





Form- A
FORM OF ORDER SHEET

Court of _____

Case No. 973 /2018

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	07/08/2018 7-8-18	<p>The appeal of Mr. Sadat Khan resubmitted today by Mr. Noor Muhammad Khattak 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-	30.08.2018	<p>This case is entrusted to S. Bench for preliminary hearing to be put up there on <u>30-8-18</u>.</p> <p style="text-align: right;"> CHAIRMAN</p>
	09.10.2018	<p>Counsel for the appellant present and made a request for adjournment. Adjourned. To come up for preliminary hearing on 09.10.2018 before S.B.</p> <p style="text-align: right;"> (Ahmad Hassan) Member</p>
		<p>Counsel for the appellant Mr. Shahzullah, Adocate present and heard. Let pre-admission notice be given to the respondents. To come up for preliminary hearing on 09.11.2018 before S.B.</p> <p style="text-align: right;"> Chairman</p>

9-11-2018

Due to retirement of Honorable
Chairman the Tribunal is non
functional therefore the case is
adjourned to come up for the case
on 28-12-2018

Sadaf
Reader

28.12.2018

Appellant absent. Learned counsel for the
appellant absent. Adjourn. To come up for preliminary
hearing on 01.02.2019 before S.B.

Member

01.02.2019

Counsel for the appellant Sadat Khan present. Preliminary arguments heard. It was contended by learned counsel for the appellant that the appellant was appointed as Chowkidar in Education Department by the competent authority vide order dated 07.03.2007. It was further contended that the said school in which the appellant was performing duty has been forcefully closed by some unknown persons therefore, the respondent-department has stopped the salary of the appellant since December 2017. It was further contended that the appellant regularly performed duty but the attendance register has been misplaced by the some unknown person. It was further contended that the appellant also filed departmental appeal but the same was not responded hence, the present service appeal. It was further contended that since the appellant is performing his duty regularly therefore, he is entitled for salary.

The contention raised by the learned counsel for the appellant needs consideration. The appeal is admitted for regular hearing subject to all legal objections. The appellant is directed to deposit security and process fee within 10 days, thereafter, notice be issued to the respondents for written reply/comments for 20.03.2019 before S.B.

S
Appellant Deposited
Security & Process Fee

MA
(Muhammad Amin Khan Kundi)
Member

20.03.2019

Appellant in person and Mr. Kabirullah Khattak learned Addl; AG for the respondents present. Written reply not submitted. ~~Learned AAG~~ *Seek time to file written reply.* adjourned. To come up for written reply/comments on 18.04.2019 before S.B.


(Hussain Shah)
Member

18.04.2019

Appellant in person present. Written reply not submitted. Daud Jan Superintendent representative of the respondent department absent. He be summoned with direction to furnish written reply/comments. Adjourn. To come up for written reply/comments on 13.06.2019 before S.B.


Member

13.06.2019

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

Learned AAG requests for time to procure written reply/comments from the respondents. Adjourned to 10.07.2019 on which date the written reply/comments shall positively be submitted.


Chairman

10.07.2019

Appellant in person and Addl:AG for respondents present.

On previous three occasions, the case was adjourned upon request on behalf of the respondents for time to submit the reply/comments to the appeal. Even today no representative of respondents is present. The instant matter, therefore, is posted for arguments before D.B on 24.09.2019.


Chairman

24.09.2019

Counsel for the appellant and Mr. Usman Ghani, District Attorney for the respondents present. Learned counsel for the appellant seeks adjournment. Adjourned to 01.11.2019 for arguments before D.B.

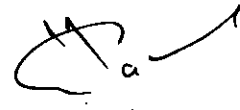

(Hussain Shah)
Member


(M. Amin Khan Kundi)
Member

01.11.2019

Appellant with counsel present. Mr. Riaz Khan Paindakheil learned Assistant Advocate General present. None present on behalf of respondents. It is not established from the record that the respondents are in the know of the present service appeal. Notices be issued to the respondents for 29.11.2019. Irfan Assistant, representative of respondent No.1 be also summoned for the date fixed. Adjourn. To come up for further proceedings on the date fixed 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

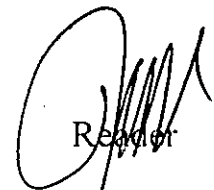
Clerk to counsel for the appellant present. Addl:AG for respondents present. Due to General Strike of the bar on the call of Khyber Pakhtunkhwa Bar Council, the instant case is adjourned. To come up for further proceedings/arguments on 27.03.2020 before D.B. Appellant be put on notice for the date fixed.


