

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

A handwritten signature in black ink, consisting of a large, stylized 'M' followed by a checkmark-like flourish.

(Mian Muhammad)
Member (Executive)


A handwritten signature in black ink, consisting of a stylized 'S' followed by a horizontal line and a flourish.

(Salah-Ud-Din)
Member (Judicial)

19.09.2022

Learned counsel for the appellant present. Mian Niaz Muhammad DSP (Legal) alongwith 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)

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

27th May, 2022

Clerk of the counsel present. Mr. Muhammad Adil Butt, Addl. AG for respondents present.

Arguments could not be heard due to general strike of the bar. Adjourned. To come up for arguments on 10.06.2022 before D.B.



(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.

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

Noted

M. J. Shah

13/9/22

13.04.2022

Nemo for the appellant present. Syed Naseer Ud Din Shah, Asst: AG alongwith Mr. Muhammad Mukhtar, LHC for respondents present.

Previous date was changed on Reader note, therefore, notice of prosecution of appeal be issued to the appellant as well as his counsel through registered post. To come up for arguments before the D.B on 25.05.2022.



(Mian Muhammad)
Member(E)



(Salah Ud Din)
Member(J)

25th May, 2022

Mr. Noman Ali Bukhari, Advocate junior to Muhammad Asif Yousafzai, Advocate present. Mr. Muhammad Asif Masood Ali Shah, DDA for respondents present.

Junior counsel for the appellant is directed to informed the appellant to appear in person before the Tribunal. To come up for arguments on 27.05.2022 before D.B.



(Fareeha Paul)
Member(E)



(Kalim Arshad Khan)
Chairman

11.08.2021

Nemo for appellant.

Javid Ullah learned Assistant A.G for respondents present.

Appellant/counsel be put on notice for 21.10.2021 for arguments before D.B.

NOTE for
MM



(Rozina Rehman)
Member (J)



Chairman

13-9 21.10.2021

Junior to counsel for the appellant and Mr. Noor Zaman Khattak, District Attorney for the respondents present.

Former seeks adjournment due to engagement of learned senior counsel for the appellant before the Hon'ble Peshawar High Court today. Request is accorded. To come up for arguments on 17.12.2021 before the D.B.



(Salah-ud-Din)
Member(J)



Chairman

17.12-21

DB is an Toud case to come up for the same on dated. 13-4-22

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Reides

28.12.2020

Due to summer vacation, case is adjourned to 30.03.2021 for the same as before.



Reader


30.03.2021

Nemo for parties.

Riaz Khan Paindakheil learned Assistant Advocate General present.

Preceding date was adjourned on a Reader's note, therefore, both the parties be put on notice for 28/06/2021 for arguments, before D.B.



(Atiq ur Rehman Wazir)
Member (E)


(Rozina Rehman)
Member (J)

28.06.2021

Junior to counsel for the appellant and Mr. Usman Ghani, District Attorney for the respondents present.

The Worthy Chairman is on leave, therefore, the Bench is incomplete. To come up for arguments on 11.08.2021 before the D.B.


(Rozina Rehman)
Member(J)

13.03.2020


Learned counsel for the appellant and Mr. Zia Ullah learned Deputy District Attorney present. Learned counsel for the appellant seeks adjournment. Adjourn. To come up for arguments on 30.04.2020 before D.B.


Member


Member

30.04.2020

Due to public holidays on account of Covid-19, the case is adjourned. To come up for the same on 06.08.2020 before D.B.


Reader

06.08.2020


Due to summer vacation case to come up for the same on 26.10.2020 before D.B.


Reader

26.10.2020

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

The Bar is observing general strike, therefore, the matter is adjourned to 28.12.2020 for hearing before the D.B.


