



Form- A  
FORM OF ORDER SHEET

Court of \_\_\_\_\_

Case No.- \_\_\_\_\_ 763/2019 \_\_\_\_\_

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	21/06/2019	<p style="text-align: center;">The appeal of Mr. Javed Khan presented today by Mr. Taimur Ali Khan 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 21/6/19</p>
2-	25/06/19	<p style="text-align: center;">This case is entrusted to S. Bench for preliminary hearing to be put up there on <u>09/07/19</u></p> <p style="text-align: right;"> CHAIRMAN</p>

09.07.2019

Counsel for the appellant present.

Contends that the respondent no.4 was junior to the appellant as per seniority list of the Establishment of Deputy Commissioner Kohat office issued in the year 2000. The appellant was shown at serial no. 17 while the name of respondent no.4 appeared against serial no.34. Likewise, the date of entry into service of appellant is 20.05.1985 while that of respondent no.4 is 09.02.1988. The impugned order was issued on 26.03.2019 whereby the said respondent was promoted to the post of Naib Tehsildar (BPS-14) on regular basis while the appellant was not allowed such promotion.

In view of the available record and contention of learned counsel for the appellant, the instant appeal is admitted for regular hearing. The appellant is directed to deposit security and process fee within 10 days. Thereafter, notices be issued to the respondents. To come up for written reply/comments on 12.09.2019 before S.B.

Appellant Deposited  
Security & Process Fee  
12/7/19

  
Chairman

12.09.2019

Counsel for the appellant and AAG alongwith Arif, Superintendent and Malak Sajid Superintendent for official respondents present. Nemo for respondent No. 4.

Representatives of the official respondents seek time for submission of written reply. Fresh notice be issued to respondent No. 4. Adjourned to 07.10.2019 on which date the requisite reply/comments shall positively be submitted.

Chairman 

07.10.2019

Counsel for the appellant and Addl. AG for official respondents present. Respondent No. 4 in person present and submitted Wakalatnama in favour of Mr. Muhammad Zafar Tahirkheli, Advocate, which is placed on record.

Respondents need further time for submission of parawise comments. Adjourned to 06.11.2019 on which date the requisite reply/comments shall positively be submitted.

06.11.2019

Counsel for the appellant and Addl. AG <sup>Chairman</sup> along with Muhammad Arif Superintendent for official respondents and private respondent No. 4 in person present.

Respondents have furnished requisite parawise comments/reply, which are placed on record. The appeal is assigned to D.B for arguments <sup>on 8-1-19</sup>. The appellant may submit rejoinder within a fortnight, if so advised.

Chairman

*reprinted on  
backside*

06.11.2019

Counsel for the appellant and Addl. AG alongwith Muhammad Arif Superintendent for official respondents and private respondent No. 4 in person present.

Respondents have furnished requisite parawise comments/reply, which are placed on record. The appeal is assigned to D.B for arguments on 08.01.2020. The appellant may submit rejoinder within a fortnight, if so advised.

  
Chairman

08.01.2020

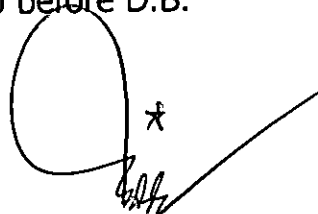
Lawyers are on strike as per the decision of Peshawar Bar Association. Adjourn. To come up for further proceedings/arguments on 12.03.2020 before D.B.

  
Member

  
Member

12.03.2020

Junior to counsel for the appellant present. Asst: AG alongwith Mr. M. Arif, Supdt for respondents present. Junior to counsel for the appellant seeks adjournment. Adjourned. To come up for arguments on 28.04.2020 before D.B.

  
Member

  
Member

28-4.2020


Due to COVID19, the case is adjourned to

9/7/2020 for the same as before.

  
Reader

.09.07.2020

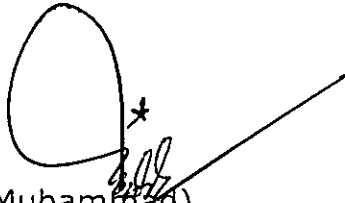
Due to COVID19, the case is adjourned to 21.09.2020 for  
the same as before.

