
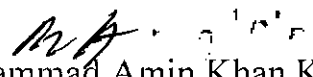


Form-A
FORM OF ORDERSHEET

Court of _____

Case No. _____ /2019 _____

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1	02/07/2019	<p style="text-align: center;">As per direction of the Worthy Chairman this case is submitted to the S. Bench for decision on office objection. To be put up there on <u>03/07/19</u></p> <p style="text-align: right;"> REGISTRAR 2/7/19</p> <p>03.07.2019 Counsel for the appellant present and seeks adjournment. Adjourned to 10.07.2019 for arguments on office objection before S.B.</p> <p style="text-align: right;"> (Muhammad Amin Khan Kundi) Member</p>

10.07.2019

Appellant alongwith his counsel present.

Contends that while deciding service appeal No. 1121/2012 preferred by the appellant, this Tribunal directed the respondents to look into the case of the appellant and if the same fell within the promotion to next stage/zone the case may be placed before the DPC. On the other hand, on 26.03.2019, a junior to the appellant was promoted as Naib Tehsildar upon recommendations of DPC held on 19.03.2019. The appellant was not considered for promotion despite the fact that the directions of Tribunal were handed down on 07.03.2017 and the DPC was held subsequently.

In view of the available record and arguments of learned counsel for the appellant, 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 24.07.2019 before S.B.

19/7/19
Appellant Deposited
Security & Process Fee

Alongwith the appeal an application for suspension of operation of one of the impugned order dated 30.05.2019 has been submitted. Notice of the application be also given to the respondents for next date. In the meanwhile, the operation of order dated 30.05.2019 shall remain suspended if already not complied with.


Chairman

910/2019

24.07.2019

Appellant in person, Mr. Usman Ghani District Attorney alongwith Attaullah, Asstt. Secretary for respondents No. 1 & 2, Malik Sajid Supdt. for respondent No. 3 present. Nemo for private respondent No. 4.

Representatives of respondents No. 1 to 3 request for further time. Fresh notice be issued to respondent No. 4. To come up for written reply/comments of all the respondents on 09.08.2019.


Chairman

09.08.2019

Counsel for the appellant, Mr. Muhammad Riaz Khan Paindakhel, Asstt. AG alongwith Attaur Rahman, Asstt. Secretary for the official respondents and counsel for respondent No. 4 present.

M/S Muhammad Zafar Tahirkheli and Ansarullah, Advocates have submitted Wakalatnama on behalf of respondent No. 4 and state that the said respondent has gone to perform Hajj, therefore, reply could not be submitted. The representative of official respondents once again requests for time to furnish the requisite reply.

Instant matter is, therefore, adjourned to 26.09.2019 on which date the reply shall positively be submitted. The order of suspension of operation of impugned order passed on 10.07.2019 is extended till next date.


Chairman

26.09.2019

Appellant in person present. Addl: AG alongwith Mr. Attaullah, Assistant Secretary for respondents no. 1 and 2 and counsel for private respondent no.4 present. Written reply on behalf of respondent no. 1,2 and 4 submitted which is placed on file. None present on behalf of respondent no.3. Notice be issued to him by way of last chance. To come up for written reply/comments of respondent no.3 on 10.10.2019 before S.B. The order of suspension of operation of impugned order passed on 10.07.2019 is extended till next date.


Member

10.10.2019

Junior to counsel for the appellant, Addl. AG alongwith Muhammad Arif, Superintendent for respondents No. 1 & 2 and counsel for respondent No. 3 present.

Respondents No. 1, 2 and 4 have already furnished their respective reply/comments. Respondent No. 3 has not furnished reply/comments despite last opportunity. To come up for arguments on 19.12.2019 before D.B. The appellant may submit rejoinder within a fortnight, if so advised


Chairman

19.12.2019

Lawyers are on strike as per the decision of Peshawar Bar Association. Adjourn. To come up for further proceedings/arguments on 23.12.2019 before D.B. Appellant be put on notice for the date fixed.


Member


Member

23.12.2019

Appellant absent. Learned counsel for the appellant absent. Muhammad Arif Superintendent representative of the respondent department present. Adjourn. To come up for arguments on 27.12.2019 before D.B.


Member


Member

27.12.2019

Appellant in person present and seeks adjournment as his counsel is not available. Mr. Muhammad Jan learned Deputy District Attorney present. Junior to counsel for the appellant present and submitted additional documents, copy of the same given to learned DDA. Adjourn. To come up for arguments on 27.01.2020 before D.B


Member


Member

21.01.2020

Appellant in person and Mr. Kabirullah Khattak, Additional AG for the respondents present. Due to general strike of Khyber Pakhtunkhwa Bar Council, learned counsel for the appellant is not available today. Adjourned to 06.02.2020 for arguments before D.B. The order of suspension of operation of impugned order passed on 10.07.2019 is extended till the next date.


