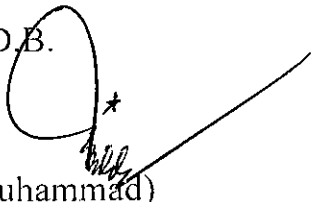
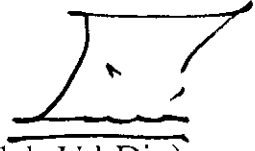


24.11.2022

Appellant alongwith his counsel present. Mr. Aftab Hussain,
Legal Advisor alongwith Mr. Muhammad Riaz Khan Paindakhel,
Assistant Advocate General for official respondents present.

Learned counsel for the appellant seeks time for preparation of
arguments. Adjourned. To come up for arguments on 01.12.2022
before the D.B.


(Mian Muhammad)
Member (E)


(Salah-Ud-Din)
Member (J)

14-7-2022

A - No. 965/18, Irfan Sher
Proper DB not available the case
is adjourned to 5-8-2022

[Signature]
Reader

5-8-2022

Proper DB not available the case is
adjourned to 8-9-2022

[Signature]
Reader

08.09.2022

Junior to counsel for appellant present.

Muhammad Adeel Butt, learned Additional Advocate General for respondents present.

Former made a request for adjournment as senior counsel for appellant is not available today. Adjourned. To come up for arguments on 13.10.2022 before D.B.



(Fareeha Paul)
Member(E)



(Rozina Rehman)
Member(J)

13th Oct., 2022

Counsel for the appellant present. Mr. Naseerud Din Shah,
Asstt. AG for the respondents present.

Learned counsel for the appellant seeks adjournment in order to further prepare the brief. Last opportunity is granted. To come up for arguments on 24.11.2022 before the D.B.



(Fareeha Paul)
Member (E)



(Kalim Arshad Khan)
Chairman

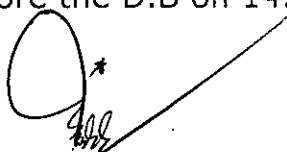
23.06.2022

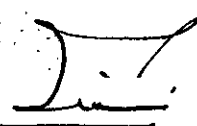
A. No. 965/2018
Irfan Sher vs Govt

Appellant alongwith his counsel present. Mr. Gohar Rehman Khattak, Legal Advisor and Mr. Muhammad Adeel Butt, Additional Advocate General for the respondents present.

Learned counsel for the appellant stated that he had submitted application for impleadment of the names mentioned in the list attached with the impleadment application, however the said application is still pending adjudication, therefore, the same requires disposal prior to proceedings further in the instant appeal. Arguments on application heard and case file perused.

Learned counsel for the appellant contended that Assistant Sub-Inspectors (BPS-11) of Excise, Taxation and Narcotics Control, Khyber Pakhtunkhwa namely Asif Mirdad, Tariq Khan, Syed Tauqeer Abbass, Shah Nawaz, Waheed Akbar, Muhammad Nadeem Rafique, Muhammad Farooq, Faqeer Muhammad, Muhammad Tahir, Asad Ullah Sawal, Rashid Munir, Shiraz Khan, Syed Yousaf Jamal, Shehzad Khan, Qazi Bilal ul Haq, Syed Masood Shah, Muhammad Kamran Mandoori, Zohaib Jamal, Mouzam Jan, Hairs Khan, Sajjad Ali, Muhammad Ali Jan Khalil, Kamran Ali, Zahid Hussain, Asif Khan, Asif Khan, Zahoor Ahmad, Afaq Alam, Shehryar Khan, Inayat ur Rehman, Muhammad Zia Anwar, Muhammad Shakeel Khan, Ali Munnawar, Majid Hussain, Azlan Aslam, Askar Khan, Zeeshan Malik, Bilal Abdul Hafiz, Naseem Khan, Bilal Khan, Farhadullah Khan and Masood ur Rehman, are necessary parties in the instant case, therefore, their impleadment is necessary for reaching a just and right conclusion of the appeal in hand. Learned Legal Advisor of the respondents as well as learned Additional Advocate General stated at the bar that they are having no objection on impleadment application. The impleadment application is, therefore, allowed and the above mentioned Assistant Sub-Inspectors (BPS-11) of Excise, Taxation and Narcotics Control, Khyber Pakhtunkhwa are impleaded as respondents in the instant appeal. Office is directed to make necessary entry in this respect in the memo of appeal as well as relevant record accordingly. Impleaded respondents be summoned through Director General Excise, Taxation & Narcotics Control Department, Khyber Pakhtunkhwa Peshawar and to come up for their reply/comments as well as arguments before the D.B on 14.07.2022.


