



Form- A
FORM OF ORDER SHEET

Court of _____
Case No. 250/2017

S.No.	Date of order proceedings	Order or other proceedings with signature of judge or Magistrate
1	2	3
1	14/03/2017	<p>The appeal of Mr. Muhammad Arif resubmitted today by Mr. Asad Zeb Khan Advocate, may be entered in the Institution Register and put up to the Worthy Chairman for proper order please.</p> <p> REGISTRAR</p>
2-	20-3-17	<p>This case is entrusted to S. Bench for preliminary hearing to be put up there on <u>3-4-17</u>.</p> <p> CHAIRMAN</p>


03.04.2017

Counsel for the appellant present. Learned counsel for the appellant argued that the appellant is serving as Constable and that despite his entitlement to promotion in preference to his junior colleagues he was ignored vide impugned order dated 09.11.2016, where-against his departmental appeal dated 05.12.2016 was not responded constraining him to prefer the instant service appeal on 14.03.2017.

That the impugned order is against facts and law as the appellant is eligible for promotion and that his case was on high pedestal then that of his junior colleagues but ignored by the respondents without assigning any reasons.

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 09.05.2017 before S.B.

Appellant Deposited
Security & Process Fee


Chairman

09.05.2017

Counsel for the appellant and Mr. Muhammad Adeel Butt, Additional AG for the respondents present. Written reply not submitted. Requested for adjournment. Request accepted. To come up for written reply comments on 05.06.2017 before S.B.

I


(Muhammad Amin Khan Kundi)
Member


05.06.2017

Clerk to counsel for the appellant and Addl: AG alongwith Mr. Fazal Subhan, H.C. Written reply on behalf of respondent No. 2 to 4 submitted. To come up for written reply of remaining respondents on 17.07.2017 before S.B.


(Ahmad Hassan)
Member

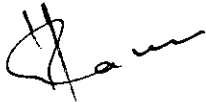
05. 17.07.2017

Counsel for the appellant and Mr. Muhammad Adeel Butt, Additional AG for the respondent present. Written reply not submitted. Requested for adjournment. Adjourned. Last opportunity granted. To come up for written reply/ comments on 16.08.2017 before S.B.


(Muhammad Hamid Mughal)
Member

0-----07 16.08.2017

Agent to counsel for the appellant present. Learned Assistant AG for the respondent present. Written reply not submitted. Requested for adjournment. Adjourned. To come up for written reply/comments on 20.09.2017 before S.B.


(Muhammad Hamid Mughal)
Member

20.09.2017

Counsel for the appellant and Addl: AG for official respondents present. Leaned AAG rely on written reply of respondents no. 2 to 4 on behalf of respondent no. 1. None one is present on behalf of private respondents, hence proceeded ex-parte. To come up for rejoinder and final hearing on 18.12.2017 before D.B.


(Ahmad Hassan)
Member

18.12.2017

Appellant in person and Mr. Muhammad Jan, DDA for the respondents present. Appellant seeks adjournment as his counsel is not in attendance. To come up for arguments on 22.02.2018 before the D.B.


Member


Chairman

22.02.2018

Due to none availability of D.B the case is adjourned. To come up on 25.04.2018 before D.B


Member

25.04.2018

Counsel for the appellant and Addl: AG for respondents present. Due to retirement of the worthy Chairman, the Tribunal is incomplete, therefore the case is adjourned. To come up for arguments on 10.07.2018 before D.B


Reader

10.07.2018

Appellant in person present. Mr. Sardar Shoukat Hayat, Addl: AG for respondents present. Appellant made a request for adjournment as his counsel is not available today. Granted. To come up final hearing on 03.09.2018 before D.B.



(Ahmad/Hassan)
Member


(Muhammad Hamid Mughal)
Member

03.09.2018

Appellant absent. Learned counsel for the appellant and Mr. Ziaullah, Deputy District Attorney for the respondents present. Learned counsel for the appellant submitted rejoinder and seeks adjournment for arguments. Adjourned. To come up for arguments on 26.10.2018 before D.B.


(M. Amin Khan Kundi)
Member


(M. Hamid Mughal)
Member

26.10.2018

Due to retirement of Hon'able Chairman, the Tribunal is defunct. Therefore, the case is adjourned for the same on 13.12.2018 before D.B.


Reader

13.12.2018

Clerk of counsel for the appellant and Mr. Ziaullah,
DDA for the respondents present.

A request^{is} made for adjournment on behalf of learned
counsel for the appellant due to his indisposition.

Adjourned to 12.02.2019 for hearing before the D.B.


Member


Chairman

12.02.2019

- Clerk of counsel for the appellant and District
Attorney for the respondents present.

Once again a request for adjournment is made
due to non-availability of learned counsel for the
appellant. Adjourned to 30.04.2019 before the D.B.


Member


Chairman

30.04.2019

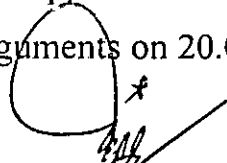
Clerk to counsel for the appellant and Mr. Muhammad Jan
learned Deputy District Attorney present. Clerk to counsel for the
appellant seeks adjournment on the ground that learned counsel
for the appellant is not available. Adjourn. To come up for
arguments on 16.07.2019 before D.B.



