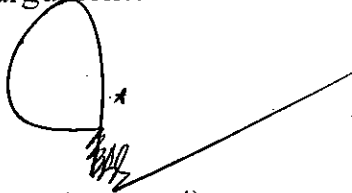


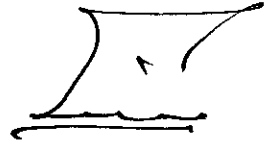
29.11.2022

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

Learned counsel for the appellant requested for adjournment on the ground that he has not gone through the record. Adjourned. To come up for arguments on 24.01.2023 before D.B.



(Mian Muhammad)
Member (E)

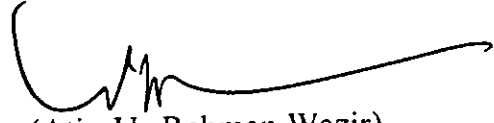


(Salah-ud-Din)
Member (J)

17.01.2022

Learned counsel for the appellant present. Mr. Kabirullah Khattak, AAG for respondents present.

Reply/comments on behalf of respondents are still awaited. Learned AAG sought time for submission of reply/comments. Last opportunity is granted to respondents to furnish reply/comments on or before next date, failing which their right to submit reply/comments shall be deemed as struck off by virtue of this order. To come up for arguments before the D.B on 12.05.2022.


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

12-5-22

*Proper DB not available the case is
adjourned on 27-7-22*

Atiq-Ur-Rehman Wazir
Member (E)

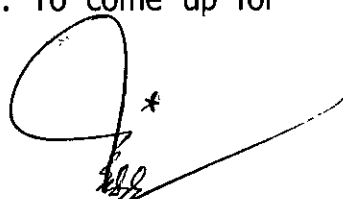
12.10.2021

Counsel for the appellant present. Preliminary arguments heard.

Arguments of the learned counsel for the appellant on application for restoration of his service appeal heard. The service appeal bearing No. 914/2019 was dismissed in default vide order sheet dated 14.07.2021. It was contended that the case fixed for 14.07.2021 was ^{mistakenly} recorded in the dairy as 19.07.2021 which is attributed to human error. Application for restoration has been submitted on 26.07.2021 which is within the prescribed time limit. The service appeal is therefore, restored to its original number and be fixed for its previous proceedings. Adjourned. To come up for ~~written reply/comments~~ before the S.B on 08.12.2021.

Appellate Deposited
Security Deposit Fee

3/12/21

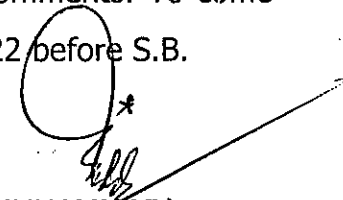


(MIAN MUHAMMAD)
MEMBER (E)

08.12.2021

Counsel for the appellant present. Mr. Muhammad Adeel, Addl: AG for respondents present.

Written reply/comments on behalf of respondents has not been submitted. Learned AAG seeks time to contact the respondents for submission of written reply/comments. To come up for written reply/comments on 17/01/2022 before S.B.

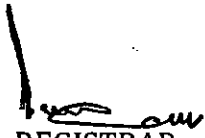




(MIAN MUHAMMAD)
MEMBER (E)

Form-A
FORM OF ORDER SHEET

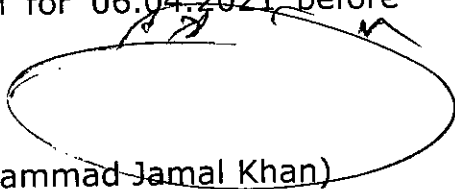
Court of _____

Appeal's Restoration Application No. 135 /2020

S.No.	Date of order Proceedings	Order or other proceedings with signature of judge
1	2	3
1	26.07.2021	<p>The application for restoration of appeal No. 914/2021 submitted by Mr. Ashraf Ali Khattak Advocate may be entered in the relevant register and put up to the Court for proper order please.</p> <p style="text-align: right;"> REGISTRAR</p>
2		<p>This restoration application is entrusted to S. Bench to be put up there on <u>13/08/21</u></p> <p style="text-align: right;"> CHAIRMAN</p>
	13.08.2021	<p>Counsel for the appellant present. Notices be issued to the respondents. To come up for reply and arguments on restoration application on 12.10.2021 before S.B.</p> <p style="text-align: right;"> Chairman</p>

22.02.2021

Neither appellant nor anyone else representing him is present at the moment i.e 02:20 P.M. Security and process fee also not deposited by the appellant; therefore, notice be issued to appellant and his respective counsel for 06.04.2021 before S.B.


(Muhammad Jamal Khan)
Member

06.04.2021

Due to demise of the Worthy Chairman the Tribunal is defunct, therefore, case is adjourned to 14.07.2021 for the same as before.


READER

14.07.2021

Neme for the appellant.

Security and process fee have not been deposited since admission of the appeal on 26.11.2020 nor the appellant is present with application for extension of time with sufficient reason.

In view of the above, the appeal is dismissed in default. File be consigned to the record room.


Chairman


ANNOUNCED
14.07.2021

26.11.2020

Mr. Ashraf Ali Khattak, Advocate, for appellant is present.