(Mian Muhammad)
Member (E)


(Salah-ud-Din)
Member (J)

9-3-2022

Proper DB is not available the case is adjourned to come up for the same as before on 20-5-2022

20.05.2022

Appellant in person present.

Reader
Reader

Mr. Muhammad Rasheed, Deputy District Attorney for respondents present.

Appellant requested for adjournment on the ground that his counsel is busy before Hon'ble Peshawar High Court, Peshawar. Adjourned. To come up for arguments on 23.06.2022 before the D.B.



(Rozina Rehman)
Member (J)



(Salah-Ud-Din)
Member (J)

16.08.2021


Since 16.08.2021 has been declared as Public holiday on account of Moharram, therefore, case is adjourned to 10.11.202 for the same as before.



Reader

10.11.2021

Mr. Muhammad Adnan Sher, Advocate for the appellant present.
Mr. Zeeshan Khan Inspector alongwith Mr. Asif Masood Ali Shah, Deputy District Attorney for respondents present.

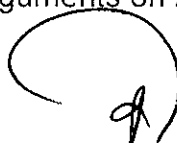
Respondents are directed to positively submit reply of the application and to come up for arguments before the D.B on 31.01.2022.


(ATIQ UR REHMAN WAZIR)
MEMBER (E)


(SALAH-UD-DIN)
MEMBER (J)

31.01.2022

Appellant in person present. Mr. Noor Zaman Khan Khattak District Attorney present. Junior to Legal Advisor for respondents also present and requested for adjournment in order to submit reply on impleadment application. Adjourned. To come up for submission of reply of the application and arguments on 29.03.2022 before the D.B.


(Rozina Rehman)
Member (J)


(Salah-Ud-Din)
Member (J)

01.02.2021

Due to COVID-19, the case is adjourned to 01.04.2021 for the same.



Reader

01.04.2021

Due to non availability of the concerned D.B, the case is adjourned to 04.06.2021 for the same.



Reader

04.06.2021

Mr. Noman Said, Advocate, for the appellant present. Mr. Asif Masood Ali Shah, Deputy District Attorney for the respondents present and stated that the respondents in the instant appeal are being represented by a private Legal Advisor, who ^{could} did not appear before the court today as the previous date was changed on the basis of Reader Note, therefore, notice may be issued to him. Respondents as well as their Legal Advisor be summoned and to come up for reply on the application before the D.B on 16.08.2021.




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



(SALAH-UD-DIN)
MEMBER (JUDICIAL)

_____ .2020 Due to COVID19, the case is adjourned to
12/8/2020 for the same as before.



Reader

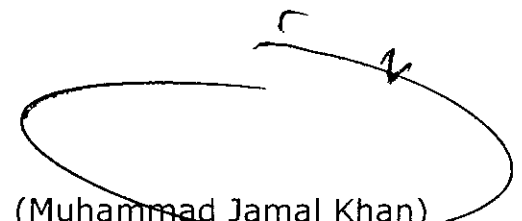
12.08.2020 Due to summer vacations case to come up for the same on
15.10.2020 before D.B.


Reader

15.10.2020 Appellant is present in person. Mr. Muhammad Jan, Deputy
District Attorney for the respondents is also present.

Appellant submitted that he has filed an impleadment application on which no order has been passed by the Tribunal, therefore, before addressing arguments on merit of appeal its adjudication is necessary. The record reflects that no reply on behalf of the respondents has been filed, the learned Deputy District Attorney sought time for purpose of making contact with the department. Time was given to them however, it was stated that no contact was made and requested for allowing him time. Time allowed. In the meanwhile reply has to be submitted and file to come up for arguments on application and merits of appeal on 01.12.2020 before D.B.


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


(Muhammad Jamal Khan)
Member (Judicial)

01.12.2020 Due to COVID-19, the case is adjourned to 01.02.2021 for
the same as before.


Reader

13.02.2020

Appellant in person and Mr. Kabirullah Khattak, Additional AG for the respondents present. Appellant seeks adjournment on the ground that his counsel is not available today. Adjourned to 20.03.2020 for arguments before D.B.


(Hussain Shah)
Member


(M. Amin Khan Kundi)
Member

20.03.2020

Appellant in person and Mr. Ziaullah, Deputy District Attorney alongwith Mr. Inayat Gul, Clerk to Legal Advisor for the respondents present. Appellant seeks adjournment on the ground that his counsel is not available today due to general strike of Khyber Pakhtunkhwa Bar Council. Adjourned to 02.06.2020 for arguments before D.B.