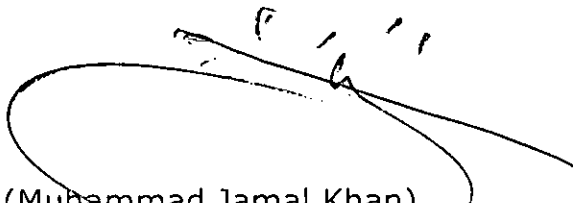
  
Reader

21.09.2020

Mr. Taimur Ali Khan, Advocate for appellant is present. Mr. Riaz Ahmad Paindakheil, Assistant Advocate General alongwith representative of the department Mr. Muhammad Arif, Superintendent are also present.

Learned counsel for the appellant submitted rejoinder, which is placed on file. Case to come up for arguments on 01.12.2020 before D.B.

  
(Mian Muhammad)  
Member (Executive)

  
(Muhammad Jamal Khan)  
Member (Judicial)

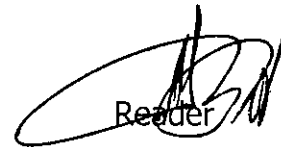
01.12.2020

Due to pandemic of Covid-19, the case is adjourned to 22.02.2021 for the same as before.

  
Reader

22.2.2021

Due to COVID-19, the matter is adjourned to 31.05.2021 for the same.

  
Reader


31.05.2021

Appellant present through counsel.

Kabir Ullah Khattak learned Additional Advocate General for official respondents present. Private respondent No.4 in person present.

Private respondent No.4 made a request for adjournment as his counsel is not in attendance; adjourned. To come up for arguments on 13.08.2021 before D.B.

  
(Mian Muhammad)  
Member (E)

  
(Rozina Rehman)  
Member (J)

13.08.2021

Appellant present through counsel.

Javid Ullah learned A.A.G for respondents present.

Former made a request for adjournment. Request is accorded.  
To come up for arguments on 18.11.2021 before D.B.



(Rozina Rehman)  
Member (J)



Chairman

18.11.2021

Learned counsel for the appellant present. Mr. Kabirullah Khattak, Addl: AG for official respondents No. 1 to 3 and private respondent No.4 in person present.

Learned counsel for the appellant requested for adjournment on the ground that he has not made preparation for arguments. Granted. To come up for arguments on 01.03.2022 before the D.B.



(Mian Muhammad)  
Member(E)



(Salah-Ud-Din)  
Member(J)

01.03.2022

Due to retirement of the Worthy Chairman, the Tribunal is defunct, therefore, case is adjourned to 06.06.2022 for the same as before.



Reader.

6<sup>th</sup> June, 2022

Proper D.B is not available. Therefore, case is adjourned to 23.08.2022 for the same as before.

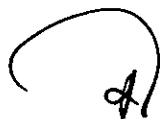


Reader

23.08.2022

Clerk of learned counsel for the appellant present. Mr. Muhammad Adeel Butt, Additional Advocate General for official respondents No. 1 to 3 present.

Clerk of learned counsel for the appellant requested for adjournment on the ground that learned counsel for the appellant is not available today. Adjourned. To come up for arguments on 31.10.2022 before the D.B.



(Rozina Rehman)  
Member (Judicial)




(Salah-Ud-Din)  
Member (Judicial)



31<sup>st</sup> Oct., 2022

Counsel for the appellant present. Mr. Naseerud Din Shah, Assistant Advocate General for official the respondents and Assistant to counsel for private respondent No. 4 present.

Learned counsel for the appellant seeks adjournment in order to further prepare the brief. Adjourned To come up for arguments on 28.11.2022 before the D.B.


  
**(Fareeha Paul)**  
**Member (E)**

  
**(Kalim Arshad Khan)**  
**Chairman**

28<sup>th</sup> Nov. 2022

Counsel for the appellant present. Mr Muhammad Adeel Butt, Addl. A.G for the respondents present.

Similar appeal is stated to be pending for arguments tomorrow. This appeal is clubbed to the said appeal and to come up for arguments on 29.11.2022 before the D.B.


  
**(Fareeha Paul)**  
**Member (E)**


  
**(Kalim Arshad Khan)**  
**Chairman**

29<sup>th</sup> Nov, 2022

Learned counsel for the appellant present. Mr. Muhammad Riaz Khan Paindakhel Asst: for official respondents and counsel for private respondent present.

There is no representation on behalf of the respondents. The reply filed by the respondents is also not supported by any affidavit or verification nor shown as to who has signed, therefore, the question regarding its acceptance or otherwise also arises. The learned AAG is put on notice to assist the Tribunal on the point. Besides learned counsel for the appellant submits that he wants to produce some rules on the basis of which he relies. To come up for arguments on 13.01.2023 before D.B.

  
(Fareeha Paul)  
Member(Executive)

  
(Kalim Arshad Khan)  
Chairman