





Form- A
FORM OF ORDER SHEET

Court of _____

Case No. 488/2016

S.No.	Date of order Proceedings	Order or other proceedings with signature of judge or Magistrate
1	2	3
1	10/05/2016	<p>The appeal of Mr. Zia Alam resubmitted to-day by Mr. Muhammad Amin Khattak Lachi Advocate, may be entered in the Institution register and put up to the Worthy Chairman for proper order.</p> <p style="text-align: right;"> REGISTRAR</p>
2	11-5-16	<p>This case is entrusted to S. Bench for preliminary hearing to be put up there on <u>19.5.16</u>.</p> <p style="text-align: right;"> CHAIRMAN</p>
	19.05.2016	<p>None present for appellant. Notice be issued to appellant/counsel for the appellant for preliminary hearing for 29.06.2016 before S.B.</p> <p style="text-align: right;"> Member</p>
	29.6.2016	<p>Appellant in person present. Reque adjournment as counsel for the app indisposed. Adjourned for preliminary 18.07.2016 before S.B.</p> <p style="text-align: right;"> Chair</p>

18.07.2016

None present on behalf of the appellant. Notice be issued to appellant and his counsel for preliminary hearing for 28.07.2016 before S.B.


MEMBER

28.07.2016

Counsel for the appellant present. Learned counsel for appellant argued that the appellant was serving as Physical Education Teacher when removed from service on the allegations of fake documents vide impugned order dated 11.12.2015 where-against departmental appeal was preferred on 24.12.2015 which was not responded and hence the instant service appeal on 25.4.2016.

That the appellant was appointed in the mode and manners prescribed by law on the strength of his valid documents. That neither the prescribed procedure of enquiry was followed nor any opportunity of hearing afforded to the appellant. That the appellant was terminated with an object to create a vacancy by the concerned Agency Education Officer for other appointment. That the appellant is entitled for reinstatement in service with all back benefits.

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 29.09.2016 before S.B.

Appellant Deposited/
Security & Process Fee


Chairman

29.09.2016

Counsel for the appellant and Mr. Mustaz Khan,
Stenographer for respondents No. 1 to 4 alongwith Addl.

08.02.2017

Counsel for the appellant and Addl. AG for
AG for respondents present. Written reply not submitted
requested for adjournment. Written reply not submitted
Requested for adjournment on 08.02.2017 before S.B. for written
reply/comments on 06.03.2017


Chairman

30.11.2016

Clerk to counsel for the appellant (and Addl. AG)
for respondents present. Written reply not submitted.
Requested for adjournment. Request accepted. To come
up for written reply on 17.01.2017 before S.B.


Member

17.01.2017

Appellant in person and Mr. Daud Jan, Superintendent
alongwith Mr. Kabirullah Khattak, Assistant AG for respondents
present. Written reply on behalf of respondent No. 1 & 4 submitted.
None one appeared on behalf of respondents No. 2, 3 and 5 therefore,
notice be issued to the said respondents. To come up for written
reply/comments on behalf of respondents No. 2, 3 and 5 on
08.02.2017 before S.B.


(ASHFAQUE TAJ)
MEMBER

08.02.2017

Counsel for the appellant and Addl. AG for respondents present. Written reply not submitted. Requested for adjournment. To come up for written reply/comments on 06.03.2017


(ASHIFAQUE TAJ)

MEMBER

06.03.2017

Clerk to counsel for the appellant and Mr. Daud Jan. Superintendent alongwith Addl. AG for respondents present. Written reply not submitted. Requested for adjournment. Request accepted. To come up for written reply/comments on 04.04.2017 before S.B.


(MUHAMMAD AAMIR NAZIR)

MEMBER

01.04.2017

Counsel for the appellant, Mr. Daud Jan; Supdt for respondents No. 1 & 4 alongwith Addl. AG for the respondents present. Written reply by respondents No. 1 & 4 already submitted. Learned Addl. AG requested for further adjournment on behalf of respondents No. 2, 3 and 5. Last opportunity granted. To come up for written reply/comments on 25.04.2017 before S.B.


Chairman

13.12.2018

Counsel for the appellant and Mr. Muhammad Riaz
Painda Khel, Asstt. AG for the respondents present.

Counsel for the appellant states that Service Appeal
No. 302/2016 of similar matter has been fixed for
arguments on 02.01.2019 before the D.B-II and requests
for adjournment of instant appeal to the said date.


Adjourned to 13.02.2019 for hearing before the D.B

Member

Chairman

04.04.2018

None for the appellant present. Addl; AG for respondents present. Adjourned. To come up for arguments on 08.06.2018 before D.B.