Member


Member

20.02.2020

Learned counsel for the appellant and Mr. Zia Ullah learned Deputy District Attorney present. Learned counsel for the appellant seeks adjournment. Adjourned To come up for arguments on 20.04.2020 before D.B.


Member


Member

20.04.2020

Due to public holidays on account of Covid-19, the case is adjourned. To come up for the same on 17.07.2020 before D.B.


Reader

17.07.2020

Due to COVID-19, the case is adjourned for the same on 22.07.2020 before D.B.

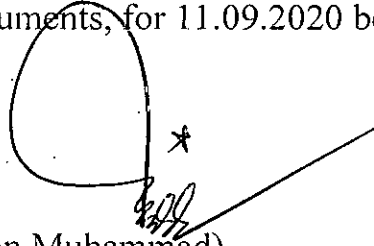

Reader

22.07.2020

Nemo for appellant.

Mr. Muhammad Jan learned Deputy District Attorney for the respondents present.

Previous date was adjourned on a Reader's note, therefore, notice be issued to appellant and his counsel for arguments, for 11.09.2020 before D.B.



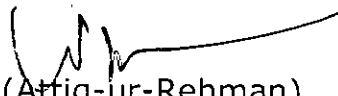
(Mian Muhammad)
Member (E)



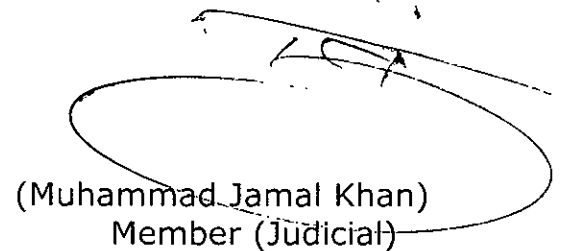
(Rozina Rehman)
Member (J)

11.09.2020

Appellant has not forth come at the moment and call was made at 2:10 P.M. Mr. Riaz Ahmad Paindakheil, Assistant Advocate General for the respondent is present. Process of issuing notices to appellant as well as his respective counsel be repeated for 13.11.2020. File to come up for arguments before D.B.



(Attiq-ur-Rehman)
Member (Executive)



(Muhammad Jamal Khan)
Member (Judicial)

13.11.2020

Junior to counsel for the appellant and Addl.A.G. for the respondents present.

The Bar is observing general strike, therefore, the matter is adjourned to 28.01.2021 for hearing before the D.B.



(Atiqur Rahman Wazir)
Member



Chairman

28.01.2021 Due to pandemic of Covid-19, the case is adjourned to 15.04.2021 for the same.


Reader


15.04.2021 Due to demise of the Worthy Chairman the Tribunal is defunct, therefore, case is adjourned to 04.08.2021 for the same as before.


Reader

04.08.2021 Junior to counsel for the appellant present.

Mr. Riaz Khan Paindakheil, Assistant Advocate General for respondents present.

Former made a request for adjournment as senior counsel is not available today; granted. To come up for arguments on 14.12.2021 before D.B.



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


(Rozina Rehman)
Member (J)

14.12.2021

Clerk of learned counsel for the appellant present. Mr. Fazle Subhan, Head Constable alongwith 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 busy before the august Supreme Court of Pakistan. Adjourned. To come up for arguments on 31.03.2022 before the D.B.



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


(Salah-ud-Din)
Member (J)

31.03.2022

Junior to counsel for the appellant present. Mr. Kabirullah Khattak, addl. A.G for the respondents present.

Former seeks adjournment due to engagement of learned senior counsel for the appellant in Local Government Election. Last opportunity is granted otherwise the appeal will be decided on the basis of available record. To come up for arguments on 12.05.2022 before the D.B.


(Mian Muhammad)
Member(Executive)


Chairman

12.05.2022

None present on behalf of the appellant. Mr. Asif Masood Ali Shah, Deputy District Attorney for the respondents present.

2. Case was called time and again but none appeared on behalf of the appellant till closing hour's of the court. Consequently the present appeal is dismissed in default. Consign.

3. *Pronounced in open court in Peshawar and given under our hands and seal of the Tribunal this 12th day of May, 2022.*



(KALIM ARSHAD KHAN)

Chairman

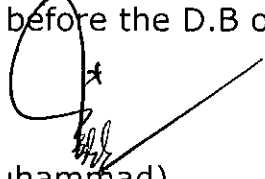
(FAREEHA PAUL)


Member (E)

13.09.2022

Learned counsel for the appellant present. Mr. Muhammad Adeel Butt, Additional Advocate General for the respondents present. Arguments on restoration application heard and record perused.

Vide our order of today passed in restoration application bearing No. 365/2022 titled "Muhammad Arif Versus Government of Khyber Pakhtunkhwa etc", the appeal in hand stands restored on its original number. To come up for arguments before the D.B on 29.11.2022.



(Mian Muhammad)
Member (E)



(Salah-ud-Din)
Member (J)

29th Nov, 2022

Learned counsel for the appellant present. Mr. Kabirullah Khattak: Addl: AG for respondents present.

Learned counsel for the appellant pointed out that the private respondents No. 5 to 15, whose promotion order has been challenged have not been summoned nor served till date, therefore, they be summoned through TCS. The appellant is directed to deposit the expenses within three days. To come up for arguments on 17.02.2023 before D.B.


(Fareeha Paul)
Member(Executive)


(Kalim Arshad Khan)
Chairman