

25.11.2021

Appellant in person present

Mr. Muhammad Adeel Butt, Additional Advocate General
alongwith Mr. Irfan Ullah Litigation Officer for respondents present.

Learned Member Executive (Mr. Atiq-ur-Rehman Wazir), is
on leave, therefore, case is adjourned. To come up for arguments
on 16.03.2022 before D.B.

(Rozina Rehman)
Member (J)

30.03.2021

Counsel for appellant and Mr. Kabirullah Khattak, Additional Advocate General alongwith Mr. Atif Khan, Litigation Officer for the respondents present.

Respondents failed to submit written reply/comments despite last chance given in the preceding order sheet dated 25.02.2021, therefore, the appeal is posted to D.B for arguments on 15.07.2021.


(ATIQ-UR-REHMAN WAZIR)
MEMBER (EXECUTIVE)

15.07.2021

Appellant in person present.

Muhammad Adeel Butt learned Additional Advocate General present. Atif Ahmad Litigation Officer representative for respondent No.6 present.

Reply on behalf of respondent No.6 submitted. Case was fixed for arguments in pursuance to the direction to respondents given on 30.03.2021 however neither comments have been filed nor any request was made for extension of time on behalf of respondents No.1 to 5 & 7. Learned A.A.G made request for extension of last chance; granted with direction to furnish reply on behalf of respondents No.1 to 5 & 7 in office within 10 days. In case the aforesaid respondents failed to submit comments within further extended stipulated time from today, they shall have to seek extension of time through written application citing sufficient reasons. Otherwise, their right for submission of written reply/comments shall stand ceased. To come up for arguments on 25.11.2021 before D.B.



(Rozina Rehman)
Member (J)



Chairman

25.11.2021

Appellant in person present

Mr. Muhammad Adeel Butt, Additional Advocate General
alongwith Mr. Irfan Ullah Litigation Officer for respondents present.

Learned Member Executive (Mr. Atiq-ur-Rehman Wazir), is
on leave, therefore, case is adjourned. To come up for arguments
on 16.03.2022 before D.B.



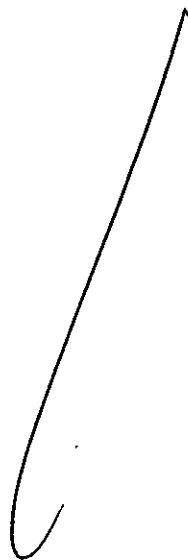
(Rozina Rehman)
Member (J)

16.03.2022

Due to retirement of the Worthy Chairman, the
Tribunal is defunct, therefore, case is adjourned to
20.6.2022. for the same as before.




Reader.



20th June, 2022

Counsel for the appellant present. Mr. Muhammad Riaz Khan Paindakhel, Asstt. AG for the respondents present.

Learned counsel for the appellant relies on judgment dated 08.06.2015 of this Tribunal in Service Appeal bearing No. 1339/2011 titled "Javed Iqbal Vs. Government" wherein reference was given to judgment dated 13.05.2015 in Service Appeal No. 1687/2011. Learned counsel referred to para-8 of the judgment in Service Appeal No. 1339/2011, wherein a number of other appeals were also decided. Service Appeal No. 1687/2011 and Service Appeals mentioned in Para-8 of the judgment dated 08.06.2015 be requisitioned. The learned counsel is also directed to produce copies of the judgments of august Supreme Court of Pakistan upholding the judgments of this Tribunal, whereby the relief desired by the other similarly placed person was granted. He may do so within 15 days. To come up for arguments on 26.07.2022 before the D.B.

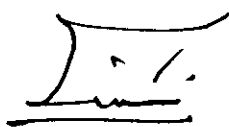

(Fareeha Paul)
Member(E)



(Kalim Arshad Khan)
Chairman

26th July, 2022

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

This case was heard by the divisional bench comprising one of us (Mr. Kalim Arshad Khan), Chairman and Miss. Fareeha Paul, Member(E). Let it be fixed before the said bench for arguments on 22.09.2022 before the D.B.


(Salah Ud Din)
Member(Judicial)


(Kalim Arshad Khan)
Chairman

22.09.2022


Appellant in person present. Mr. Ihsan Ullah Khan, Litigation Officer alongwith Mr. Muhammad Riaz Khan Paindakhel, Assistant Advocate General for the respondents present.

Appellant requested for adjournment on the ground that his counsel is busy in the august Peshawar High Court, Mingora Bench (Dar-ul-Qaza), Swat.

In view of the order sheet dated 20th June, 2022, the instant appeal be fixed before a bench comprising the Worthy Chairman and Miss Fareeha Paul, Member (Executive). Adjourned. To come up for arguments on 29.11.2022 before the concerned D.B.



(Mian Muhammad)
Member (E)




(Salah-Ud-Din)
Member (J)


29.11.2022

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

Learned counsel for the appellant requested that in view of order dated 20.06.2022, the appeal in hand is to be heard by a bench comprising of worthy Chairman Service Tribunal and Ms. Fareeha Paul learned Member (Executive). The appeal in hand is, therefore, sent to worthy Chairman Service Tribunal for further appropriate order. Learned counsel for the parties shall appear before the worthy Chairman Service Tribunal today at 10:45 A.M.



