



ORDER
28.11.2022

Nemo for the appellant. Mr. Muhammad Jan, District Attorney
for the respondents present.

The appeal in hand was called on for hearing after various
intervals, however none appeared on behalf of the appellant till the
closing time, therefore, the appeal in hand stands dismissed in default.
Parties are left to bear their own costs. File be consigned to the record
room.

ANNOUNCED
28.11.2022


(Mian Muhammad)
Member (Executive)



(Salah-Ud-Din)
Member (Judicial)

SA 1283/2013

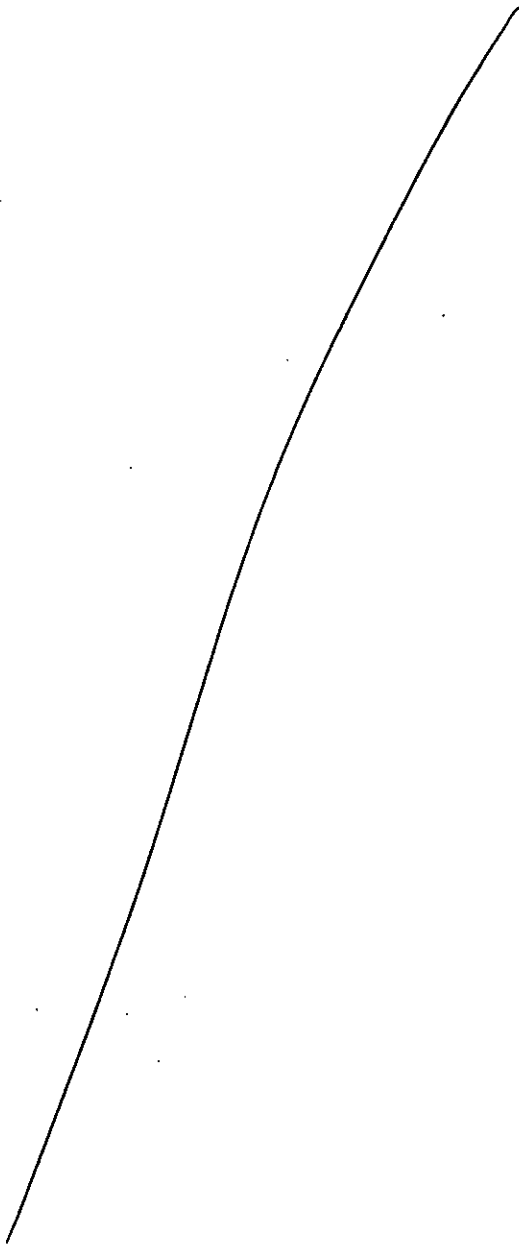
4th Nov. 2022

Lawyers are on strike today.

This being old case of 2013 is adjourned to 28.11.2022 as last chance for arguments before the D.B. Office is directed to notify the next date on the notice board as well as the website of the Tribunal.


(Fareeha Paul)
Member(E)


(Kalim Arshad Khan)
Chairman



10.06.2022 Bench is incomplete,

therefore, case is adjourned
to 25.07.2022 for the
same as before
Reader

25th July 2022 Nemo for the appellant.

Due to non-availability
of postal tickets counsel
out of district appellant
was not put on notice

Previous date was changed on Reader Note, therefore,
notice for prosecution of the appeal be issued to the appellant
as well as his counsel and to come up for arguments on
19.09.2022 before the D.B.



(Salah-Ud-Din)
Member (J)

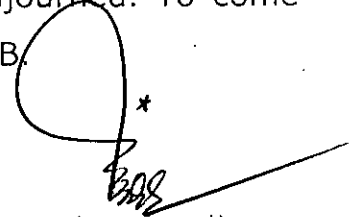


(Kalim Arshad Khan)
Chairman

19.09.2022

Junior of learned counsel for the appellant present. Mr. Muhammad Adeel Butt, 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 03.11.2022 before the D.B.




(Mian Muhammad)
Member (Executive)

13.09.2021

Nemo for appellant.

Muhammad Adeel Butt learned A.A.G for the respondents present.

