


29.11.2022

Counsel for the appellant present.

Security and process fee not deposited. Learned counsel for the appellant is directed to deposit security and process fee within 7 days, whereafter, notices be issued to respondents for submission of written reply. To come up for written reply/comments on 06.01.2023 before S.B.

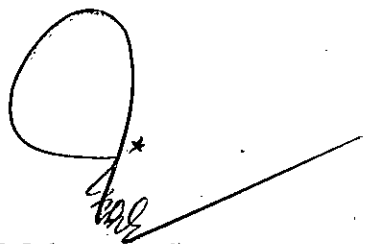
  
(Rozina Rehman)  
Member (J)

20.10.2022

Muhammad Amin Khattak, Advocate learned counsel for the appellant present. Preliminary arguments heard.

Learned counsel for the appellant while referring to the first round of litigation, contended that service appeal No. 226/2018 of the present private respondent No. 3 had been allowed by the Service Tribunal vide its judgement dated 03.12.2019. The appellant assailed/challenged it before the august Supreme Court of Pakistan. However, the august Supreme Court of Pakistan vide its judgement dated 12.11.2022 maintained judgement of the Service Tribunal dated 03.12.2019. As a consequence of judgement of the august Supreme Court of Pakistan, the respondent department issued impugned order dated 05.01.2021 whereby respondent No. 4 has struck down/reverted the appellant to the rank of Driver Head Constable with immediate effect. Similarly, private respondent No. 3 has been promoted as Driver Assistant Sub Inspector against the existing vacancy of Driver Assistant Sub Inspector in Dir Upper district w.e.f 06.01.2021 vide impugned order dated 05.01.2022. Both the orders have been impugned in the instant service appeal on 08.06.2022 because the departmental appeal of appellant was not decided within the statutory period by the respondent department.

Points raised need consideration. The appeal is admitted to regular hearing, subject to all just and legal objections. The appellant is directed to deposit security and process fee within 10 days. Thereafter, notices be issued to the respondents for submission of written reply/comments. To come up for reply/comments before the S.B on 29.11.2022.

  
(Mian Muhammad)  
Member (E)

10.08.2022

Nemo for appellant.

*Counsel was informed telephonically due to non-availability of postal tickets.*

Notices be issued to the appellant and his counsel for preliminary hearing on 20.10.2022 before S.B.

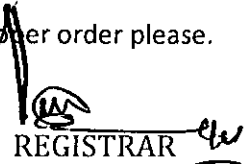

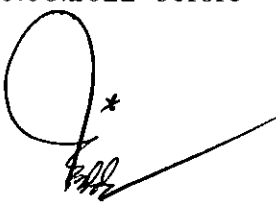
  
(Fareeha Paul)  
Member (E)

Form- A

## FORM OF ORDER SHEET

Court of \_\_\_\_\_

Case No.- 922/2022

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	17/06/2022	<p>The appeal of Mr. Ghulam Hakeem resubmitted today by Mr. Muhammad Amin Khattak Lachi Advocate may be entered in the Institution Register and put up to the Worthy Chairman for proper order please.</p> <p> REGISTRAR</p>
2-	20.6.22	<p>This case is entrusted to Single Bench at Peshawar for preliminary hearing to be put there on <u>21.6.22</u>. Notices be issued to appellant and his counsel for the date fixed.</p> <p> CHAIRMAN</p>
	21.06.2022	<p>Junior of learned counsel for the appellant present and requested for adjournment on the ground that learned senior counsel for the appellant is not available today. Adjourned. To come up for preliminary hearing on 10.08.2022 before S.B.</p> <p> (Mian Muhammad) Member (E)</p>

**SCANNED  
KPST  
Peshawar**