(Mian Muhammad)
Member


(M. Amin Khan Kundi)
Member

04.09.2019

Counsel for the appellant and Mr. Usman Ghani District Attorney alongwith Noman, Inspector for the respondents present.

Reply on behalf of respondents No. 1 to 3 submitted which is placed on record. The appeal is assigned to D.B for arguments on 06.11.2019. The appellant may submit rejoinder, within a fortnight, if so advised.

Chairman



06.11.2019

Learned counsel for the appellant present. Mr. Kabir Ullah Khattak learned Additional Advocate General present. Learned counsel for the appellant seeks adjournment. Adjourn. To come up for arguments on 24.12.2019 before D.B.




Member



Member

24.12.2019

Appellant in person present. Mr. Zia Ullah learned Deputy District Attorney present. Appellant seeks adjournment as his counsel is not in attendance. Adjourn. To come up for arguments on 13.02.2020 before D.B.



Member



Member

23.04.2019

None for the appellant present. Addl: AG for respondents present. Written reply/comments not submitted. Requested for adjournment. Adjourned. Case to come up for written reply/comments on 18.06.2019 before S.B.


(Ahmad Hassan)
Member

18.06.2019

Clerk of counsel for the appellant and Mr. Kabirullah Khattak, Additional AG for the respondents present. Neither written reply on behalf of respondents submitted nor representative of the department is present therefore, notice be issued to the respondents with the direction to direct the representative to attend the court and submit written reply on the next date by way of last chance. Adjourned to 11.07.2019 for written reply/comments before S.B.


(Muhammad Amin Khan Kundi)
Member

11.07.2019

Appellant in person and Addl. AG present. No representative of the respondents is available.

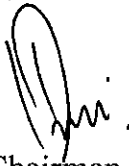
Learned AAG is required to ensure attendance of representative of respondents and submission of written reply/comments on 04.09.2019 before S.B.


Chairman

11.1.2019.

Appellant in person and Addl. AG alongwith
Jawad Inspector for the respondents present.

Representative of respondents seeks
adjournment for submission of requisite
reply/comments. The same shall positively be filed on
27.02.2019 before S.B.



Chairman

27.02.2019

Appellant in person present. Mr. Kabirullah Khattak, Addl:
AG for respondents present. Written reply not submitted. Fresh
notices be issued to the respondents for submission of written
reply/comments on 09.04.2019 before S.B.



Member
(Ahmad Hassan)

09.04.2019

Counsel for the appellant and Addl. AG alongwith
Numan Akhtar, Inspector Excise for the respondents
present.

The representative of the respondents requests
for adjournment as the requisite comments have
though been prepared but yet to be vetted.

Adjourned to 23.04.2019 on which date the reply
shall positively be furnished.

Chairman 

18.09.2018

Counsel for the appellant present. Preliminary arguments heard and case file perused. Learned counsel for the appellant argued that he is aggrieved of seniority list as stood on 28.02.2018 and notified on 14.04.2018. His name is reflected at Sr. no. 117 of the above seniority list which is incorrect. He filed departmental appeal on 16.04.2018 which was not responded within the stipulated period, hence, the instant service appeal. The main grievance of the appellant is that he joined the Police Department as constable on 20.08.2002. His previous ten years service in Police Department was not counted towards seniority in the E&T Department. Action taken by the respondents lacks the backing of law and rules.

Appellant Deposited
Security & Process Fee

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 18.10.2018 before S.B.


(AHMAD HASSAN)
MEMBER

18.10.2018

Appellant in person present. Written reply not submitted. Fresh notice be issued to the respondents for 29.11.2018. Adjourn. To come up for written reply/comments of respondents on the date fixed before S.B.


Member

29.11.2018



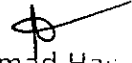
Appellant in person and Mr. Kabirullah Khattak learned Additional Advocate General alongwith Mr. Noman Akhtar Inspector legal for the respondents present. Written reply not received. Representative of the respondents seeks adjournment. Adjourn. To come up for written reply/comments on 11.01.2019 before S.B.


Member

Form- A
FORM OF ORDER SHEET

Court of _____

Case No. 965/2018

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	06/08/2018 7-8-18	<p>The appeal of Mr. Irfan Sher resubmitted today by Mr. Muhammad Adnan Sher 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</p>
2-	30.08.2018	<p>This case is entrusted to S. Bench for preliminary hearing to be put up there on <u>30-8-18</u>.</p> <p style="text-align: right;"> CHAIRMAN</p> <p>Neither appellant nor his counsel present. Adjourned. To come up for preliminary hearing on <u>18.9.2018</u> before S.B.</p> <p style="text-align: right;"> (Ahmad Hasani) Member</p>