It was contended by the learned counsel representing appellant that on 29.01.2001 appellant was granted Selection Grade in BPS-15 with effect from 01.04.2000 later on the post of PET alongwith other posts were upgraded to BPS-15. Since appellant has served for more than 10 years as PET prior to the factum of up-gradation, therefore, the appellant was a senior teacher of his cadre. Senior SST Teachers who are performing their duties in BPS-17 are promoted to the post of Subject Specialist or Headmaster having the same scale however, on promotion two increments are granted, one advance and the other pre-mature. Previously one step up-gradation in BPS-16 was bestowed on all Elementary School Teachers rendering their duties in BPS-15 who have five years service at their credit and all Elementary School Teachers possessing five years service were up-graded to BPS-16 by granting them two increments. Appellant submitted that he and his colleagues are serving in BPS-15 prior to the issuance of the notification dated 01.10.2007 are entitled to be treated in the like manner by granting either promotion in the next stage or two increments. The writ petition moved was converted into departmental appeal but the same remained un-decided so far hence, the instant appeal.

The points raised by the learned counsel for appellant need consideration. The appeal is admitted for regular hearing subject to all legal objections. The appellant is directed to deposit security and process fee within 10 days, thereafter, notices be issued to the respondents for written reply/comments for 22.02.2021 before S.B.


(MUHAMMAD JAMAL KHAN)
MEMBER (JUDICIAL)

20.07.2020

Petitioner has not forth come. Call was made at 11:55 A.M whereas Mr. Kabirullah Khattak, Additional AG for the respondents is present. Notices be issued to petitioner as well as his counsel for 29.09.2020. File to come up for reply and arguments on the restoration application before S.B.

(MUHAMMAD JAMAL KHAN)
MEMBER

29.09.2020

Counsel for the petitioner and Addl. AG alongwith Sajid Superintendent for the respondents present.

The restoration application in hand was submitted on 13.12.2019 while the appeal No. 914/2019 was dismissed for non-prosecution on 21.11.2019.

Learned counsel for petitioner frankly conceded the delay in submission of application. He, however, contended that on the date of hearing he was engaged in a family bereavement/death of his cousin. He further stated that the appeal was still at preliminary hearing stage on 21.11.2019.

Learned AAG, on the other hand, argued that there was formidable delay in submission of restoration application, therefore, the same may be dismissed.

The contents of application suggest that the grounds taken therein are relatable to the learned counsel while he has provided an affidavit alongwith application. It is also claimed by learned counsel that the incidence of dismissal of appeal came in the knowledge of appellant one day before the submission of application. It could not be refuted from other side.

In the circumstances the application is allowed and appeal No. 914/2019 is restored in its original number. To come up for preliminary hearing on 26.11.2020 before S.B.


Chairman

14.02.2020

Counsel for the appellant and Mr. Kabirullah Khattak, Additional AG alongwith Mr. Sher Nawab, Superintendent for the respondents present. Reply of restoration application not submitted. Representative of the department requested for further time to file reply of restoration application. To come up for reply of restoration application on 12.03.2020 before S.B.


(MUHAMMAD AMIN KHAN KUNDI)
MEMBER

12.03.2020

Nemo for the petitioner. Mr. Kabir Ullah Khattak learned Additional Advocate General alongwith Muhammad Khalid Assistant present and submitted reply. Adjourn. To come up for further proceedings on 20.04.2020 before S.B. Petitioner be put to notice for the date fixed.


Member

20.04.2020




Due to COVID19, the case is adjourned to 20.07.2020 for the same as before.


Reader

Form-A
FORM OF ORDER SHEET

Court of _____

Appeal's Restoration Application No. 456/2019

S.No.	Date of order Proceedings	Order or other proceedings with signature of judge
1	2	3
1	13.12.2019	<p>The application for restoration of appeal No.914/2019 submitted by Mr. Ashraf Ali Khattak Advocate may be entered in the relevant register and put up to the Court for proper order please.</p> <p style="text-align: right;"> REGISTRAR 13/12/19</p>
2	18/12/19	<p>This restoration application is entrusted to S. Bench to be put up there on <u>17/01/20</u></p> <p style="text-align: right;"> CHAIRMAN</p>
	17.01.2020	<p>Nemo for petitioner.</p> <p>Notices be issued to petitioner as well as respondents. To come up for reply of restoration application on 14.02.2020 before S.B. Learned Addl. A.G shall also be served for the next date.</p> <p style="text-align: right;"> Chairman</p> <p style="text-align: center;">i</p>

09/11/2019

Appellant along with counsel present

Learned counsel requests for time to further document
the appeal by 12/24/2019. Records relevant to Maryellen of
the appellant

Appeal No. 914/2019

21/11/2019

21.11.2019

Nemo for appellant.

Despite repeated calls no one is in attendance on behalf of
the appellant today till 2.30 PM.

Dismissed for non-prosecution. File be consigned to the
record.

Chairman





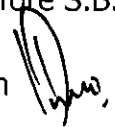

Announced:
21.11.2019

Form- A

FORM OF ORDER SHEET

Court of _____

Case No.- 0114/2019

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	
1-	11/07/2019	<p>The appeal of Mr. Sher Abbas resubmitted today by Mr. Ashraf Ali Khattak 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 11/7/19</p>
2-	18/07/19	<p>This case is entrusted to S. Bench for preliminary hearing to be put up there on <u>27/08/19</u></p> <p style="text-align: right;"> CHAIRMAN</p>
	28.08.2019	<p>Mrs. Robina Advocate is present on behalf of learned counsel for the appellant.</p> <p>A request for adjournment is made on the ground that learned counsel for the appellant is engaged in many cases before the Honourable High Court today.</p> <p>Adjourned to 09.10.2019 for preliminary hearing before S.B.</p> <p style="text-align: right;">Chairman </p>
	09.10.2019	<p>Counsel for the appellant present.</p> <p>Learned counsel requests for adjournment as he is engaged in many cases before the Honourable High Court today.</p> <p>Adjourned to 21.11.2019 before S.B.</p> <p style="text-align: right;"> Chairman</p>

Chairman