

2nd Nov., 2022

Counsel for the appellant present. Mr. Muhammad Adeel Butt, Addl. Advocate General for the respondents present.

Learned counsel for the appellant requests for adjournment in order to further prepare the brief. Adjourned. To come up for arguments on 02.12.2022 before the D.B.

  
(Fareeha Paul)  
Member (E)


  
(Kalim Arshad Khan)  
Chairman

2<sup>nd</sup> Dec. 2022

Appellant in person present. Mr. Muhammad Adeel Butt, Addl: AG alongwith Mr. Naseem Ullah Khan, Asst: Commissioner Revenue for respondents present.

Appellant seeks adjournment on the ground that his counsel is not available today. Last chance is given to the appellant to argue the case on the next date and ensure presence of his counsel. To come up for arguments on 15.02.2023 before the D.B.

(Fareeha Paul)  
Member(Executive)



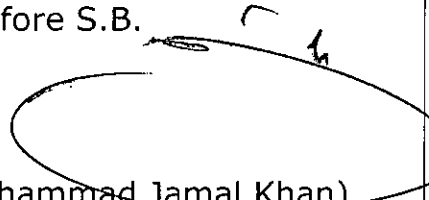
  
(Kalim Arshad Khan)  
Chairman

Form- A

FORM OF ORDER SHEET

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

Case No.- 11466 /2020

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	01/10/2020	<p>The appeal of Mr. Niaz Wali resubmitted today by Mr. Nasir Mehmood Advocate may be entered in the Institution Register and put up to the Worthy Chairman for proper order please.</p> <p> REGISTRAR</p>
2-		<p>This case is entrusted to S. Bench for preliminary hearing to be put up there on <u>21/10/2020</u>.</p> <p> CHAIRMAN</p>
21.10.2020		<p>Since the Members of the High Court as well as of the District Bar Association Peshawar are observing strike today therefore, the case is adjourned to 26.11.2020 on which date to come up for preliminary hearing before S.B.</p> <p> (Muhammad Jamal Khan) Member (Judicial)</p>

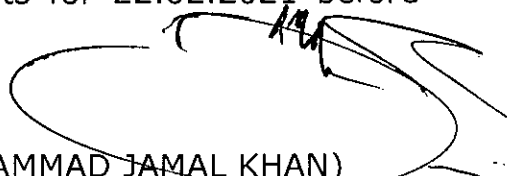
26.11.2020

Appellant in person alongwith Mr. Nasir Mehmood, Advocate, are present.

To summarize what has been agitated at the bar is that appellant was unaware of the fact that his wife is a recipient of Benazir Income Support Program, inquiry was made into the matter in which a major penalty of removal from service was imposed upon the appellant, the departmental appeal moved was allowed converting the removal from service into penalty of withholding of one increment for a period of two years without specifying the exact period for which it has to remain efficacious and the recovery of received amount. As regard limitation involved in the appeal according to the appellant the impugned order dated 03.07.2020 was received by him on 22.08.2020 the burden of proof lies on his shoulder to discharge.

The point so agitated at the bar needs consideration. The appeal is admitted for regular hearing subject to all just 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.

  
Appellant Deposited  
Security & Process Fee

  
(MUHAMMAD JAMAL KHAN)  
MEMBER (JUDICIAL)

22.02.2021


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. Adjourned to 06.04.2021 on which date file to come up for written reply/comments 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

Junior to counsel for the appellant and Mr. Kabirullah Khattak, Addl. AG alongwith Gul Rehman, AAC and Muhammad Saggad Litigation Officer for the respondents present.

Respondents have furnished reply/comments. The appeal is entrusted to D.B for arguments on 02.12.2021.

  
Chairman

2-12-21

*Propose D.B as Bench, Muzaffar Ali  
case is adjourned to 14-2-22 for hearing.*

  
Reader

14.02.2022


Due to retirement of the Worthy Chairman, the Tribunal is defunct, therefore, case is adjourned to 06.06.2022 for the same as before.


  
Reader

06.06.2022

Appellant in person present. Mr. Noman Shah, Reader alongwith Mr. Muhammad Adeel Butt, Additional Advocate General for the respondents present.


Appellant requested for adjournment on the ground that his counsel is not available today due to strike of lawyers. Adjourned. To come up for arguments on 17.08.2022 before the D.B.

  
(Fareeha Paul)  
Member (E)

  
(Salah-ud-Din)  
Member (J)

17/08/2022

Due to summer vacation the case is adjourned 02/11/2022 for the same.

  
Reader.