Notice be issued to appellant/counsel for 31.12.2021 for hearing before D.B.


(Rozina Rehman)
Member (J)

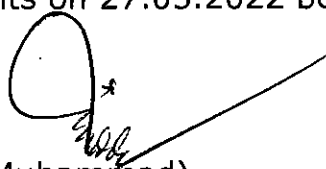

Chairman

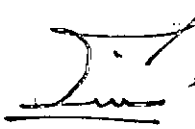
*Due to winter vacation
the case is adjourned to 14/4/22 for
the same as before*

14.04.2022

Nemo for the appellant. Mr. Asif Masood Ali Shah, Deputy District Attorney for the respondents present.

Previous date was changed on Reader Note, therefore, notice for prosecution of the appeal be issued to the appellant as well as his counsel through registered post and to come up for arguments on 27.05.2022 before the D.B.



(Mian Muhammad)
Member (E)



(Salah-ud-Din)
Member (J)

27th May, 2022

Clerk of the counsel present. Mr. Naseerud Din Shah, Asstt. AG for respondents present.

Arguments could not be heard due to general strike of the bar. Adjourned. To come up for arguments on 21.06.2022 before D.B.

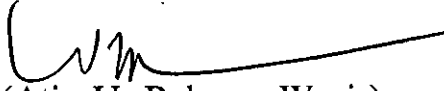

(Fareeha Paul)
Member (E)


(Kalim Arshad Khan)
Chairman

07.12.2020

Junior to counsel for appellant and Mr. Muhammad Jan, learned Deputy District Attorney for respondents present.

Due to general strike of the bar, the matter is adjourned to 26.02.2021 for hearing before D.B.

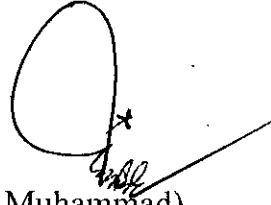

(Atiq-Ur-Rehman Wazir)
Member (E)


Chairman

26.02.2021

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

The Hon'ble Chairman is on leave. Due to incomplete bench, the matter is adjourned to 25.05.2021 for hearing before the D.B.



(Mian Muhammad)
Member(E)

25.05.2021

Appellant present through counsel.

Asif Masood Ali Shah learned Deputy District Attorney for respondents present.

Former made a request for adjournment; granted. To come up for arguments on 13/9/2021 before D.B.


(Atiq ur Rehman Wazir)
Member (E)


(Rozina Rehman)
Member (J)

_____ .2020 Due to COVID19, the case is adjourned to
10 / 8 /2020 for the same as before.



Reader

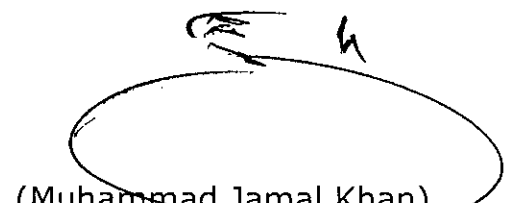
10.08.2020 Due to summer vacations case to come up for the same on
13.10.2020 before D.B.


Reader

13.10.2020 Mr. Imran Khan, Advocate for appellant is present. Zara Tajwar,
Deputy District Attorney for the respondents is also present.

Junior counsel for the senior submitted that his senior is busy
before the Hon'ble Peshawar High Court, Peshawar and requested for
adjournment. Adjourned to 07.12.2020 on which to come up for
arguments before D.B.


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


(Muhammad Jamal Khan)
Member (Judicial)

13.02.2020

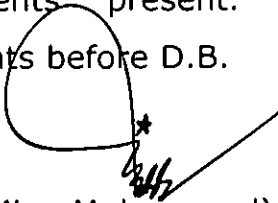
Junior counsel for the appellant and Mr. Kabirullah Khattak, Additional AG for the respondents present. Junior counsel for the appellant requested for adjournment on the ground that learned senior counsel for the appellant is busy in the Hon'ble Peshawar High Court, Peshawar. Adjourned to 20.03.2020 for arguments before D.B.