(Ahmad Hassan)
Member


(M. Hamid Mughal)
Member

08.06.2018


None for the appellant present. Addl: AG for respondents present. Adjourned. To come up for arguments on 09.08.2018 before D.B

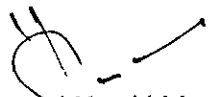

(Ahmad Hassan)
Member


(Muhammad Hamid Mughal)
Member

09.08.2018

Appellant with Mr. Noor Muhammad Advocate and Mr. Kabir Ullah learned Additional Advocate General alongwith Mr. Daud Jan AD legal present. Noor Muhammad Khattak Advocate submitted wakalat nama in favor of appellant which is placed on file and being freshly engaged, seeks adjournment. Granted. To come up for arguments on 25.10.2018 before .D.B


(Muhammad Amin Kundi)
Member


(Muhammad Hamid Mughal)
Member

25.10.2018

Due to retirement of Hon'ble Chairman, the tribunal is defunct. Therefore, the case is adjourned. To come up for same on 13.12.2018.


READER


Appeal No. 487/2016


13.12.2018

Counsel for the appellant and Mr. Muhammad Riaz Painda Khel, Asstt. AG for the respondents present.

Counsel for the appellant states that Service Appeal No. 302/2016 ^{involving} ~~of~~ similar matter has been fixed for arguments on 02.01.2019 before the D.B-II and requests for adjournment of instant appeal to the said date.

Adjourned to 02.01.2019 for hearing before the D.B-II.



Member


Chairman

02.01.2019


Learned counsel for the appellant and Mr. Riaz Paindakheil learned Assistant Advocate General alongwith Sarwar Khan ADEO present. Representative of the respondents seeks time to furnish complete record. Granted. To come up for record and arguments on 30.01.2019 before D.B.


Member


Member

30.01.2019

Learned counsel for the appellant and Mr. Muhammad Jan learned Deputy District Attorney alongwith M/S Bahadur Computer Operator and Daud Jan Superintendent present. Adjournment requested. Adjourn. Adjourn. To come up for arguments on 14.03.2019 before D.B.


Member


Member

14.03.2019

Junior for the appellant and Mr. Kabirullah Khattak, Additional AG for the respondents present. Junior counsel for the appellant seeks adjournment on the ground that learned senior counsel is not available today. Adjourn. To come up for arguments on 29.03.2019 before D.B.

MA

(M. AMIN KHAN KUNDI)
MEMBER

A-1

(M. HAMID MUGHAL)
MEMBER

29.03.2019

The bench is incomplete, therefore,
the case is adjourned to. 14-5-19

J
Reader

14-5-19

The bench is incomplete, therefore,
the case is adjourned to. 16-10-19

J
Reader

16-10-19

The bench is incomplete, therefore,
the case is adjourned to. 17-10-19

J
Reader

17.10.2019

Counsel for the appellant and Mr. Riaz Ahmad Paindakhel, Assistant AG for the respondents present. Learned Assistant AG requested for adjournment. Adjourned to 21.11.2019 for arguments before D.B.


(Ahmad Hassan)
Member


(M. Amin Khan Kundi)
Member

21.11.2019 Learned counsel for the appellant present. Mr. Riaz Paindakhel learned Assistant Advocate General for the respondents present. Learned Asst: AG requested that the inquiry report is not available on record, therefore, the same may be requisitioned. Respondents are directed to direct the representative to attend the court and furnished the relevant inquiry record on the basis of which the appellant was terminated vide order dated 11.12.2015 positively on the next date. Adjourned. To come up for record and arguments on 06.01.2020 before D.B.


(Hussain Shah)
Member


(M. Amin Khan Kundi)
Member

06.01.2020

Learned counsel for the appellant present. Mr. Muhammad Jan, DDA alongwith Mr. Fawad Afzal, Senior Clerk for respondents present. Representative of the respondents seeks time for submission of enquiry record. Adjourn. To come up for enquiry record and arguments on 04.02.2020 before D.B.


Member


Member

04.02.2020

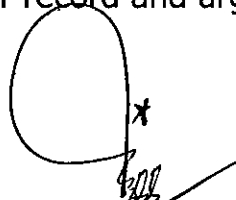
Due to general strike of Khyber Pakhtunkhwa Bar Council, learned counsel for the appellant is not available today. Mr. Kabirullah Khattak, Additional AG alongwith Mr. Muhammad Tariq, Assistant for the respondents present. Case to come up for inquiry record mentioned in order sheet dated 21.11.2019 and arguments on 09.03.2020 before D.B.


