




Form- A  
FORM OF ORDER SHEET

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

Case No. 298/2017

S.No.	Date of order proceedings	Order or other proceedings with signature of judge or Magistrate
1	2	3
1	31/03/2017	<p style="text-align: center;">The appeal of Mr. Ihsan Ullah resubmitted today by Mr. Asad Zeb Khan 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>
2	4-4-2017	<p style="text-align: center;">This case is entrusted to S. Bench for prelliminary hearing to be put up there on <u>10-04-2017</u></p> <p style="text-align: right;">   CHAIRMAN </p>
	10.04.2017	<p style="text-align: center;">Clerk of counsel for the appellant present. Seeks adjournment as counsel for the appellant is not in attendance. Adjourned for preliminary hearing to 18.04.2017 before S.B.</p> <p style="text-align: right;">   Chairman </p>

18.04.2017

Counsel for the appellant present. Counsel for the appellant requested for adjournment. Request accepted. To come up for preliminary hearing on 04.05.2017 before S.B.

  
(Ahmad Hassan)  
Member

05.05.2017

Clerk of counsel for the appellant present. Counsel for the appellant was stated busy in Hon'ble Peshawar High Court. Seeks adjournment. Adjourned for preliminary hearing to 18.05.2017 before S.B.


  
Chairman

18.05.2017

Counsel for the appellant present. Preliminary arguments heard and case file perused. The appellant joined the Education Department as PST in 1982 and was promoted to the post of CT on 15.01.1998. The respondents firmed up a list for appointment as SET and name of the appellant was appearing at serial no. 3 and was also otherwise eligible for promotion. However, vide order dated 23.05.1995 name of the appellant was not considered for appointment/ promotion as SET. He preferred departmental appeal on 23.11.2016 which was not responded within the stipulated period. Afterwards the appellant was promoted as SET in 2003 but he <sup>was</sup> due for the same since 1991. Moreover, his other colleagues were promoted in 1995. The appellant has been subjected to discriminatory treatment without any justification. Due process of law was not followed in this case.

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 13.07.2017 before S.B.

Appellant Deposited  
Security & Process Fee

  
(Ahmad Hassan)

Member


03.07.2017

Agent to counsel for the appellant and Addl: AG for respondents present. Written reply not submitted. Requested for adjournment. To come up written reply/comment on 31.07.2017 before S.B.

  
(Ahmad Hassan)  
Member

31.07.2017

Counsel for the appellant and Asstt. AG for the respondents present. Requested for adjournment. Granted. To come up for written reply/comments on 30.08.2017 before S.B.

  
Chairman

30.08.2017

Appellant in person present. Mr. Muhammad Adeel Butt, Additional AG for the respondents also present. Written reply not submitted. Learned Additional AG requested for further adjournment. Adjourned. To come up for written reply/comments on 16.10.2017 before S.B.

  
(Muhammad Amin Khan Kundi)  
Member

16/10/2017

Counsel for the appellant and Mr. Kabirullah Khattak, AAG for the respondents present. Written reply not submitted and AAG requested for further time. Last opportunity granted. To come up for written reply /comment on 9/11/2017 before SB.

  
(GUL ZEB KHAN)  
MEMBER

09.11.2017

Counsel for the appellant and Mr. Ziaullah, DDA for respondents present. . Written reply not submitted despite last opportunities. Requested for further adjournment. Last opportunity further extended subject to payment of cost of Rs. 1000/- which shall be borne by respondents from their own pockets. To come up for written reply/comments on 06.12.2017 before S.B.

  
(AHMAD HASSAN)  
MEMBER

06.12.2017

Junior counsel for the appellant present. Mr Riaz Painsa Khel, Assistant Advocate General for the respondents present. None present on behalf of respondent. Notice be issued to the respondents department. To come up for written reply/comments and costs of Rs. 2000/- on 16.01.2018 before S.B.

  
(Gul Zeb Khan)  
Member (E)

16.01.2018

Counsel for the appellant present. Mr. Kabirullah Khattak, Additional AG for the respondents also present. Representative of the department is not in attendance despite issuance of notice therefore, again notice be issued to the respondents with the direction to direct the representative to attend the court and submit written reply by way of extension of last opportunity at the cost of Rs. 1000/-. Adjourned. To come up for written reply/comments and cost of Rs. 3000/- on 30.01.2018 before S.B.

