

06.09.2022

Appellant present through counsel.

Naseer Ud Din Shah, learned Assistant Advocate General alongwith Waseem Abbas Focal Person for the respondents present.

Reply on behalf of respondents was not submitted. Representative of respondents requested for time to submit reply; granted but on payment of cost of Rs.5000/- which was paid to the learned counsel for appellant on behalf of respondents, receipt of which is placed on file. To come up for reply as well as arguments on 23.11.2022 before D.B.



(Fareeha Paul)
Member(E)

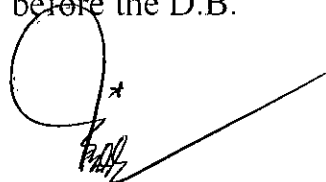


(Rozina Rehman)
Member(J)

23.11.2022

Learned counsel for the appellant present. Mr. Waseem Abbas, Focal Person alongwith Mr. Muhammad Jan, District Attorney for the respondents present.

Para-wise comments on behalf of respondents submitted, copy of which handed over to learned counsel for the appellant, who requested for adjournment on the ground that he has not gone through the para-wise comments submitted by the respondents today. Adjourned. To come up for rejoinder, if any, as well as arguments on 12.01.2023 before the D.B.




(Mian Muhammad)
Member (E)



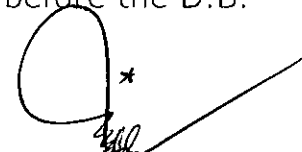
(Salah-Ud-Din)
Member (J)

23.11.2021 Proper D.B is not available, therefore, case is adjourned to 2/3/2022 for the same as before.


Reader

2-3-22 Due to retirement of the Honble Chairman
The case is adjourned to come up for the
same as before on 17-6-22

Reader

17.06.2022 Clerk of learned counsel for the appellant present. Mr. Naseer-ud-Din Shah, Assistant Advocate General for the respondents present and sought time for submission of reply/comments. Respondents have been given several opportunities for submission of reply/comments, therefore, last chance given. In case the last chance as given is not availed, the next adjournment shall be subject to prior payment of cost of Rs. 5000/- to the appellant. Adjourned. To come up for submission of reply/comments as well as arguments on 06.09.2022 before the D.B.

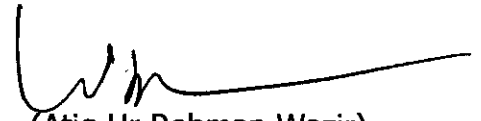

(Mian Muhammad)
Member (E)


(Salah-ud-Din)
Member (J)

29.03.2021

Appellant with counsel present. Mr. Kabirullah Khattak learned Addl. AG alongwith Wasim Abbass for respondents present.

Reply/comments on behalf of respondents not submitted. Representative of respondents requested for time to submit reply/comments. To come up for reply/comments on 02.07.2021 before S.B.


(Atiq Ur Rehman Wazir)
Member (E)

02.07.2021

Junior to counsel for the appellant and Mr. Kabirullah Khattak, Addl. AG alongwith Wasim Abbas, Litigation Assistant for the respondents present.

Respondents have not submitted reply/comments. They are required to submit reply/comments within 10 days in office, positively. In case the respondents have not submitted reply/comments within stipulated time, office shall put up the appeal with a report of non-compliance. To come up for arguments on 23.11.2021 before the D.B.

Stipulated period has passed and reply has not been submitted.


Chairman

P.S

14.07.2021

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


Chairman



03.11.2020

Nemo for appellant.

Since the Members of the High Court as well as of the District Bar Association, Peshawar, are observing strike today, therefore, learned counsel for appellant is not available today. Adjourned to 07.01.2021 on which date to come up for preliminary hearing before S.B.

(Muhammad Jamal Khan)
Member (Judicial)

07.01.2021

Syed Ghuffran Ullah Shah, Advocate, for appellant is present.

The sum total of what has been agitated at the bar by the learned counsel representing appellant is that, being allowed the requisite relief by the Services Tribunal that there is no lower time scale for the Junior Clerk who was to be demoted consequent upon awarding of penalty there was no post below the Junior Clerk for one time scale to which he could be reduced to that lower stage, he was not granted seniority nor the seniority was revisited, nor his promotion order dated 31.05.2008 was restored till issuance of seniority list dated 09.04.2014. Appeal for the purpose was filed in the Service Tribunal but during the pendency appellant was promoted to the post of Senior Clerk on 13.07.2015 which was withdrawn. Service Appeal No. 750/2016 was filed before this Tribunal challenging the prospective effect of promotion order dated 13.07.2015 but due to defect in prayer in appeal it was withdrawn on 22.10.2019. Departmental representation was filed impugning therein order dated 22.10.2019 but in vain hence, the present service appeal.

The point so agitated at the bar needs consideration. The appeal is admitted for regular hearing subject to all just legal objections. The appellant is directed to deposit security and process fee within 10 days, thereafter, notices be issued to the respondents for written reply/comments for 29.03.2021 before S.B.

(MUHAMMAD JAMAL KHAN)
MEMBER (JUDICIAL)

Appellant Deposited
Security and Process Fee

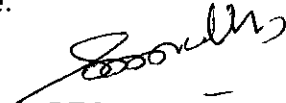

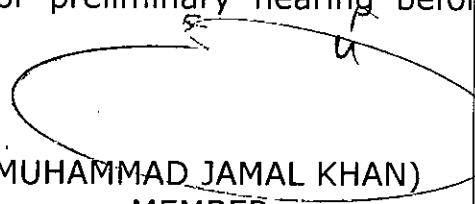
2/1/21

Form- A

FORM OF ORDER SHEET

Court of _____

Case No.- 6334 /2020

1S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	29/06/2020	<p>The appeal of MR. Fazal Khliq resubmitted today by Syed Ghufran Ullah 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-		<p>This case is entrusted to S. bench for preliminary hearing to be put up there on <u>07/08/2020</u></p> <p> CHAIRMAN</p>
07.08.2020		<p>No one for the appellant has forth come at the moment i.e 10:35 A.M. Reportedly learned counsel for the appellant namely Syed Ghufran Ullah Shah has proceeded to Chitral and is not available today. Adjourned to 03.11.2020. To come up for preliminary hearing before S.B.</p> <p> (MUHAMMAD JAMAL KHAN) MEMBER</p>