(Hussain Shah)
Member


(M. Amin Khan Kundi)
Member

06.02.2020


Junior to counsel for the appellant present and seeks adjournment as senior counsel for the appellant is not available today. Mr. Zia Ullah learned Deputy District Attorney alongwith Mr. Arif Superintendent for the respondents present and raised objection that the instant service appeal is a posting transfer case and the interim relief has been granted. Adjourn. Last opportunity is granted. To come up for arguments on 10.02.2020 before D.B.


Member


Member

10.02.2020 Appellant alongwith his counsel present. Mr. Kabirullah Khattak, Additional AG alongwith Mr. Muhammad Arif, Superintendent for official respondents No. 1 to 3 and private respondent No. 4 in person present. Learned counsel for the appellant requested for adjournment. Adjourned to 28.02.2020 for arguments before D.B. The order of suspension of operation of impugned order passed on 10.07.2019 is extended till the next date.


(Hussain Shah)
Member


(M. Amin Khan Kundi)
Member

28.02.2020 Appellant with counsel present. Mr. Kabirullah Khattak learned Additional Advocate General alongwith Mr. Arif Superintendent for the official respondents No. 1 to 3 present. Private respondent No.4 alongwith his counsel present. Partial arguments heard. Learned counsel for private respondent No.4 seeks adjournment for further arguments. Adjourn. To come up for further arguments on 12.03.2020 before D.B.


Member


Member

12.03.2020 Appellant with counsel present. Mr. Zia Ullah learned Deputy District Attorney alongwith Arif Superintendent for official respondent No 1 to 3 present. Private respondent No.4 alongwith his counsel present. Arguments heard. To come up for order on 13.03.2020 before D.B

Member


Member

13.03.2020

Appellant present. Mr. Ziaullah, learned District Attorney present.

To arrive at a just decision, the parties are directed to furnish complete service profile of the private respondents. To come up for service profile of the private respondents and arguments on 30.03.2020.



Member-J

Member

30.03.2020

Due to public holidays on account of Covid-19, the case is adjourned. To come up for the same on 23.06.2020 before D.B.



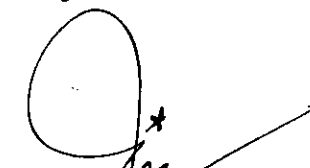
Reader

23.06.2020

Appellant in person and Mr. Kabirullah Khattak ^{along with Mr. M. Arif, Supdt.} learned Additional AG for the respondents present.

Former requests for adjournment due to engagement of learned counsel before the Worthy High Court today.

Adjourned to 13.07.2020 for arguments before D.B.



Member



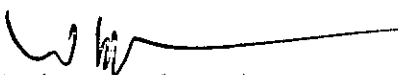
Chairman

13.07.2020

Appellant alongwith junior counsel present.

Mr. Kabir Ullah Khattak learned Additional Advocate General for official respondents No.1 to 3 respondents present. Private respondent No.4 in person present.


Junior counsel requested for adjournment due to engagement of learned senior counsel before the Apex Court. Adjourned to 04.08.2020 before D.B.


(Attiq ur Rehman)
Member (E)


(Rozina Rehman)
Member (J)

04.08.2020

Due to summer vacation case to come up for the same on 03.09.2020 before D.B.



Reader

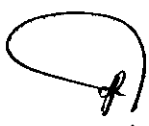
03.09.2020

Counsel for appellant present.

Mr. Muhammad Jan learned Deputy District Attorney alongwith Mr. Arif Superintendent for official respondent No. 1 to 3 present. Counsel for private respondent No.4 present.

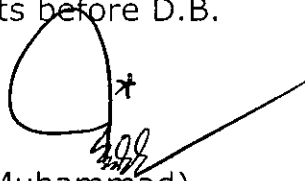
Adjournment requested. Adjourned. To come up for arguments on 21.09.2020 before D.B.


Attiq - ur - Rehman
Member (E)

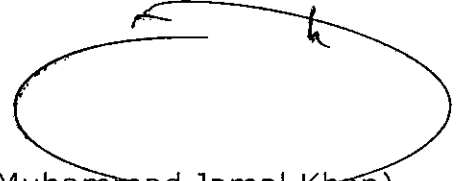

Rozina Rehman
Member (J)

21.09.2020

Mr. Khalid Rehman, Advocate for appellant is present. Mr. Riaz Ahmad Painsakheil, Assistant Advocate General alongwith representative of the department Mr. Muhammad Arif, Superintendent are also present. Learned counsel for appellant requested for adjournment. Adjourned to 12.10.2020. File to come up for arguments before D.B.



(Mian Muhammad)
Member (Executive)



(Muhammad Jamal Khan)
Member (Judicial)

12.10.2020

Due to incomplete Bench, the case is adjourned. To come up for the same on 02.11.2020 before D.B.



Reader

02.11.2020

Appellant in person and District Attorney for the respondents present.

The Bar is observing general strike, therefore, the matter is adjourned to 27.11.2020 for hearing before the D.B.



(Mian Muhammad)
Member



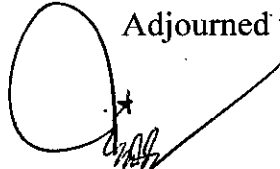
Chairman

27.11.2020

Counsel for the appellant present. Assistant: AG alongwith Mr. Muhammad Ajmal, Assistant Secretary for official respondents and private respondent No.4 in person present.