(Atiq-ur-Rehman Wazir)
Member


Chairman

13.12.2019

Lawyers are on strike as per the decision of All Pakistan Joint Lawyers Action Committee. Adjourn. To come up for further proceedings/arguments on 31.01.2020 before D.B


Member


Member

31.01.2020 Appellant absent. However junior to counsel for the appellant present and seeks adjournment. Mr. Kabir Ullah Khattak learned Additional Advocate General for respondents present. Adjourn. To come up for arguments on 28.02.2020 before D.B. Appellant be put to notice for the date fixed.


Member


Member

28.02.2020 Junior to counsel for the appellant present. Mr. Kabirullah Khattak learned Additional AG for the respondent present. Junior to counsel for the appellant requested for adjournment as senior counsel for the appellant is not available today. Adjourn. To come up for arguments on 13.03.2020 before D.B.


Member


Member

17.07.2019


Counsel for the appellant and Mr. Usman Ghani, District Attorney for the respondents present. Learned counsel for the appellant requested for adjournment. Adjourned to 24.09.2019 for arguments before D.B.


(HUSSAIN SHAH)
MEMBER


(M. AMIN KHAN KUNDI)
MEMBER

24.09.2019


Counsel for the appellant and Mr. Kabirullah Khattak, Additional AG 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

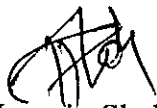
Learned counsel for the appellant and Mr. Kabir Ullah Khattak learned Additional Advocate General present. Learned counsel for the appellant seeks adjournment. Being an old case of the year 2013, last opportunity is granted. To come up for arguments on ~~13.12~~ 2019 before D.B.



Member


Member

22.01.2019

Learned counsel for the appellant and Mr. Riaz Paindakhel learned Assistant Advocate General for the respondents present. Learned counsel for the appellant seeks adjournment. Adjourned. To come up arguments on 26.03.2019 before D.B

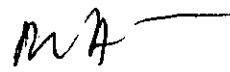

(Hussain Shah)
Member


(Muhammad Amin Khan Kundi)
Member

26.03.2019

Junior to counsel for the appellant and 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 on 31.05.2019 before D.B


(Hussain Shah)
Member


(Muhammad Amin Khan khudi)
Member

31.05.2019


Junior to counsel for the appellant and Mr. Usman Ghani learned District Attorney present. Junior to counsel for the appellant seeks adjournment as learned senior counsel for the appellant is not in attendance. Adjourn. To come up for arguments on 17.07.2019 before D.B.


Member


Member

30.07.2018

Appellant absent. Learned counsel for the appellant is also absent. However, junior counsel for the appellant present and requested for adjournment. Mr. Kabirullah Khattak, Additional AG alongwith Mr. Sheraz, Head Constable for the respondents present. Adjourned. To come up for arguments on 20.09.2018 before D.B.


(Ahmad Hassan)
Member (E)


(Muhammad Hamid Mughal)
Member (J)

20.09.2018

Since 12 September 2018 has been declared as public holiday on account of Muharam Ul Haram. Therefore, the case is adjourned. To come up for the same on

1.11.18


Reader

01.11.2018


Due to retirement of Hon'able Chairman, the Tribunal is defunct. Therefore, the case is adjourned for the same on 06.12.2018 before D.B.


Reader

06.12.2018


Clerk to counsel for the appellant present. Mr. Kabirullah, Addl: AG for respondents present. Clerk to counsel for the appellant seeks adjournment as counsel for the appeal was busy before the Hon'ble Peshawar High Court. Adjourned. Case to come up for arguments on 22.01.2019 before D.B.


(Ahmad Hassan)
Member


(M. Amin Khan Kundi)
Member

29.03.2018

Learned counsel for the appellant and Addl: AG for respondents present. Learned counsel for the appellant seeks adjournment. Adjourned. To come up for arguments on 10.05.2018 before S.B.


(Ahmad Hassan)
Member


(M. Hamid Mughal)
Member

10.05.2018

The Tribunal is defunct due to retirement of Hon'ble Chairman. Therefore, the case is adjourned. To come on 04.06.2018


READER

04.06.2018

Counsel for the appellant present. Mr. Riaz Paindakheil learned Assistant Advocate General for respondents present. Counsel for the appellant seeks adjournment. Adjourned. To come up for arguments on 30.07.2018 before D.B.


