



Form- A

FORM OF ORDER SHEET

Court of _____

Case No.- 7126 /2021

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	02/08/2021	<p>The appeal of Mr. Fazal Inayat Shah resubmitted 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> <p>This case is entrusted to S. Bench for preliminary hearing to be put up there on <u>06/09/21</u>.</p> <p style="text-align: right;"> CHAIRMAN</p>
2-		

06.09.2021

Counsel for the appellant present. Preliminary arguments heard.

The appellant had approached this Tribunal earlier through Service Appeal No. 1002/2015, seeking proforma promotion to BPS-17 and 18 from the date when his junior colleagues were promoted and for inclusion of his name at right position of the seniority list of those SETs who were appointed during the same year in which the appellant was appointed as SET. The said appeal was disposed of by judgment dated 03.01.2019 with the relief only to the extent of including name of the appellant in seniority list after necessary verification of his B.Ed Degree as acquired by him during service. However, no direction was given for promotion in consequence of inclusion of his name in the seniority list. The appellant through the present appeal has again invoked the jurisdiction of this Tribunal for proforma promotion with only difference of the fact that his name has been included in the seniority list in compliance with judgment of this Tribunal. On admission of this appeal for hearing, let it be determined whether the matter of proforma promotion can be taken as question relating to execution of the previous judgment dated 03.01.2019 or it should be dealt with independently. This appeal is admitted for regular hearing, subject to all just and legal objections, including that of limitation to be determined during the course of full hearing. 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 in office within 10 days after receipt of notices, positively. If the 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 23.12.2021 before the D.B.

Appellate Tribunal
Security and Process Fee

AD
8/9/21



Chairman

23.12.2021

Junior to counsel for the appellant and Mr. Muhammad Adeel Butt, Addl. AG alongwith Haseenuallah, Asstt. for the respondents present.

The respondents have not furnished reply/comments and seek further time. Let the respondents be afforded with last opportunity with the warning that in case they fail to submit the written reply/comments on or before next date, their right for reply/comments shall be deemed as struck off by virtue of this order. Case to come up for arguments on 06.04.2022 before the D.B.


Chairman

06.04.2022

Clerk to the counsel for appellant present. Mr. Kabirullah Khattak Adl. AG along with Haseen Ullah Assistant for respondents present. Written reply submitted which is placed on file.

Counsel are at strike. Therefore the case is adjourned to 13.07.2022 before D.B.



Chairman

13.07.2022

Learned counsel for the appellant present. Mr. Naseer Ud Din Shah, Assistant Advocate General for respondents present.

Learned counsel for the appellant requested for adjournment on the ground that he has not prepared the brief. 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 alongwith Bahraman ADEO for respondents present.

Learned counsel for appellant was ready for arguments but arguments could not be heard as seniority list is not available on file which could show that juniors of the appellant were promoted before him. Appellant is directed to make sure the production of relevant documents on or before the next date. To come up for production of relevant documents in shape of seniority list and arguments on 04/11/2022 before D.B.



(Fareeha Paul)
Member(E)

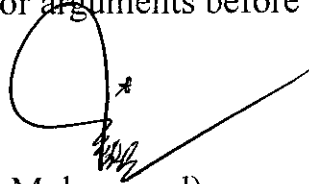


(Rozina Rehman)
Member(J)

04.11.2022

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 before the D.B on 28.12.2022.



(Mian Muhammad)
Member (E)



(Salah-ud-Din)
Member (J)