

Form- A  
FORM OF ORDER SHEET

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

Case No. 164 /2016

S.No.	Date of order Proceedings	Order or other proceedings with signature of judge or Magistrate
1	2	3
1	25.02.2016	<p>The appeal of Mr. Abdul Wahab resubmitted today by Mr. Saeed Usman 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;"><i>Saeed Usman</i> REGISTRAR</p>
2	<i>29-2-2016</i>	<p>This case is entrusted to S. Bench for preliminary hearing to be put up thereon <i>02-03-2016</i></p> <p style="text-align: right;"><i>S</i> CHAIRMAN</p>
	<i>03.03.2016</i>	<p>None present for appellant. The appeal be relisted for preliminary hearing for 22.3.2016 before S.B.</p> <p style="text-align: right;"><i>S</i> Chairman</p>

22.03.2016

Counsel for the appellant present. Learned counsel for the appellant argued that the appellant was Chowkidar and removed from service vide impugned order dated 12.8.2015 on the allegations of wilful absence which order was communicated to the appellant on 27.10.2015 where-against he preferred departmental appeal on 29.10.2015 which was not responded and hence the instant service appeal on 25.2.2016.

That the appellant was performing his duties and had never absented himself and, moreover, no opportunity of hearing was extended to the appellant nor inquiry conducted in the prescribed manners.

Points urged need consideration. Admit. Subject to deposit of security and process fee within 10 days, notices be issued to the respondents for written reply/comments for 10.5.2016 before S.B.

Appellant Deposited  
Security & Process Fee

  
Chairman

10.5.2016

Counsel for the appellant and Mr. Aved Shah, Assistant (Litigation) alongwith Addl. AG for the respondents present. Written reply submitted. The appeal is assigned to D.B for rejoinder and final hearing for 29.08.2016.

  
Chairman

29.08.2016

Appellant in person and Mr. Hameed-ur-Rehman, AD (lit.) alongwith Additional AG for respondents present. Appellant requested for adjournment as his counsel is not in attendance today. Adjourned for rejoinder and final hearing to 22.12.2016 before D.B.



Member



Chairman

22.12.2016

Appellant in person and Mr. Hameed-ur-Rehman, AD (lit.) alongwith Additional AG for the respondents present. Rejoinder not submitted. Appellant requested for adjournment due to non-availability of his counsel. Adjourned. To come up for rejoinder and arguments on 08.05.2017 before D.B.



(ASHFAQUE TAJ)  
MEMBER



(MUHAMMAD AAMIR NAZIR)  
MEMBER

08.05.2017

Appellant in person present. Mr. Kabirullah Khattak, Assistant AG for the respondents also present. Due to strike of the bar learned counsel for the appellant is not available today. Adjourned for rejoinder and arguments to 11.08.2017 before D.B.



(AHMAD HASSAN)  
MEMBER



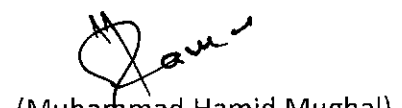
(MUHAMMAD AMIN KHAN KUNDI)  
MEMBER

11.08.2017

Appellant in person present. Mr. Kabirullah Khattak, Assistant AG for the respondents present. Appellant seeks adjournment on the ground that his counsel is not available today. Adjourned. To come up for rejoinder and arguments on 06.12.2017 before D.B. before D.B.




(Muhammad Amin Khan Kundi)  
Member (J)




(Muhammad Hamid Mughal)  
Member (J)

06.12.2017

Appellant in person present. Mr. Muhammad Jan, Deputy District Attorney for respondent also present. Appellant requested for adjournment. Adjourned. To come up for arguments on 09.02.2018 before the D.B.

  
(Ahmad Hassan)  
Member (E)

  
(Muhammad Amin Khan Kundi)  
Member (J)

09.02.2018

Clerk of counsel for the appellant and Addl. AG for the respondents present. Counsel for the appellant is not in attendance. Seeks adjournment. To come up for arguments on 10.04.2018 before the D.B.

  
Member

  
Chairman

10.04.2018

Appellant in person and Asst: AG for respondents present. Rejoinder submitted. Appellant seeks adjournment. Adjourned. To come up for arguments on 21.06.2018 before D.B.

