




Form- A

FORM OF ORDER SHEET

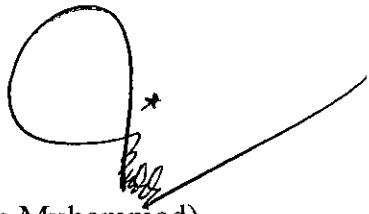
Court of _____

Case No.- _____ 771/2022 _____

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	11/05/2022	<p>The appeal of Dr. Tahir Shah resubmitted today by Mr. Mian Asif Aman 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-	12/5/22	<p>This case is entrusted to Single Bench at Peshawar for preliminary hearing to be put there on <u>13/5/22</u>. Notices be issued to appellant and his counsel for the date fixed.</p> <p style="text-align: right;"> CHAIRMAN</p>
13.05 2022		<p>Learned counsel for the appellant present and requested for adjournment in order to further prepare the brief. Adjourned. To come up for preliminary hearing before the S.B on 20.07.2022.</p> <p style="text-align: right;"> (Kalim Arshad Khan) Chairman</p> <p style="text-align: center;">SCANNED KPST Peshawar</p>

20.07.2022


Learned counsel for the appellant present and requested for adjournment in order to further prepare the brief. Adjourned. To come up for preliminary hearing on 30.08.2022 before S.B.



(Mian Muhammad)
Member (E)

30.08.2022

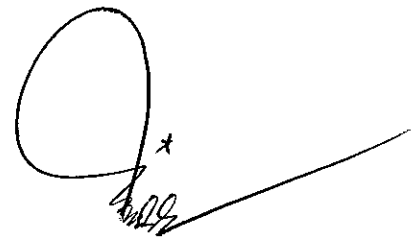
Appellant alongwith his counsel present and requested for adjournment on the ground that he has not gone through the record. Adjourned. To come up for preliminary hearing on 07.10.2022 before S.B.



(Mian Muhammad)
Member (E)

07.10.2022

Mian Asif Awan, Advocate/learned counsel for the appellant present and argued the case. He contended that the appellant was appointed as Veterinary Officer Health (BS-17) vide notification dated 02.08.2016 and posted at CVH, Jandolla, FR Tank vide subsequent notification dated 26.09.2016. The appellant submitted his arrival ^{report} and joined duty on 27.09.2016. It was further argued that the appellant before joining government service had applied for PhD Course to Turkiye Burslari Scholarship and he received admission letter on 09.09.2016 pursuant to which he applied for study leave on 13.10.2016. His application for study leave was accordingly forwarded on 21.10.2016. He was under the impression that study leave had been sanctioned by the competent authority, therefore, he left for Turkey on 17.10.2016. On completion of the PhD course, he was awarded the Degree on 03.12.2021 where-after he arrived back in the country on 31.12.2021. He visited his last place of posting for submission of arrival report but that was not accepted on the ground that he had been " " removed from service, vide impugned notification dated 07.12.2018. It was vehemently contended that the impugned order had never been communicated to the appellant despite the fact that his permanent home address was available with the respondent department. He, therefore, submitted departmental appeal against the impugned order on 23.01.2022 which was not responded within the stipulated statutory period where-after he submitted the instant service appeal on 09.03.2022. To address the question of limitation, learned counsel for the appellant relied on 2016 PLC (C.S) 682. Since the question of limitation is involved, it would therefore, be appropriate to issue pre-admission notice to the respondents for reply/parawise comments. To come up for reply/parawise comments and preliminary hearing on 30.11.2022 before S.B.



(Mian Muhammad)

Member (E)

30.11.2022

Junior to counsel for the appellant present. Kabir Ullah Khattak Additional Advocate General for respondents present.

Reply not submitted. Representative of the respondents sought time for submission of written reply. Adjourned. To come up for written reply/preliminary hearing on 09.01.2023 before S.B.



(Kalim Arshad Khan)
Chairman