(Hussain Shah)
Member


(M. Amin Khan Kundi)
Member

20.03.2020

Due to general strike of Khyber Pakhtunkhwa Bar Council, learned counsel for the appellant is not available today. Mr. Kabirullah Khattak, Additional AG for the respondents present. Adjourned to 22.05.2020 for arguments before D.B.


(Mian Muhammad)
Member


(M. Amin Khan Kundi)
Member

27.09.2019

Junior to counsel for the appellant present. Mr. Kabirullah Khattak learned Additional Advocate General for the respondents present. Junior to counsel for the appellant seeks adjournment as senior counsel for the appellant is not in attendance. Adjourned. To come up for arguments 06.11.2019 before D.B.



(Hussain Shah)
Member



(M. Amin Khan Kundi)
Member

06.11.2019

Learned counsel for the appellant and Mr. Zia Ullah learned Deputy District Attorney present. Learned counsel for the appellant seeks adjournment. Being an old case of the year 2013, adjourned by way of last chance. To come up for arguments on 24.12.2019 before D.B.



Member



Member

24.12.2019

Appellant in person present. Mr. Muhammad Jan learned Deputy District Attorney present. Appellant seeks adjournment as his counsel is not available. ~~adjourned~~ Adjourned by way of last chance. To come up for arguments on 13.02.2020 before D.B.



Member



Member

24.04.2019

Appellant in person and Assistant A.G for the respondents present.

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

Adjourned to 24.06.2019 for arguments before the D.B.


Member


Chairman

24.06.2019

Imran Advocate junior to learned counsel for the appellant present. Mr. Zia Ullah learned Deputy District Attorney present. Junior to counsel for the appellant seeks adjournment as senior learned counsel for the appellant is not in attendance. Adjourn. To come up for arguments on 27.08.2019 before D.B.


Member


Member

27.08.2019

Imran Advocate present on behalf of learned counsel for the appellant present. Mr. Riaz Paindakheil learned AAG present. Imran Advocate seeks adjournment. Being an old case, adjourned on the payment of cost of Rs.3000/- to be paid on behalf of appellant. To come up for arguments on 27.09.2019 before D.B.


Member


Member

30.11.2018

Appellant in person and Mr. Ziaullah, DDA for the respondents present.

A request for adjournment is made at the bar on the ground of engagement of learned senior counsel for appellant before the Hon'ble High Court. Adjourned to 23.01.2019 for arguments before the D.B.


Member


Chairman

23.01.2019

Counsel for the appellant present. Mr. Ziaullah, Deputy District Attorney for the respondents present. Learned counsel for the appellant requested for adjournment. Adjourned to 11.03.2019 for arguments before D.B.


(HUSSAIN SHAH)
MEMBER


(MUHAMMAD AMIN KHAN KUNDI)
MEMBER

11.03.2019

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

A request for adjournment is made due to engagement of learned senior counsel for the appellant in many cases before the Honourable High Court today.

Adjourned to 24.04.2019 before the D.B.


Member


Chairman

30.11.2018

Clerk to counsel for the appellant and Mr. Kabir Ullah Khattak, learned Additional Advocate General present. The Tribunal is defunct due to retirement of Hon'ble Chairman. Therefore the case is adjourned. To come up for the same on 12.07.2018


READER

12.07.2018

Clerk to counsel for the appellant present. Mr. Muhammad Jan, DDA for respondents present. Arguments could not be heard due to general strike of the Bar. Adjourned. To come up for Arguments on 21.08.2018 before D.B.


(Ahamd Hassan)
Member


(Muhammad Hamid Mughal)
Member

21.08.2018

Due to Eidul Azha vacation,
the case is adjourned to 17-10-2018.


Reader.

17.10.2018

Learned counsel for the appellant and Mr. Riáz Ahmed Paindakhel learned Assistant Advocate General for the respondents present. Learned counsel for the appellant seeks adjournment. Adjourned. To come up for arguments on 30.11.2018 before D.B.


Member


Member

27.07.2017

Counsel for the appellant and Mr. Muhammad Jan, Deputy District Attorney for respondents present. Counsel for the appellant seeks adjournment. Adjourned. To come up for arguments on 09.10.2017 before D.B.