  
(Muhammad Amin Khan Kundi)  
Member

30.01.2018

Clerk to counsel for the appellant and Asst: AG for respondents present. Written reply on behalf of respondents not submitted, hence, his right of defense is struck off. The appeal is assigned to D.B for rejoinder and final hearing on 10.04.2018.



(Ahmad Hassan)  
Member(E)

10.04.2018

Clerk to counsel for the appellant and Mr. Muhammad Jan, DDA for respondents present. Clerk to counsel for the 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: AG for respondents present. Counsel for the appellant seeks adjournment. Adjourned. To come up for arguments on 13.08.2018 before D.B.



(Ahmad Hassan)  
Member



(M. Amin Khan Kundi)  
Member

13.08.2018

Clerk to counsel for the appellant present. Mr. Muhammad Jan, DDA for respondents present. Clerk to counsel for the appellant made a request for adjournment. Granted. To come up for arguments on 09.10.2018 before D.B.

  
Member

  
Chairman

09.10.2018

Counsel for the appellant present. Mr. Ziaullah, DDA for respondents present. Learned counsel for the appellant seeks adjournment. Granted. Case to come up for arguments on 26.11.2018 before D.B.

  
(Ahmad Hassan)  
Member

  
(M. Amin Khan Kundi)  
Member

26.11.2018

Learned counsel for the appellant and Mr. Zia ullah learned Deputy District Attorney for the respondents present. Learned counsel for the appellant seeks adjournment. Adjourn. To come up for arguments on 14.01.2019 before D.B.

  
Member

  
Member

14.01.2019

Appellant with counsel present. Mr. Usman Ghani, District Attorney for respondents present. Counsel for the appellant seeks adjournment. Adjourned . To come up for arguments on 20.02.2019 before D.B.

  
(Ahmad Hassan)  
Member

  
(M. Amin Khan Kundi)  
Member

20.02.2019

Clerk to counsel for the appellant and Mr. Zia Ullah learned DDA for the respondents present. Clerk to counsel for the appellant requests for adjournment as learned counsel for the appellant is not available today. Adjourned To come up for arguments on 05.04.2019 before D.B.

  
Member

  
Chairman

05.04.2019

Appellant alongwith counsel and Mr. Muhammad Jan, DDA for the respondents present.

Appellant states that his other service appeal has been posted for hearing on 28.06.2019, therefore, instant appeal be also adjourned to the said date. Adjourned accordingly.

  
Member

  
Chairman



28.06.2019 Appellant in person and Addl: AG for respondents present. Appellant seeks adjournment as his counsel was not available today. Case to come up for arguments on 12.09.2019 for arguments before D.B.

  
Member

  
Member

12.09.2019 Learned counsel for the appellant present. Mr. Usman Ghani learned District Attorney for the respondent present. Learned counsel for the appellant seeks adjournment. Adjourned. To come up for arguments on 26.11.2019 before D.B.

  
(Hussain Shah)  
Member

  
(M Hamid Mughal)  
Member

26.11.2019 Learned counsel for the appellant present. Mr. Riaz Paindakhiel learned AAG present. Learned counsel for the appellant seeks adjournment. Adjourn. To come up for arguments on 29.01.2020 before D.B.

  
Member

  
Member

29.01.2020

Junior to counsel for the appellant and Addl. AG for the respondents present.

Former requests for adjournment due to general strike of the Bar. Adjourned to 31.03.2020 for arguments before the D.B.

  
Member


  
Member

31.03.2020

Due to public holidays on account of Covid-19, the case is adjourned. To come up for the same on 22.06.2020 before D.B.

  
Reader

*Due. to covid, 19 the case is adjourned. To come up for the same on - 24-07-2020*

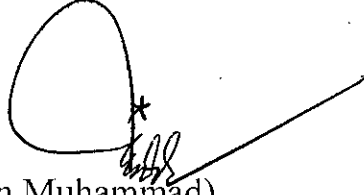
  
Reader

24.07.2020

Nemo for appellant.

Mr. Kabir Ullah Khattak learned Additional Advocate General for the respondents present.

