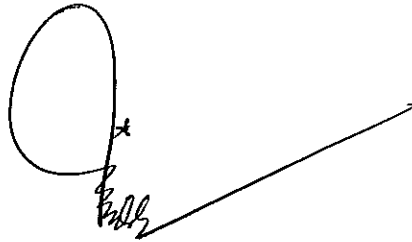


23.11.2022

Appellant alongwith counsel present. Mr. Muhammad Riaz Khan Paindakhel, Assistant Advocate General alongwith Mr. Wisal Ahmad Khan, ADEO for the respondents present.

While going through the record, it was observed that vide order dated 14.06.2021, the appellant was directed to produce his passport on the next date, however thereafter, the appeal was adjourned for one reason or the other. We asked the appellant to produce his passport, however he requested that he will produce the same on the next date. Adjourned. To come up for production of passport of the appellant as well as arguments on 11.01.2023 before D.B.

A handwritten signature in black ink, featuring a large, stylized initial 'M' followed by a long horizontal stroke extending to the right.

(Mian Muhammad)  
Member (E)

A handwritten signature in black ink, consisting of a stylized, blocky initial 'S' with a horizontal line underneath.

(Salah-ud-Din)  
Member (J)

01.06.2022

Appellant in person present.

Muhammad Adeel Butt learned Additional Advocate General alongwith Wisal Muhammad ADO Legal for respondents present.

Appellant requested for adjournment on the ground that his counsel is not available today. Adjourned. To come up for arguments on 22.07.2022 before D.B.



(Fareeha Paul)  
Member (E)



(Rozina Rehman)  
Member (J)

22.07.2022

Appellant alongwith his counsel present.

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

Former made a request for adjournment in order to prepare the brief. Adjourned. To come up for arguments on 27.09.2022 before D.B.



(Fareeha Paul)  
Member(E)



(Rozina Rehman)  
Member (J)

27.09.2022

Junior to counsel for appellant present.

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

Due to general strike of the bar, case is adjourned to 23.11.2022 for hearing before D.B.



(Fareeha Paul)  
Member (E)

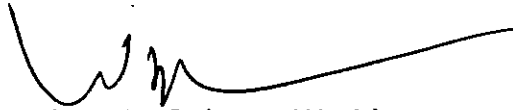


(Rozina Rehman)  
Member (J)

01.02.2022

Counsel for the appellant present. Mr. Muhammad Adeel Butt, Addl. AG for the respondents present.

Due to paucity of time arguments could not be heard. To come up for arguments on ~~30.05~~ 30.05.2022 before the D.B.



(Atiq-Ur-Rehman Wazir)  
Member (E)



Chairman

30.03.2022

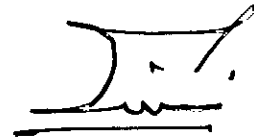
Junior of learned counsel for the appellant present.

Mr. Naseer ud Din Shah learned Assistant Advocate General for the respondents present.

Junior of learned counsel for the appellant sought adjournment on the ground that learned counsel for the appellant is busy in courts at Tehsil Tangi District Charsadda. Adjourned. To come up for arguments before the D.B on 01.06.2022.



(Rozina Rehman)  
Member (J)



(Salah-Ud-Din)  
Member (J)

14.06.2021

Appellant with counsel present.

Muhammad Adeel Butt learned Additional Advocate General for respondents present.

There is specific plea in parawise comments of the respondents that travel history of the appellant reveals that he departed on 12.10.2017 and stayed abroad till 12.03.2019. In turn, the plea was extended that appeal No.1309/2015 was disposed of in absence of appellant. There is other plea with reference to travel history of the appellant that execution petition was also filed in absence of the petitioner/appellant and same is the position of main appeal. The production of Passport by the appellant and its perusal is necessary to check the veracity of another plea of the respondents that appellant was reinstated in service for the purpose of inquiry but he never took charge and remained absent and in furtherance of that inquiry, he was removed from service. The appellant is directed to produce his Passport on the next date i.e. 18.10.2021 before D.B.



(Rozina Rehman)

Member (J)

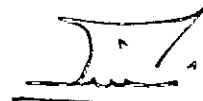


Chairman

18.10.2021

Junior to counsel for the appellant and Mr. Kabirullah Khattak, Addl. AG for the respondents present.

Due to general strike of the bar, counsel for the appellant is not in attendance today. To come up for record as per previous order sheet and arguments on 01.02.2022 before the D.B.



(Salah-ud-Din)  
Member(J)



Chairman

11.01.2021

Appellant is present in person. Mr. Kabirullah Khattak, Additional Advocate General for the respondents is also present.

Written reply on behalf of respondent No. 1 has already been submitted while respondent No. 2 relies on the same. Neither written reply on behalf of respondents No. 3 & 4 submitted nor any representatives on their behalf are present despite last chance given in the preceding order sheet dated 19.11.2020, therefore, the appeal is adjourned to 12.03.2021 for rejoinder and arguments before D.B.

(MUHAMMAD JAMAL KHAN)  
MEMBER (JUDICIAL)

12.03.2021

Appellant with counsel present.