Member


Member

27.03.2020

Due to public holidays on account of Covid-19, the case is adjourned. To come up for the same on 17.06.2020 before D.B.


Reader

17.06.2020

Due to Covid-19, the case is adjourned. To come up for the same on 10.09.2020 before D.B.



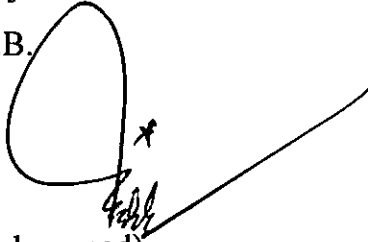
Reader

10.09.2020


Appellant in person alongwith Junior to counsel for the appellant present. Mr. Kabirullah Khattak, Additional Advocate General for respondents present.

Junior to counsel for the appellant requested for adjournment as his senior counsel is not available today. Record revealed that written reply has not been submitted by the respondents. They are strictly directed to submit written reply on the next date.

Adjourned to 27.10.2020 for reply and arguments before D.B.



(Mian Muhammad)
Member (E)




(Muhammad Jamal)
Member(J)

27.10.2020

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

The Bar is observing general strike, therefore, the matter is adjourned to 04.01.2021 for hearing before the D.B.



(Atiq-ur-Rehman Wazir)
Member



Chairman

04.01.2021

Appellant with counsel present.

Riaz Khan Paindakhel Assistant Advocate General Javid Iqbal Stenographer for respondents present.

Representative of respondents made a request for adjournment. Last chance is given. To come up for reply and arguments 25.02.2021 before D.B.



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

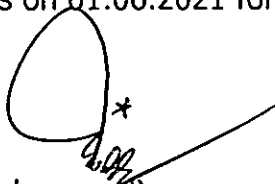


(Rozina Rehman)
Member (J)


25.02.2021

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

Due to general strike on the call of Pakistan Bar Council, learned counsel for the appellant is not available. To come up for arguments on 01.06.2021 for hearing before the D.B.



(Mian Muhammad)
Member(E)



Chairman

01.06.2021

Appellant with counsel present.

Muhammad Adeel Butt learned Additional Advocate General present. Nemo for official respondents.

Bench is incomplete as learned Member Executive (Mian Muhammad) is on leave, therefore, case is adjourned to 03.09.2021 for hearing before D.B. Respondents be put on notice for the date fixed.



(Rozina Rehman)
Member(J)

28.07.2021

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

Due to general strike of the Peshawar Bar Association, the case is adjourned to 16.11.2021 for the same before D.B.



(Rozina Rehman)
Member (Judicial)



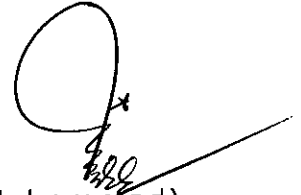
Chairman

D

16.11.2021

Mr. Noor Muhammad Khattak, Advocate, for the appellant present. Mr. Kabirullah Khattak, Additional Advocate General for the respondents present.

Learned Member Judicial Mr. Salah-ud-Din is on leave, therefore, arguments could not be heard. Adjourned. To come up for arguments on 21.02.2022 before the D.B.



(Mian Muhammad)
Member (E)

21.02.2022

Due to retirement of the Worthy Chairman, the Tribunal is defunct, therefore, case is adjourned to 24.05.2022 for the same as before.



Reader.

24th May, 2022

Counsel for the appellant present. Mr. Taimur Ali Shah, Asstt. AG for the respondents present.

Learned counsel for the appellant seeks adjournment in order to properly assist the court. The appeal pertains to the year, 2018. Last chance is given to the appellant for arguments, otherwise, the case will be decided on the basis of available record without the arguments. To come up for arguments on 08.08.2022 before the D.B.



(Fareeha Paul)
Member (E)



(Kalim Arshad Khan)
Chairman

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 for arguments before the D.B. on 19.01.2023.



(Fareeha Paul)
Member (E)



(Kalim Arshad Khan)
Chairman