(Ahmad Hassan)
Member


(M. Hamid Mughal)
Member

09.10.2017

Junior counsel for the appellant present. Mr. Ziaullah, Deputy District Attorney for the respondents also present. Junior counsel for the appellant seeks adjournment on the ground that learned senior counsel for the appellant is not available today. Adjourn. To come up for arguments on 26.12.2017 before D.B.

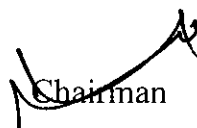

(Muhammad Amin Khan Kundi)
Member


(Muhammad Hamid Mughal)
Member

26.12.2017

Counsel for the appellant and Mr. Muhammad Jan, Deputy District Attorney for the respondents present. Counsel for the appellant seeks adjournment. Granted. To come up for arguments on 26.02.2018 before the D.B.


Member


Chairman

26.02.2018

Junior Counsel for the appellant and Asstt. AG for the respondents present. Learned Senior Counsel for the appellant is not in attendance. Seeks adjournment. To come up for arguments on 30.04.2018 before the D.B.

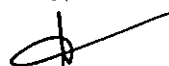

Member



Chairman

Appeal No. 1283/2013

28.06.2016

Junior to counsel for the appellant and Mr. Muhammad Jan, GP for respondents present. Junior to counsel for the appellant requested for adjournment. To come up for arguments on 21.11.2016.


Member


Member

21.11.2016

None present for the appellant. Assistant AG for respondents present. Notice be issued to the appellant and his counsel. To come up for arguments on 30.3.2017.



(MUHAMMAD AAMIR NAZIR)
MEMBER


(ABDUL LATIF)
MEMBER

30.03.2017

Mr. Imran, Junior counsel for appellant present. Mr. Ziaullah, Government Pleader for also respondents present. Junior counsel for appellant requested for adjournment. Adjourned. To come up for arguments on 27.07.2017 before D.B.



(Ahmad Hassan)
Member


(Muhammad Amin Khan)
Member

Appeal No. 1283/2013

21.11.2014

Clerk of counsel for the appellant and Mr. Hazrat Badshah, HR Litigation on behalf of respondent No. 3 with Mr. Muhammad Adeel Butt, AAG for the respondents present. The Tribunal is incomplete. To come up for rejoinder on 12.03.2015.


Reader

12.03.2015

Counsel for the appellant, M/S Khurshid Khan, SO for respondent No. 1 and Javed Ahmed, Supdt. for respondent No. 2 alongwith Addl: A.G for all respondents present. Counsel for the appellant requested for adjournment. The appeal is assigned to D.B for rejoinder and final hearing for 1.10.2015.


Chairman

01.10.2015


Counsel for the appellant and Mr. Muhammad Jan, GP for respondents present. Arguments could not be heard due to shortage of time. To come up for arguments on 22-3-16.


Member


Member

22.03.2016

Junior to counsel for the appellant and Mr. Usman Ghani, Sr.GP for respondents present. Junior to counsel for the appellant requested for adjournment due to non-availability of senior counsel for the appellant. To come up for arguments on 28.06.2016.


Member


Member

Appeal No. 1283/2013
Mr. Saad Kurrin

6. - 29.04.2014

Counsel for the appellant present. Preliminary arguments heard and case file perused. Through the instant appeal under Section-4 of the Khyber Pakhtunkhwa Service Tribunal Act 1974, the appellant has impugned order dated 26.03.2013 issued by respondent No.3 vide which the appellant was awarded major penalty of Removal from Service due to willful absence from duty. He filed departmental appeal which has not been responded within the statutory period of 90 days, hence the instant appeal.

Since the appeal is well within time and point raised in the Tribunal required further consideration, hence admit for regular hearing subject to all legal objections. The appellant is directed to deposit the security amount and process fee within 10 days. Thereafter, Notice be issued to the respondents for submission of written reply on 10.07.2014.

2014
2007

Member

2. 8.05.2014

This case be put before the Final Bench I for further proceedings.

