

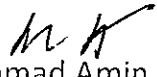


Form- A
FORM OF ORDER SHEET

Court of _____

Case No. 933/2018

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	24/07/2018	<p>The appeal of Mr. Ali Asghar Shah resubmitted today by Mr. Fazal Shah Mohmand 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-	24-7-2018	<p>This case is entrusted to S. Bench for preliminary hearing to be put up there on <u>29-8-2018</u></p> <p style="text-align: right;"> CHAIRMAN</p>
	29.08.2018	<p>None present on behalf of the appellant. Adjourned. To come up for preliminary hearing on 04.10.2018 before S.B.</p> <p style="text-align: right;"> (Muhammad Amin Khan Kundi) Member</p>

04.10.2018

Counsel for the appellant Ali Asghar Shah present. Preliminary arguments heard. It was contended by learned counsel for the appellant that the appellant was serving in Education Department as Senior Instructor (BPS-17) in Government Skill Development Center Balakot District Mansehra. It was further contended that vide order dated 24.11.2016 he was assigned additional charge of Incharge Principal of Government Technical and Vocational Center (boys) Umerzai District Charsadda till 27.02.2018 and ultimately the competent authority withdrawn duty of additional charge vide order dated 27.02.2018 but the appellant was not given the allowances of the additional charge. It was further contended that the appellant filed departmental appeal but the same was rejected hence, the present service appeal. It was further contended that since the appellant was assigned the additional duty therefore, the respondent-department was bound to pay the allowances of additional charge.

Appellant Deposited
Security & Process Fee



The contention raised by the learned counsel for the appellant need consideration. The appeal is admitted for regular hearing subject to deposit of security and process fee within 10 days thereafter, notice be issued to the respondents for written reply/comments for 20.11.2018 before S.B.


(Muhammad Amin Khan Kundi)
Member

20.11.2018

Counsel for the appellant present. Mr. Kabirullah Khattak, Additional AG for the respondents present. Representative of the department is not in attendance, therefore, notice be issued to the respondents with the direction to direct the representative to attend the court and submit written reply on the next date positively. Adjourned. To come up for written reply/comments on 09.01.2019 before S.B.


Muhammad Amin Khan Kundi
Member

09.1.2019

Counsel for the appellant and Addl. AG alongwith Shahab Khattak, Legal Advisor for the respondents present.

The representative of the respondents requests for some further time as the requisite reply is in the process of preparation. Adjourned to 12.03.2019 on which date the reply shall be positively submitted.

Chairman 

12.03.2019

Appellant in person present. Mr. Kabirullah Khattak, Additional AG alongwith Mr. Shahab Khattak, Legal Advisor for respondents No. 1 & 3 present and submitted written reply on their behalf. Representative of respondents No. 1 & 3 also rely on the written reply submitted by respondents No. 1 & 3 on behalf of respondents No. 2 & 4. Adjourned to 07.05.2019 for rejoinder and arguments before D.B.


(MUHAMMAD AMIN KHAN KUNDI)
MEMBER

07.05.2019

Appellant in person, Addl. AG for respondent No. 1 and Mr. Shahab Khattak, Advocate for respondents No. 2 & 3 present.

The appellant has submitted rejoinder to the reply of respondents and seeks adjournment for arguments by his learned counsel who is not in attendance today. Adjourned to 2.07.2019 for arguments before the D.B.


Member


Chairman

02.07.2019

Appellant in person present. Mr. Kabirullah Khattak learned Additional Advocate General for the respondents present. Due to general strike on the call of Khyber Pakhtunkhwa Bar Council, learned counsel for the appellant is not available today. Adjourned. To come up for arguments on 27.08.2019 before D.B


(Hussain Shah)
Member


(M. Amin Khan Kundi)
Member

27.08.2019

Appellant in person present. Mr. Kabir Ullah Khattak learned Additional Advocate General alongwith Shahab Khattak Legal Advisor present. Appellant seeks adjournment as his counsel is not in attendance. Adjourn. To come up for arguments on 10.10.2019 before D.B.


Member


Member

10.10.2019

Counsel for the appellant present. Mr. Ziaullah, DDA for respondents present. Learned counsel for the appellant submitted additional documents which placed on file. A copy of the same was also handed over to the learned DDA. Learned counsel for the appellant seeks adjournment. Adjournd. To come up for arguments on 13.01.2020 before D.B.

Member

Member

Member

Member

14.11.2019

Counsel for the appellant present. Mr. Ziaullah, DDA for respondents present. Learned counsel for the appellant submitted additional documents which is placed on file. A copy of the same was also handed over to the learned DDA. Learned counsel for the appellant seeks adjournment. Adjournd. To come up for arguments on 13.01.2020 before D.B.