(Mian Muhammad)
Member (Executive)



(Salah-Ud-Din)
Member (Judicial)


29th Nov. 2022

Appellant present in person. Counsel for the appellant present. Mr. Kabirullah Khattak, Addl. Advocate General for the respondents present.

Appellant seeks adjournment on the ground that his learned counsel is busy in Honourable High Court today.

Adjourned. To come up for arguments on 13.01.2023 before

the D.B. *Last opportunity is granted.*


(Fareeha Paul)
Member (E)

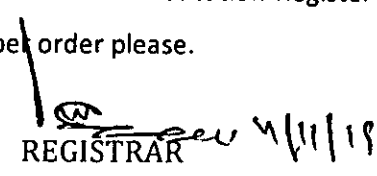




(Kalim Arshad Khan)
Chairman

Form- A

FORM OF ORDER SHEET

Court of _____

Case No.- _____ 1469/2019 _____

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	04/11/2019	<p>The appeal of Mr. Saif Ullah Jan presented today by Mr. Muhammad Arif Jan Advocate may be entered in the Institution Register and put up to the Worthy Chairman for proper order please.</p> <p> REGISTRAR</p>
2-	11/11/19	<p>This case is entrusted to S. Bench for preliminary hearing to be put up there on <u>13/12/19</u>.</p> <p> CHAIRMAN</p>
	13.12.2019	<p>Due to strike of the bar learned counsel for the appellant is not available today. Adjourned to 27.01.2020 for preliminary hearing before S.B.</p> <p> (MUHAMMAD AMIN KHAN KUNDI) MEMBER</p>
	27.01.2020	<p>Appellant absent. Learned counsel for the appellant absent. Due to general strike of the bar, on call of Khyber Pakhtunkhwa Bar Council, the case is adjourned. To come up for preliminary hearing on 12.03.2020 before S.B. Appellant be put to notice for the date fixed.</p> <p> Member</p>

11.03.2020

Learned counsel for the appellant present and seeks adjournment to furnish additional documents/the relevant judgments of this Tribunal. Adjourn. To come up for preliminary hearing on 20.04.2020 before S.B.


Member

20.04.2020

Due to public holiday on account of COVID-19, the case is adjourned to 16.07.2020 for the same. To come up for the same as before S.B.

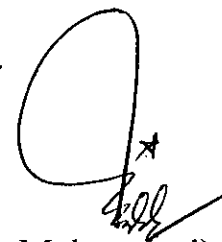

Reader

16.07.2020

None for the appellant present.

On the previous date of hearing the case was adjourned through Reader note, therefore, notices be issued to the appellant and his counsel.

Adjourned to 24.09.2020 before S.B.


(Mian Muhammad)
Member(E)

1469/2020

24.09.2020

Counsel for the appellant present.

Learned counsel referred to the notification dated 28.09.2016 issued by Secretary to Government of Khyber Pakhtunkhwa Industries, Commerce and Technical Education Department and stated that as many as four officials were allowed BS-17 w.e.f. the date of their appointment. The notification was issued by implementing the judgment of this Tribunal in Service Appeals No.1339/2011, 1342/2011, 1351/2011 and 1352/2011. The appellant being ~~a~~ similar to the officials noted therein and in view of judgment reported as 2009-SCMR-1, he is entitled to similar relief, it was added. *case of*

Subject to all just exceptions, instant appeal is admitted to 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 23.11.2020 before S.B.

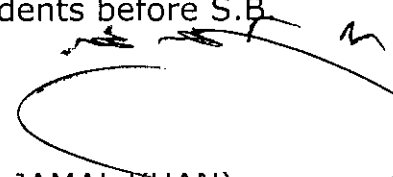
Appellant Deposited
Security & Process Fee
24/11/20


Chairman

23.11.2020

Appellant is present in person. Mr. Kabirullah Khattak, Additional Advocate General and Mr. Atif Ahmad, Litigation Officer, on behalf of respondents No. 6, are also present.

Representative of respondent No. 6 submitted written reply which is placed on record while learned Additional AG requests for time to contact the respondents and furnish written reply/comments on the next date of hearing. Adjourned to 12.01.2021 on which date file to come up for written reply/comments on behalf of remaining respondents before S.B.


(MUHAMMAD JAMAL KHAN)
MEMBER (JUDICIAL)

12.01.2021

Appellant is present in person. Mr. Kabirullah Khattak, Additional Advocate General alongwith representatives of the department Mr. Atif Khan, Litigation Officer and Mr. Hafiz Muhammad Hanif, for the respondents are also present.

Written reply on behalf of respondents not submitted. Representatives of the department are seeking further time for submission of written reply/comments. File come up for written reply/comments on 25.02.2021 before S.B.

(MUHAMMAD JAMAL KHAN)
MEMBER (JUDICIAL)

25.02.2021

Junior to senior counsel for appellant is present. Mr. Kabirullah Khattak, Additional Advocate General for the respondents is also present.

Neither written reply on behalf of respondents submitted nor representative of the department is present, therefore, learned Additional Advocate General is directed to contact the respondents and furnish written reply/comments on the next date of hearing as a last chance. Adjourned to 30.03.2021 on which date file to come up for written reply/comments before S.B.

(Muhammad Jamal Khan)
Member