The private respondent (No.4) requests for adjournment due to non-availability of his learned counsel.

Adjourned to 07.01. 2020 for arguments before D.B.



(Mian Muhammad)
Member (E)


Chairman

07.01.2021

Counsel for the appellant, Assistant A.G for the official respondents and respondent No. 4 in person present.

Respondent No. 4 requests for adjournment as his learned counsel is not available today due to his indisposition. Adjourned to 12.02.2021 for hearing before the D.B.



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


Chairman

12.02.2021

Junior to counsel for the appellant and Syed Asif Masood, DDA for the official respondents and respondent No. 4 in person present.

Due to general strike on the call of Khyber Pakhtunkhwa Bar Council, instant matter is adjourned to 24.03.2021 for hearing before the D.B.


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


Chairman

24.03.2021

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

Former requests for adjournment due to engagement of learned senior counsel for the appellant before the Honourable High Court in various cases today. Adjourned to 23.04.2021 for hearing before the D.B.

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

Chairman

23.04.2021

Due to demise of the Worthy Chairman, the Tribunal is non-functional, therefore, case is adjourned to 03.06.2021 for the same as before.


Reader

03.06.2021

Appeal No. 910/2019
M. Naseer vs Govt

Appellant in person present.

Muhammad Rasheed learned Deputy District Attorney for official respondents present. Counsel for private respondent No.4 present.

Appellant states that his counsel has been appointed as Additional Advocate General and seeks time to engage another counsel with the request that interim relief already in field, may be extended. Request is accorded. To come up for arguments on 28.06.2021 before D.B.



(Rozina Rehman)
Member (J)



Chairman

28.06.2021

Appellant in person, Mr. Muhammad Adeel Butt, Addl. AG for the official respondents and private respondent in person present.

The Worthy Chairman is on leave, therefore, the Bench is incomplete. To come up for arguments on 30.07.2021 before the D.B.




(Rozina Rehman)
Member(J)

30.07.2021

Appellant in person present.

Muhammad Adeel Butt learned Additional Advocate General for respondents present.

Former submitted an application for adjournment which is placed on file. Application is allowed and the case is adjourned. To come up for arguments on 01.09.2021 before D.B.



(Rozina Rehman)
Member (J)


Chairman

20.10.2021

Appellant alongwith his counsel present. Mr. Muhammad Adeel Butt, Additional Advocate General for official respondents No. 1 to 3 and private respondent No. 4 in person present.

Learned counsel for the appellant requests for adjournment being not prepared for arguments today. Request is accorded. To come up for arguments on 11.11.2021 before D.B.


(Salah-Ud-Din)
Member (Judicial)


Chairman

11.11.2021

Junior to counsel for appellant present.

Noor Zaman Khan Khattak, learned District Attorney for official respondents present. Counsel for private respondent present.

Former made a request for adjournment as senior counsel is not available today. Opportunity is granted. To come up for arguments on 13.12.2021 before D.B.


(Mian Muhammad)
Member (E)


(Rozina Rehman)
Member (J)

30.05.2022

Appellant in person present.

Muhammad Adeel Butt, learned Additional Advocate General alongwith Muhammad Ajmal Assistant Secretary for respondents present.

Former requested for adjournment as his counsel is busy before Hon'ble Peshawar High Court, Peshawar. Adjourned. To come up for arguments on 21.07.2022 before D.B.


(Fareeha Paul)
Member(E)


(Rozina Rehman)
Member (J)

21.07.2022

Appellant in person present.

Kabir Ullah Khattak, learned Additional Advocate General for official respondents No.1 to 3 present. Private respondent No.4 in person present.

Former requested for adjournment as his counsel is not available today. Adjourned. To come up for arguments on 16.09.2022 before D.B.

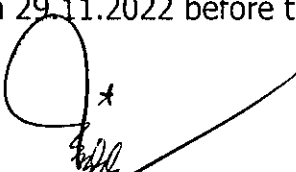

(Fareeha Paul)
Member(E)


(Rozina Rehman)
Member (J)

16.09.2022

Junior of learned counsel for the appellant present. Mr. Muhammad Riaz Khan Paindakhel, Assistant Advocate General for official respondents No. 1 to 3 present. Private respondent No. 4 in person present.

Junior of learned counsel for the appellant requested for adjournment on the ground that learned counsel for the appellant is not available today. Last opportunity given. Adjourned. To come up for arguments on 29.11.2022 before the D.B.



(Mian Muhammad)
Member (E)



(Salah-Ud-Din)
Member (J)

29th 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. Learned counsel for the private respondents has placed on the record a copy of letter No. Estt:l/Posting/Transfer/2021 dated 03.05.2021 and contended that vide this letter the appellant had repatriated, therefore, the appeal of the appellant has to be seen keeping in view this letter. Learned counsel for the appellant be also put on notice to assist the court. To come up for arguments on 13.01.2023 before D.B.


(Fareeha Paul)
Member(Executive)


(Kalim Arshad Khan)
Chairman