Chairman

10.7.2014

Counsel for the appellant, M/S Khurshid Khan, SO for respondent No. 1 and Khaista Rehman, Legal Representative for respondents No. 3 & 4 with Mr. Usman Ghani, Sr. GP for the respondents present. Written reply received on behalf of respondents No. 1 to 3, and representative of respondents No. 3 and 4 stated that the appeal relates to the office of DEO (M) Peshawar, therefore, the reply submitted today be also considered on behalf of respondent No. 4. Copy of the written reply of the respondents is handed over to the learned counsel for the appellant for rejoinder on 21.11.2014.

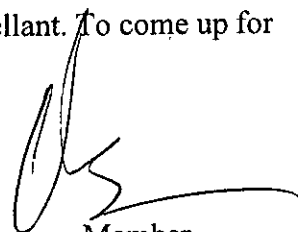
Chairman

Appeal No. 1283/2013

3.

02.12.2013

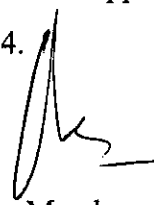
No one is present on behalf of the appellant. To come up for preliminary hearing on 28.01.2014.


Member

4.

28.01.2014

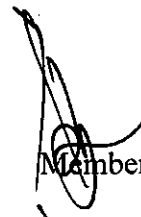
Clerk of counsel for the appellant present and requested for adjournment due to non-availability of counsel for the appellant. To come up for preliminary hearing on 11.03.2014.

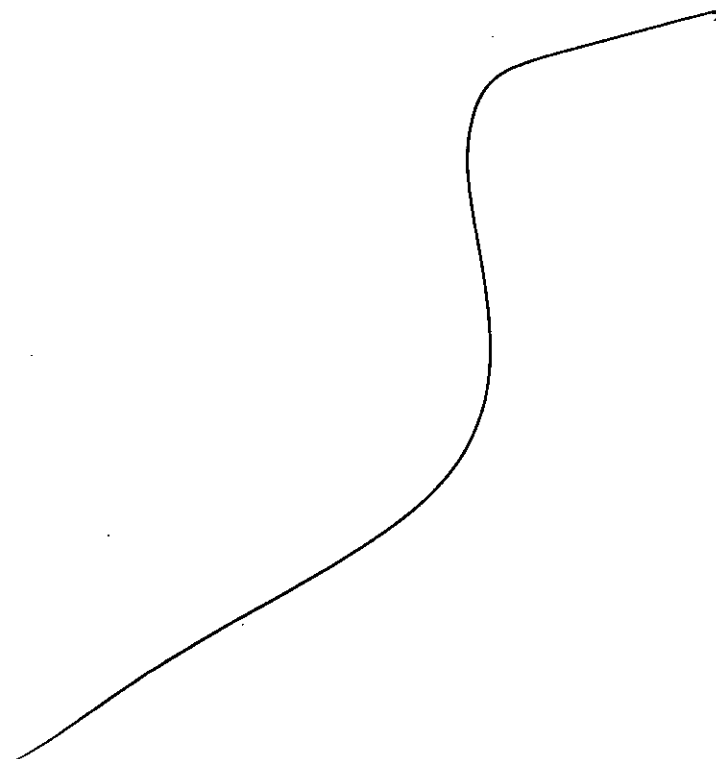

Member

5.

11.03.2014

No one is present on behalf of the appellant. Notices be issued to the appellant/counsel for the appellant for preliminary hearing on 29.04.2014.




Member



Form- A
FORM OF ORDER SHEET

Court of _____

Case No. 1283/2013

S.No.	Date of order Proceedings	Order or other proceedings with signature of judge or Magistrate
1	2	3
1	03/09/2013	<p>The appeal of Mr. Said Karim resubmitted today by Mr. Ibad-ur-Rehman Advocate may be entered in the Institution Register and put up to the Worthy Chairman for preliminary hearing.</p> <p style="text-align: right;"> REGISTRAR</p>
2	9-9-2013.	<p>This case is entrusted to Primary Bench for preliminary hearing to be put up there on <u>2-12-2013</u></p> <p style="text-align: right;"> CHAIRMAN</p>