Previous date was adjourned on a Reader's note, therefore, notice be issued to appellant and his counsel for 09.09.2020 for arguments, before D.B



(Mian Muhammad)  
Member (E)

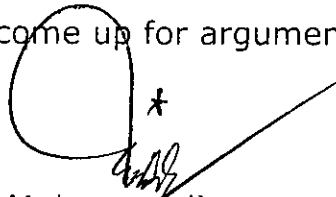


(Rozina Rehman)  
Member (J)

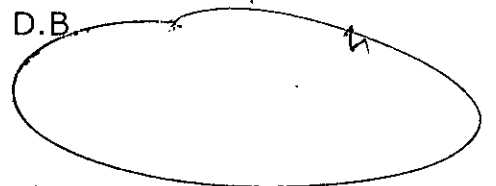
09.09.2020

Mr. Fida Muhammad Yousafzai, Advocate for the appellant is present. Mr. Kabirullah Khattak, Additional Advocate General for the respondents is also present.

Learned counsel submitted that senior counsel Mr. Asad Zeb Khan is busy in the Hon'ble Peshawar High Court, Peshawar. He submitted that instant appeal as well as in Service Appeal bearing No. 596/2018 titled Ihsan Ullah Versus Government of Khyber Pakhtunkhwa a common question of law and facts are involved, therefore, propriety demand to fix both of them together. Accordingly, both the appeals are to be clubbed which are to be heard in common. Learned Additional Advocate General conformed to the view elicited by the learned counsel for appellant, therefore, both the appeals are clubbed together. Adjourned to 26.11.2020. File to come up for arguments before D.B.



(Mian Muhammad)  
Member (Executive)

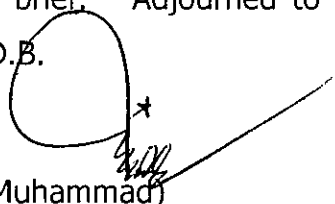


(Muhammad Jamal Khan)  
Member (Judicial)

26.11.2020

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

Former requests for adjournment in order to further prepare the brief. Adjourned to 27.01.2021 for hearing before the D.B.

  
(Mian Muhammad)  
Member(E)

  
Chairman

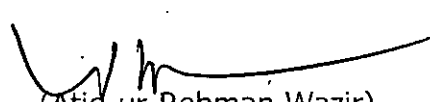
27.01.2021

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

Once again former requests for adjournment due to engagement of his learned counsel before the Hon'ble High Court today.

The record shows that on previous many occasions adjournments were sought by/on behalf of the appellant. Request is, therefore, acceded to but as a last chance.

Adjourned to for hearing before the D.B. 13.04.2021.

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

  
Chairman

13.04.2021

Due to demise of Hon'able Chairman, the Tribunal is defunct, therefore, the case is adjourned to 28.07.2021 for the same.

  
Reader

28.07.2021

None for the appellant and Mr. Muhammad Adeel Butt,  
Learned Additional Advocate General for respondents present.

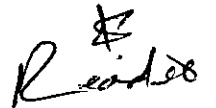
Due to general strike of the Peshawar Bar Association,  
the case is adjourned to 15.12.2021 for the same before D.B.

  
(Rozina Rehman)  
Member (Judicial)

  
Chairman

15-12-21


DB is on Tour case to come up  
For the same on Dated, 31-3-22


  
Reader

31.03.2022

Mr. Fida Muhammad Yousafzai, Advocate (junior of learned  
counsel for the appellant) present. Mr. Naseer-ud-Din Shah,  
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 before the august Supreme Court of Pakistan.  
Adjourned. Last opportunity given. To come up for arguments on  
03.06.2020 before the D.B.

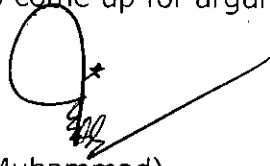
  
(Rozina Rehman)  
Member (J)

  
(Salah-ud-Din)  
Member (J)

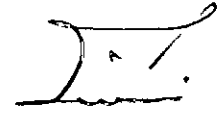
03.06.2022

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

Learned counsel for the appellant again sought adjournment on the ground that he has been unable to make preparation for arguments due to some domestic engagement, therefore, to come up for arguments on 09.08.2022 before D.B.



(Mian Muhammad)  
Member (E)



(Salah-ud-Din)  
Member (J)

9-8-2022

15 Due to the Public holiday the case  
is adjourned to 22-11-2022

74  
Reader

22.11.2022

Appellant in person present. Mr. Muhammad Adeel Butt Additional Advocate General for the respondents present.

Appellant requested for adjournment on the ground that his counsel is not available today. Adjourned. To come up for arguments on 18.01.2023 before D.B.



(Fareeha Paül)  
Member (E)



(Kalim Arshad Khan)  
Chairman