(Ahmad Hassan)
Member

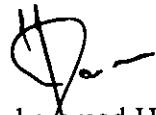
(Muhammad Hamid Mughal)
Member

20.11.2017

Learned counsel for the appellant present. Mr. Zia Ullah, Deputy District Attorney for the respondents present. Counsel for the appellant seeks adjournment. Adjourn. To come up for arguments on 25.01.2018 before D.B.

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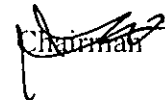

(Gul Zeb Khan)
Member (E)


(Muhammad Hamid Mughal)
Member (J)

25.01.2018

Counsel for the appellant present. Mr. Muhammad Jan, DDA for the respondents present. Counsel for the appellant seeks adjournment. Adjourned. To come up for arguments on 29.03.2018 before D.B.


Member


Member

16.10.2017

~~Counsel for the appellant present. Mr. Zia Ullah, Deputy District Attorney and counsel for private respondents No. 5 also presents the representative of the respondents department is directed to produce complete record/minutes of Departmental Selection Committee held on 02.03.2017, copy of the same to be filed before the court for the purpose of hearing. To come up for arguments on 16.10.2017 before D.B.~~

16.10.2017

~~Counsel for the appellant present. Mr. Zia Ullah, Deputy District Attorney and counsel for private respondents No. 5 also presents the representative of the respondents department is directed to produce complete record/minutes of Departmental Selection Committee held on 02.03.2017, copy of the same to be filed before the court for the purpose of hearing. To come up for arguments on 16.10.2017 before D.B.~~

27.12.2016


counsel for the appellant and Javed Iqbal, Inspector Elite Force alongwith Ziaullah, GP for respondents present. Arguments could not be heard due to incomplete bench. Case adjourned to 10.05.2017 for arguments before D.B.


Chairman

10.05.2017

Counsel for the appellant and Mr. Ziaullah, GP for the respondents present. Counsel for the appellant requested for adjournment. Adjourned. To come up for arguments on 21.08.2017 before D.B.


(Ahmad Hassan)
Member


(M.Amin Khan Kundi)
Member

21/8/2017

None for the appellant and Mr. Muhammad Adeel Butt, AAG alongwith Mr. Sheraz Khan, HC for the respondents present. Due to non-availability of DB, case to come up for argument on 20/11/2017 before DB.


Reader

05.11.2015

Counsel for the appellant and Mr. Ziaullah, GP for respondents present. Learned counsel for the appellant requested for adjournment. Adjourned to 3-3-16 for arguments.



Member



Member

03.03.2016

Counsel for the appellant and Mr. Muhammad Jan, GP for respondents present. Since the court time is over, therefore, the case is adjourned to 17.05.2016 for arguments.



Member



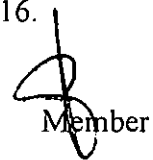
Member

17.05.2016

Counsel for the appellant and Mr. Muhammad Jan, GP for respondents present. Counsel for the appellant requested for adjournment. Adjourned for arguments on 7.9.2016.



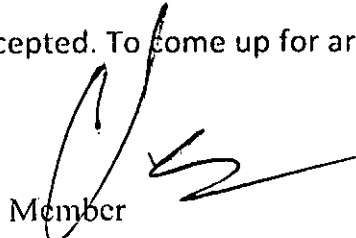
Member



Member

07.09.2016

Counsel for the appellant and Javed Iqbal, Inspector alongwith Ziaullah, GP for respondents present. Counsel for the appellant requested for adjournment. Request accepted. To come up for arguments on 27.12.16



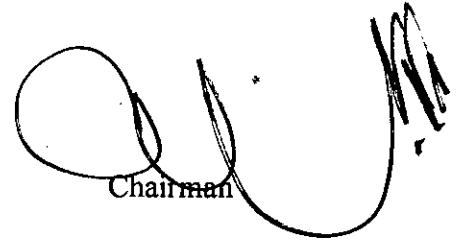
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Member

