce proper record with relevant case laws in order to assist this Bench properly. To come up for arguments on 01.11.2022 before D.B.



(Fareeha Paul)  
Member (E)

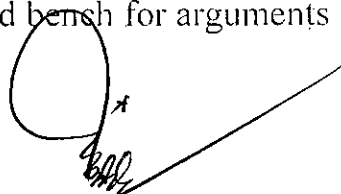


(Rozina Rehman)  
Member (J)

01.11.2022

Appellant alongwith his counsel present. Mr. Naseer-ud-Din Shah, Assistant Advocate General for the respondents present.

On perusal of case file, it transpired that arguments in the instant appeal were heard by a bench comprising of learned Member (Judicial) Ms. Rozina Rehman and learned Member (Executive) Ms. Fareeha Paul and the appeal in hand was fixed for arguments/order. In this view of the matter, the appeal in hand be fixed before the concerned bench for arguments on 08.11.2022.



(Mian Muhammad)  
Member (E)



(Salah-Ud-Din)  
Member (J)

08.11.2022

Appellant present through counsel.

Muhammad Adeel Butt learned Additional Advocate General for the respondents present.

At the very outset learned counsel for appellant submitted an application for summoning the District Education Officer, Khar Bajaur alongwith relevant record of one Gul Rehman S/o Haroon Khan alongwith the service record. In view of the available record coupled with the application of appellant respondent No. 4 be summoned through TCS for the date fixed. Learned AAG is directed to make sure the presence of respondents no. 4 on the date fixed. To come up for further proceedings on 16.11.2022 before D.B.

*Respondent No. 4  
is not District.  
The appellant didn't  
contact us as to  
send notice to  
Respondent 4.*



(Fareeha Paul)  
Member (E)



(Rozina Rehman)  
Member (J)

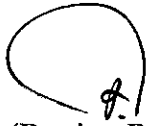
16.11.2022

Appellant present in person.

Muhammad Riaz Khan Paindakhel learned Assistant Advocate  
General for respondents present.

At the very outset appellant submitted Wakalatnama on behalf of Noor Muhammad Khattak, Advocate with the request for adjournment as his counsel is busy before august Peshawar High Court Peshawar. On the preceding date he had submitted an application for summoning DEO (M) Khar Bajaur alongwith relevant record but he failed to deposit TCS charges for summoning DEO (M) Bajaur. Today he was asked to comply with the direction mentioned in the preceding order sheet, he simply requested for adjournment as his counsel is not available. To come up for arguments and further proceedings on 23.12.2022 before D.B.

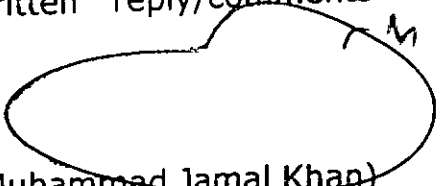
  
(Fareeha Paul)  
Member (E)

  
(Rozina Rehman)  
Member (J)

15.02.2021

Appellant is present in person. Mr. Kabirullah Khattak, Additional Advocate General and Mr. Muhammad Fayaz, Naib Tehsildar, for the respondents are also present.

Written reply on behalf of respondents not submitted. Representative of the department is seeking further time for submission of written reply/comments. Last chance is given to the respondents for filing of written reply/comments on 06.04.2021 before S.B.

  
(Muhammad Jamal Khan)  
Member

~~06.04.2021~~

Due to demise of the Worthy Chairman the Tribunal is defunct, therefore, case is adjourned to 13.07.2021 for the same as before.

  
READER

13.07.2021

Special Attorney for the appellant present and submitted Power of Attorney which is placed on file. Mr. Muhammad Fayaz Tehsildar for respondent No. 3 alongwith Mr. Kabirullah Khattak, Addl. AG for the respondents present.

Respondent No. 3 has furnished reply/comments. Learned AAG is required to contact the remaining respondents for submission of written reply/comments in office within 10 days, positively. If written reply/comments are not submitted within the stipulated time, or extension of time is not sought through written application with sufficient cause, the office shall submit the file with a report of non-compliance. File to come up for arguments on 01.12.2021 before the D.B.

*Stipulated period has  
passed and reply  
has not been submitted*

  
Chairman

P.S

28.07.2021

Learned Addl. A.G be reminded about the omission and for submission of Reply/comments within extended time of 10 days.

  
Chairman

*M*

01.12.2021

Counsel for appellant present.

Muhammad Adeel Butt, learned Additional Advocate General for respondents present.

Reply of respondents No.1, 2 & 4 is still awaited. Learned A.A.G made a request for time to submit reply; granted by way of last chance with direction to submit the same within 10 days positively. If the reply/comments are not submitted within stipulated time, right of respondents No.1, 2 & 4 for submission of reply shall be deemed as struck off. To come up for arguments on 24.02.2022 before D.B.




(Atiq ur Rehman Wazir)  
Member (E)



(Rozina Rehman)  
Member (J)

24.2.22

*Due to redirection of overstay children,  
the case is adjourned for the house.  
at 1-6-22.*



01.06.2022

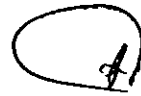
Appellant alongwith his counsel present.

Muhammad Adeel Butt, learned Additional Advocate General for respondents present.

Arguments heard. To come up for order on 28.06.2022 before D.B.



(Fareeha Paul)  
Member(E)



(Rozina Rehman)  
Member (J)