  
(Ahmad Hassan)  
Member

  
(M. Hamid Mughal)  
Member

21.06.2018

Counsel for the appellant and Adll: for respondents present. Counsel for the appellant seeks adjournment. Adjourned. To come up for arguments on 10.08.2018 before D.B.


  
(Ahmad Hassan)  
Member

  
(M. Amin Khan Kundi)  
Member

10.08.2018

Clerk to counsel for the appellant and Mr. Muhammad Jan learned Deputy District Attorney present. Clerk to counsel for the appellant seeks adjournment as learned counsel for the appellant is not in attendance. Adjourned. To come up for arguments on 01.10.2018 before D.B.

  
(Muhammad Amin Kundi)  
Member

  
(Muhammad Hamid Mughal)  
Member

01.10.2018

Learned counsel for the appellant and Mr. Kabirullah Khattak Additional Advocate General for the respondent present. Learned counsel for the appellant seeks adjournment. Adjourned. To come up for arguments on 15.11.2018 before D.B.

  
(Hussain Shah)  
Member

  
(Muhammad Hamid Mughal)  
Member

15.11.2018

Due to retirement of Hon'ble Chairman, the Tribunal is defunct. Therefore, the case is adjourned. To come up on 03.01.2019.

  
READER

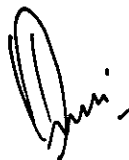
03.1.2019

Appellant in person and Mr. Usman Ghani District Attorney for the respondents present.

States that his learned counsel is away at Islamabad in connection with personal engagement, therefore requests for adjournment.

Adjourned to 13.03.2019 for arguments before D.B.

  
Member

Chairman 

13.03.2019

Appellant in person and Mr. M. Riaz Khan Paindakhel, Asst: AG for respondents present.

Once again adjournment is sought due to non-availability of learned counsel for the appellant. Adjourned to 10.05.2019 for arguments before D.B.

  
Member

Chairman 

10.05.2019

Appellant in person and Asst: AG for respondents present.

Appellant requests for adjournment due to non-availability of his learned counsel.


Adjourned to 27.06.2019 for arguments before D.B.

  
Member

Chairman 

27.06.2019

Counsel for the appellant and Asstt. AG for the respondents present. Due to incomplete bench case is adjourned to 11.09.2019 for arguments before the D.B.

  
Reader

11.09.2019

Appellant with counsel present. Mr. Zia Ullah learned Deputy District Attorney present. Learned counsel for the appellant seeks adjournment. Adjourn. To come up for arguments on 25.11.2019 before D.B.

  
Member

  
Member

25.11.2019

Due to general strike of the bar, the case is adjourned. To come up on 28.01.2020 before D.B.

  
Member

  
Member

28.01.2020

Appellant in person present. Mr. Muhammad Jan, DDA for respondents present. Due to General Strike of the bar on the call of Khyber Pakhtunkhwa Bar Council, the instant case is adjourned. To come up for further proceedings/arguments on 24.03.2020 before D.B.

  
Member

  
Member

25.03.2020

Due to public holidays on account of Covid-19, the case is adjourned. To come up for the same on 09.06.2020 before D.B.

  
Reader

09.06.2020

Bench is incomplete as one learned Member (J) is on leave. Therefore, the case is adjourned. To come up for the same on 20.08.2020 before D.B.

  
Reader



20.08.2020

Due to summer vacation, the case is adjourned to 22.10.2020 before D.B.

  
Reader

22.10.2020

Appellant in person and Addl. AG alongwith Muhammad Usman, Asstt. for the respondents present.

The Bar is observing general strike today, therefore, the matter is adjourned to 01.12.2020 for hearing before the D.B.

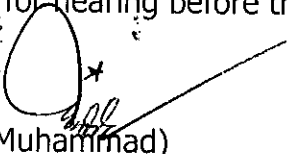
  
(Mian Muhammad)  
Member

  
Chairman

01.12.2020

Counsel for the appellant and Addl. AG for the respondents present.