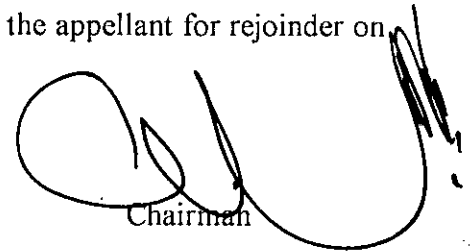
27.3.2014

Counsel for the appellant and Mr.Javed Iqbal, Inspector for respondents with Mr.Usman Ghani, Sr.G.P present. Written reply has not been received. To come up for written reply/comments, positively, on 26.6.2014.


Chairman

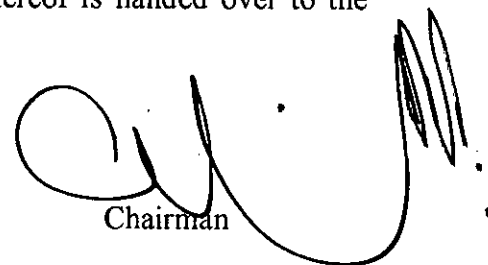
26.6.2014

Counsel for the appellant and Mr.Javed Iqbal, Inspector on behalf of respondents with AAG present. Joint written reply/comments received on behalf of the respondents, copy whereof is handed over to the learned counsel for the appellant for rejoinder on 10.10.2014.


Chairman

10.10.2014

Counsel for the appellant and Mr.Javed Iqbal, Inspector on behalf of respondents with Mr.Kabirullah Khan Khattak, AAG present. Rejoinder received on behalf of the appellant, copy whereof is handed over to the learned AAG for arguments on 13.4.2015.


Chairman

13.04.2015

Counsel for the appellant and Sr.GP for the respondents present. Counsel for the appellant requested for adjournment. Therefore, case is adjourned to 5.11.2015 for arguments.


MEMBER


MEMBER

Appeal No. 1389/2013
Mr. Saad Subhan

13.12.2013

Counsel for the appellant present and requested for adjournment. To come up for preliminary hearing on 01.01.2014.

Member

01.01.2014

Appellant with counsel 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 the order dated 15.08.2013 vide which the departmental appeal of the appellant against the order dated 14.02.2013 was rejected. Perusal of the case reveals that the appellant was dismissed from service with immediate effect vide order dated 14.02.2013, however his absence period from duty was consider as leave without pay. Departmental appeal by the appellant was also rejected vide order dated 15.08.2013.

Appellant Deposited
Security & Process Fee
Rs. 180/- Bank
Receipt is Attached with File.



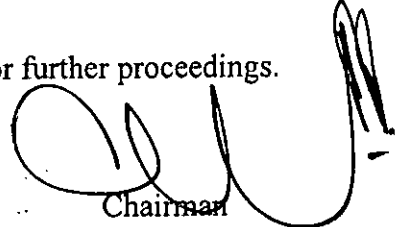
The instant appeal filed by the appellant on 13.09.2013 is within time and the matter required further consideration, hence admit for regular hearing subject to all legal objections. The appellant is directed to deposit the security amount and process fee within 10 days. Thereafter, Notice be issued to the respondents for submission of written reply on 27.03.2014.



Member

01.01.2014

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





Chairman

Form- A
FORM OF ORDER SHEET

Court of _____

Case No. 1389 / 2013

S.No.	Date of order Proceedings	Order or other proceedings with signature of judge or Magistrate
1	2	3
1	07/10/2013	<p>The appeal of Mr. Saadullah Khan resubmitted today by Mr. M. Asif Yousafzai 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	21-10-2013	<p>This case is entrusted to Primary Bench for preliminary hearing to be put up there on 12-12-2013</p> <p style="text-align: right;"> CHAIRMAN</p> 