Noor Zaman Khan Khattak learned District Attorney for respondents present.

A request was made for adjournment by the learned counsel for appellant for submission of rejoinder. Last chance is given with direction to submit rejoinder before date and file to come up for rejoinder/arguments on 14/06/2021 before D.B.

(Mian Muhammad)  
Member (E)

(Rozina-Rehman)  
Member (J)

17.08.2020

Appellant in person present. Mr.Ziaullah, DDA for respondents present.

Written reply not submitted. Notices be issued to the respondents for submission of written reply/comments.

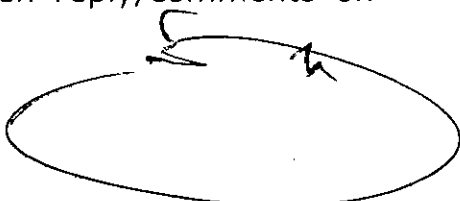
Adjourned to 19.10.2020 before S.B.

  
(Mian Muhammad)  
Member(E)

19.10.2020

Appellant is present in person. Mr. Kabirullah Khattak, Additional AG alongwith Mr. Wisal, ADEO on behalf of respondent No. 1 are also present.

Representative of respondent No. 1 submitted written reply which is placed on record. Learned Additional AG request for further time to contact respondents No. 2 to 4 and furnish written reply/comments on the next date of hearing. Adjourned to 19.11.2020 on which to come up for written reply/comments on behalf of respondents No. 2 to 4 before S.B.

  
(Muhammad Jamal Khan)  
Member (Judicial)

19.11.2020

Appellant in person and Addl; AG alongwith Abdul Wahid Litigation Officer for respondent No.2 present.

Reply/comments on behalf of respondent No. 1 has been already submitted. Representative of respondent No.2 stated at the bar that he relies on the same. Learned AAG is required to contact the respondents and facilitate the submission of reply/comments on 11.01.2021, as last chance.

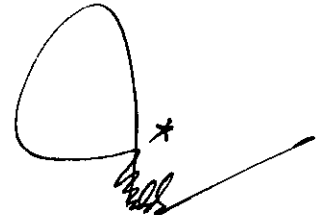
  
Chairman

25.06.2020

Counsel for the appellant present. Preliminary arguments heard and case file perused. Learned counsel for the appellant stated that this is the second round of litigation. Previously the appellant was removed from service against which he filed service appeal No. 1309/2015 in this Tribunal and it was decided on 27.07.2018 wherein the appellant was reinstated in service and the respondents were placed at liberty to conduct de-novo enquiry. The respondents again awarded major penalty of removal from service to the appellant vide impugned order dated 11.07.2019. Against the impugned order, the appellant filed departmental appeal on 16.08.2019 which was not responded within the stipulated statutory period, hence the present service appeal on 24.10.2019. Learned counsel for the appellant further argued and contended vehemently that the appellant has not been treated according to law and rules as no regular enquiry has been conducted as such the appellant was condemned unheard which is against the tenants of law and fundamental rights.

Points urged need consideration. Service appeal is admitted subject to all legal objections. Appellant is directed to deposit security and process fee within 10 days, thereafter, notices be issued to the respondents for written reply/comments for 17.08.2020 before S.B.

Appellant Deposited  
Security and Process Fee  
25/6/20



(MAIN MUHAMMAD)  
MEMBER

22.01.2020

Appellant present in person. Addl. AG on pre-admission notice present.

The requisite notices have been issued to the respondents despite no authorized representative is in attendance to represent them today nor their reply received. Learned AAG undertakes to facilitate the appearance of representative of the respondents and submission of requisite reply/record on next date of hearing.

Adjourned to 05.03.2020 at preliminary stage before S.B.



Chairman

05.03.2020

Appellant in person and Mr. Ziaullah, Deputy District Attorney alongwith Mr. Irfanullah, Assistant on behalf of respondent No. 2 present. Representative of respondent No. 2 seeks time to file reply. Adjourned to 01.04.2020 for reply before S.B.



(MUHAMMAD AMIN KHAN KUNDI)  
MEMBER

01.04.2020

Due to public holiday on account of COVID-19, the case is adjourned for the same on 25.06.2020 before S.B.



Reader


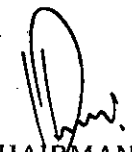



Form- A

FORM OF ORDER SHEET

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

Case No.- 1561/2019

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	18/11/2019	<p>The appeal of Mr. Saeed Jan resubmitted today by Syed Rifaqat Shah Advocate may be entered in the Institution Register and put up to the Worthy Chairman for proper order please.</p> <p> REGISTRAR</p>
2-	19/11/19	<p>This case is entrusted to S. Bench for preliminary hearing to be put up there on <u>24/12/19</u>.</p> <p> CHAIRMAN</p>
	24.12.2019	<p>Learned counsel for the appellant present. Heard.</p> <p>Let preadmission notice be issued to the respondents for reply. The respondents except respondent No.4 are also directed to furnish IBM/Passport Travel History of the appellant alongwith their reply. Adjourn. To come up for reply and preliminary arguments on 22.01.2020 before S.B.</p> <p> Member</p>