(Ahmad Hassan)
Member


(M. Amin Khan Kundi)
Member

09.03.2020

Counsel for the appellant present. Addl: AG for respondents present. Enquiry record not submitted. Respondents are strictly directed to produce enquiry report mentioned in order sheet dated 21.11.2019 positively on the next date of hearing. Adjourned. To come up for record and arguments on 03.04.2020

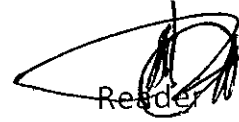

Member


Member

03-4.2020

Due to COVID19, the case is adjourned to

06/8/2020 for the same as before.


Reader

06.08.2020

Due to summer vacation case to come up for the same on
08.10.2020 before D.B.



Reader


08.10.2020

Counsel for appellant present.

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

Learned AAG made a request for adjournment in order to
produce record/inquiry report. Adjourned. To come up for
record/arguments on 02.12.2020 before D.B.


(Atiq ur Rehman Wazir)
Member (E)

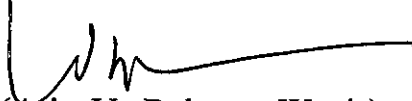

(Rozina Rehman)
Member (J)


02.12.2020

Counsel for appellant present.

Riaz Painsdakhel learned Assistant Advocate General for respondents present.

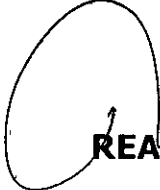
Former requests for adjournment as issue involved in the present case is pending before a Larger Bench of this Tribunal. Adjourned. To come up for arguments on 01.03.2021 before D.B


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


(Rozina Rehman)
Member (J)

01.03.2021


Due to COVID-19, the case is adjourned for the same on 01.06.2021 before D.B

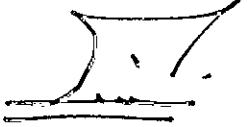

READER

01.06.2021

Learned counsel for the appellant present. Mr. Kabirullah Khattak, Additional Advocate General for the respondents present.

Former sought adjournment on the ground that similar issue involved in the instant appeal is pending before a Larger Bench of this Tribunal, therefore, Adjourned. To come up for arguments before the D.B on 02.08.2021.


(ATIQU-UR-REHMAN WAZIR)
MEMBER (EXECUTIVE)



(SALAH-UD-DIN)
MEMBER (JUDICIAL)


02.08.2021

Learned counsel for the appellant present.

Mr. Kabirullah Khattak, Additional Advocate General alongwith Javed Iqbal Stenographer for respondents present.

At the very outset, a notification bearing endorsement No.2715-20 dated 10.10.2019 was produced which shows that in compliance to the judgment of Hon'ble Pehsawar High Court, the present appellant alongwith others were conditionally appointed subject to final decision filed in the Hon'ble Supreme Court of Pakistan. When learned counsel was confronted with the notification he requested for adjournment in order to apprise the Tribunal in respect of the present situation. Case is adjourned to 09.12.2021 for arguments/ further proceedings in view of the notification produced today before this Tribunal.


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


(Rozina Rehman)
Member (J)

09.12.2021

Counsel for the appellant and Mr. Muhammad Asif Masood, DDA alongwith Muhammad Murtaza, Superintendent for the respondents present.

Learned AAG seeks time for preparation. Request is accorded. To come up for arguments on 30.03.2022 before the D.B.


(Salah-ud-Din)
Member(J)


Chairman

30-3-2022

Proper DB not available the case is adjourned to come up for the same as before on 6-6-2022


Reader

06.06.2022

Clerk of learned counsel for the appellant present. Mr. Kabirullah Khattak, Additional Advocate General 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 on 18.08.2022 before the D.B.



(Fareeha Paul)
Member (E)



(Salah-ud-Din)
Member (J)

18.8-22

Due to summer vacation the case is adjourned to 15.9-22 for the same.



15.09.2022

Nemo for parties.

Muhammad Adeel, learned Additional Advocate General present.

Preceding date was changed on Reader note, therefore, both parties be put on notice for arguments on 13.10.2022 before D.B.

*Noted
H. S.
5/10/22*



(Fareeha Paul)
Member (E)




(Rozina Rehman)
Member (J)

13th Oct., 2022

Counsel for the appellant present. M. Muhammad Riaz Khan Paindakhel, Assistant Advocate General for the respondents present.

Learned counsel for the appellant requests for adjournment in order to further prepare the brief. Last opportunity is granted. To come up for arguments on 23.11.2022 before the D.B.


(Fareeha Paul)
Member (E)


(Kalim Arshad Khan)
Chairman

23rd Nov. 2022

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

Last opportunity was granted to appellant to argue the case but today adjourned is being sought. To come up for order on 30.01.2023 before the D.B. Learned counsel for the appellant may argue the case before announcement.


(Fareeha Paul)
Member (E)


(Kalim Arshad Khan)
Chairman