Member

Member

13.01.2020

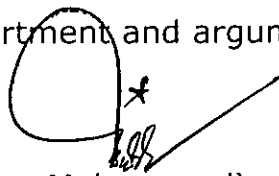
Due to general strike of the bar on the call of Khyber Pakhtunkhwa Bar Council, the case is adjourned. To come up for further proceedings/arguments on 03.03.2020 before D.B.

Member

Member

03.03.2020

Counsel for the appellant and Mr. Muhammad Jan, Deputy District Attorney for official respondents present. Representative of the department is not present on behalf of respondents. Respondents are strictly directed to direct the representative to attend the court on the next date positively. To come up for attendance of representative of the department and arguments on 09.04.2020 before D.B.


(Mian Mohammad)
Member


(M. Amin Khan Kundi)
Member

09-4 .2020

Due to COVID19, the case is adjourned to

07/07/2020 for the same as before.


Reader

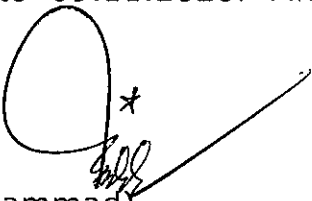
07.07.2020

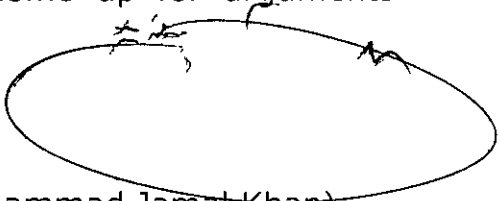
Due to COVID19, the case is adjourned to 01.09.2020 for the same as before.


Reader

01.09.2020

Learned counsel for the appellant is present. Mr. Muhammad Jan, Deputy District Attorney alongwith Mr. Shahab Khattak, Legal Coordinator for the respondents are also present. Learned counsel for the appellant is seeking adjournment that he has not prepared the instant appeal. Adjourned to 09.11.2020. File to come up for arguments before D.B.

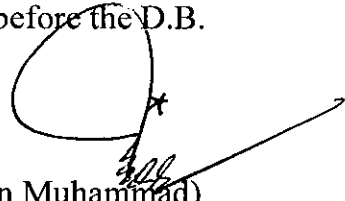

(Mian Muhammad)
Member (Executive)


(Muhammad Jamal Khan)
Member (Judicial)

09.11.2020

Appellant in person present. Mr. Muhammad Riaz Khan Painsdakhel, Assistant Advocate General for respondents present.

The Bar is observing general strike, therefore, the matter is adjourned to 18.01.2021 for hearing before the D.B.


(Mian Muhammad)
Member (E)

18.01.2021

Due to COVID-19, the case is adjourned for the same on 02.04.2021 before D.B.


READER

02.04.2021

Due to non availability of the concerned D.B, the case is adjourned to 05.07.2021 for the same.


Reader

05.07.2021

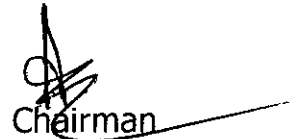
Appellant with counsel present.

Muhammad Rasheed learned Deputy District Attorney present. Junior to counsel for respondents No.2 to 4 present.

Request for adjournment was made on behalf of both the parties; granted. To come up on 26.10.2021 for arguments before D.B.



(Rozina Rehman)
Member(J)

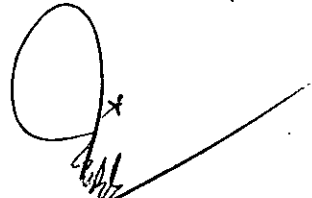


Chairman

26.10.2021

Mis. Rabia Muzafar (junior of learned counsel for the appellant) present. Mr. Shahab Khattak, Legal Coordinator alongwith Mr. Javed Ullah, Assistant Advocate General for the respondents present.

Junior of learned counsel for the appellant requested for adjournment on the ground that learned counsel for the appellant is busy in the august Peshawar High Court, Peshawar. Adjourned. To come up for arguments on 21.02.2022 before the D.B.



(MIAN MUHAMMAD)
MEMBER (E)



(SALAH-UD-DIN)
MEMBER (J)

21.02.2022

Due to retirement of the Worthy Chairman, the Tribunal is defunct, therefore, case is adjourned to 30.05.2022 for the same as before.



Reader.

30.05.2022

Junior to counsel for the appellant present.

Muhammad Adeel Butt, learned Additional Advocate General for respondents present.

Former made a request for adjournment as senior counsel is busy before Apex Court. In this regard, proper application seeking adjournment was filed and is placed on file of Service Appeal No.1133/2019 titled "Muhammad Zeeshan Vs. Government of Khyber Pakhtunkhwa". Case is adjourned to 08.08.2022 for arguments before D.B.



(Fareeha Paul)
Member(E)



(Rozina Rehman)
Member (J)

8-8-2022

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


Reader

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 up for arguments on 19.01.2023 before D.B.



(Fareeha Paul)
Member (E)



(Kalim Arshad Khan)
Chairman