




Form- A

FORM OF ORDER SHEET

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

Case No.- 1166/2019


S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	20/09/2019	<p>The appeal of Mr. Muhammad Nasimullah resubmitted today by Mr. Saadat ULLah Khan Tangi Advocate may be entered in the Institution Register and put up to the Worthy Chairman for proper order please.</p> <p> REGISTRAR 20/9/19</p>
2-	23/09/19	<p>This case is entrusted to S. Bench for preliminary hearing to be put up there on <u>25/10/19.</u></p> <p> CHAIRMAN</p>
	25.10.2019	<p>Nemo for the appellant.</p> <p>Notice be issued to appellant/counsel for preliminary hearing on 04.12.2019 before S.B.</p> <p> Chairman</p>

04.12.2019

Counsel for the appellant present.

Contends that the appellant holds a master's degree in Computer Science and is presently performing duty as SST (General/Science) BPS-16. He is fully qualified for promotion against the post of Subject Specialist (IT) BPS-17 in view of notification dated 24.07.2014 issued by the respondent department. He, however, has been denied such promotion ostensibly on the strength of minutes of SSRC meeting dated 10.08.2017. Referring to copy of minutes learned counsel contended that no quota for promotion of officials similarly placed and including the appellant has been earmarked for the requisite promotion. The said act of respondents is tantamount to denial of valuable service rights of appellant.

In view of the available record and arguments of learned counsel, instant appeal is admitted for regular hearing. The appellant is directed to deposit security and process fee within 10 days. Thereafter, notices be issued to the respondents. To come up for written reply/comments on 27.01.2020 before S.B.

  
Appellate Deposited  
Security & Process Fee

Chairman 

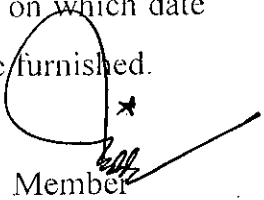
27.01.2020

Clerk to counsel for the appellant present. Written reply not submitted. Irfan Assistant representative of the respondent department present and seeks time to furnish written reply/comments. Granted. To come up for written reply/comments on 04.03.2020 before S.B.

  
Member

04.03.2020 Junior to counsel for the appellant and Addl. AG for the respondents present

Learned AAG seeks time to contact the respondents and submit written reply. Adjourned to 13.04.2020 on which date the requisite reply/comments shall positively be furnished.


  
Member

13.04.2020 Due to public holiday on account of COVID-19, the case is adjourned to 07.07.2020 for the same. To come up for the same as before S.B.

  
Reader

07.07.2020 Counsel for the appellant present.

Mr. Kabir Ullah Khattak learned Additional Advocate General for the respondents present and seeks time to submit comments. Last chance is given for submission of reply as well as for reply to application for suspension of notification, on 13.08.2020 before S.B

  
Member (J)

13.08.2020 Counsel for the appellant present. Nemo for the respondents.

Despite last opportunity, the respondents have not furnished the requisite reply/comments. The matter is, therefore, posted to D.B for arguments on 28.10.2020.

  
Chairman

28.10.2020

Proper D.B is on Tour, therefore, the case is  
adjourned for the same on 30.12.2020 before D.B.



Reader

30-12-2020

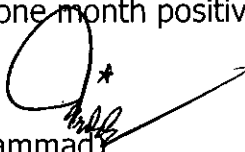
Due to summer vacation, case is adjourned to  
17-3-2021 for the same as before.

  
Reader

17.03.2021

Counsel for the appellant and Addl. AG for the respondents present.

On 13.08.2020, the proceedings were adjourned for arguments, however, on subsequent two occasions, the matter was adjourned on the strength of Reader's Note. Learned AAG requests for time to furnish the reply/comments due to the said reason. Adjourned to 19.05.2021. On the next date arguments on the appeal shall be addressed while the respondents shall furnish the reply within one month positively.

  
(Mian Muhammad)  
Member (E)

  
Chairman

19-5-2021

*Due to COVID-19, the case is  
adjourned to 10-9-2021 for the  
same.*




10.09.2021

Clerk of counsel for the appellant present. Mr. Kabirullah Khattak, Additional Advocate General for the respondents present.

Clerk of counsel for the appellant stated that learned counsel for the appellant is unable to attend the Tribunal today due to strike of Lawyers. Adjourned To come up for arguments before the D.B. on 20.12.2021.

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

  
(SALAH-UD-DIN)  
MEMBER (JUDICIAL)

20.12.2021

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

The respondents were afforded with last opportunity for submission of written reply/comments but even today they have not submitted reply/comments and seek adjournment through learned AAG. Let the respondents be afforded with another last chance subject to cost of Rs. 2000/- on or before next date with the warning that in case they fail to submit the written reply/comments and cost, their right for reply/comments shall be deemed as struck off by virtue of this order. Case to come up for arguments on 22.02.2022 before the D.B.

  
Chairman

22.02.2022

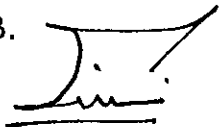
Due to retirement of the Worthy Chairman, the Tribunal is defunct, therefore, case is adjourned to 19.05.2022 for the same as before.

  
Reader.

19.05.2022

Learned counsel for the appellant present. Mr. Kabirullah Khattak, Additional Advocate General for the respondents present.

Learned Member (Judicial) Ms. Rozina Rehman is on leave, therefore, arguments could not be heard. Adjourned. To come up for arguments on 21.07.2022 before the D.B.


  
(Salah-ud-Din)  
Member (Judicial)


21.07.2022

Junior to counsel for the appellant present.

Muhammad Riaz Khan Paindakheil, learned Assistant Advocate General alongwith Bakhtmal Jan Litigation Officer for respondents present.

File to come up alongwith connected Service Appeal No.1164/2019 titled "Mohib Ullah Vs. Government of Khyber Pakhtunkhwa" on 27.09.2022 before D.B.

  
(Fareeha Paul)  
Member(E)

  
(Rozina Rehman)  
Member (J)

27.09.2022

Junior to counsel for appellant present.

Muhammad Riaz Khan Paindakheil learned Assistant Advocate General for respondents present.

File to come up alongwith connected Service Appeal No.1164/2019 titled "Muhib Ullah Vs. Education Department" on 01.12.2022 before D.B

  
(Fareeha Paul)  
Member (E)


  
(Rozina Rehman)  
Member (J)

01.12.2022

Junior to counsel for the appellant present.  
Muhammad Adeel Butt learned Additional Advocate  
General for respondents present.

File to come up alongwith connected Service  
Appeal No. 1164/2019 titled "Muhib Ullah Vs  
Education Department" on 02.03.2023 before D.B.

  
(Fareeha Paul)  
Member (E)

  
(Rozina Rehman)  
Member (J)