Learned counsel states that the impugned order was passed on 12.08.2015 but was given effect from 23.01.2015. Regarding the cases involving retrospective effect of penalty, a Larger Bench has been constituted which is yet to decide the proposition. He, therefore, requests for posting of instant appeal to a date after the date of hearing by the Larger Bench. Adjourned to 22.02.2021 for hearing before the D.B.

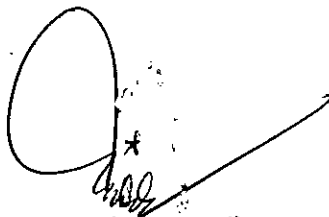
  
(Mian Muhammad)  
Member(E)

  
Chairman

22.02.2021

Appellant in person and Addl. AG for the respondents present.

The proposition regarding award of retrospective punishment has not yet been decided by the Larger Bench of this Tribunal. Adjourned to 12.05.2021 for hearing before the D.B.



(Mian Muhammad)  
Member(E)



Chairman

12.05.2021

Due to demise of the Worthy Chairman, the Tribunal is non-functional, therefore, case is adjourned to 01.09.2021 for the same as before.



Reader

12.01.2022

Due to non-availability of the concerned DB, the case is adjourned to 27.04.2022 for the same before D.B.



Reader

27.04.2022

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

Appellant requested for adjournment on the ground that his  
learned counsel is indisposed today. Adjourned. Last opportunity  
given. To come up for arguments before the D.B on 31.05.2022.  
The appeal in hand pertains to the year 2016 and requires timely  
disposal, therefore, appellant shall positively ensure the presence of  
his counsel on the date fixed.



(Mian Muhammad)  
Member(E)



(Salah Ud Din)  
Member(J)

21<sup>th</sup> May, 2022

Learned counsel for the appellant. Syed Naseer Ud Din  
Shah; Assistant Advocate General for respondents present.

Arguments heard. To come up for order on 26.06.2022  
before the D.B.


(Mian Muhammad)  
Member(E)

(Kafim Arshad Khan)  
Chairman

31<sup>th</sup> May, 2022

Learned counsel for the appellant. Kabirullah Khattak.  
Addl: AG for respondents present.

Arguments heard. To come up for order on 20.06.2022  
before the D.B.



(Mian Muhammad)  
Member(E)

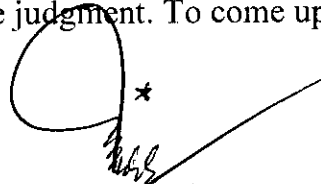


(Kalim Arshad Khan)  
Chairman

20<sup>th</sup> June, 2022

Counsel for the appellant present. Mr. Kabirullah Khattak,  
Addl. AG for the respondents present.

Because of other multifarious engagement we could not  
record the judgment. To come up on 29.07.2022 for order.



(Mian Muhammad)  
Member(E)



(Kalim Arshad Khan)  
Chairman

29.07.2022

Because of the summer spell  
of the learned Member(E) Mian  
Muhammad Iqbal, the consultation  
could not be made, therefore, to  
come up on 13-09-2022



13.09.2022


Bench is incomplete, therefore, case is adjourned to 12.10.2022 for the same as before.


  
Reader

12<sup>th</sup> Oct. 2022

Appellant in person present. Mr. Muhammad Adeel Butt, Addl: AG for respondents present.

This case was heard on 31.05.2022 and judgment was reserved for 20.06.2022, but because of other multifarious engagement of the bench on 20.06.2022 the order could not be recorded and announced. The matter was fixed for today but in view of the judgment of the august Supreme Court of Pakistan reported as 1996 SCMR 669, the matter was to be reheard. Therefore, the appeal be fixed for its rehearing by fixing on 22.11.2022 before D.B by the same bench.

  
(Farceha Paul)  
Member(Executive)

  
(Kalim Arshad Khan)  
Chairman

22.11.2022

Learned counsel for the appellant present. Mr. Muhammad Adeel Butt Additional Advocate General for the respondents present.

Learned counsel for the appellant requested for adjournment on the ground that he has not made preparation for arguments. Adjourned. To come for arguments before the D.B. on 19.01.2023.

  
(Fareeha Paul)  
Member (E)

  
(Kalim Arshad Khan)  
Chairman