

Form-A
FORM OF ORDERSHEET

Court of _____

Case No. 515/2018

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1	12/04/2018	<p>The appeal of Mr. Abdul Tawab resubmitted today by Mr. Saadullah Khan Marwat Advocate may be entered in the Institution Register and put up to the Learned Member for proper order please.</p> <p style="text-align: right;"><i>[Signature]</i> REGISTRAR 12/14/18</p>
2	15/05/18.	<p>This case is entrusted to Justice S. Bench for preliminary hearing to be put up there on <u>21/05/18.</u></p> <p style="text-align: right;"><i>MA</i> MEMBER</p>

04.09.2018

Appellant Abdul Tawab in person present. Mr. Usman Ghani, District Attorney for respondents present. Written reply not submitted. Learned District Attorney sought some time to submit written reply/comments. Granted. Case to come up for written reply/comments on 02.10.2018 before S.B at camp court Swat.


Chairman
Camp Court Swat

02.10.2018

Appellant in person present. Mr. Usman Ghani, District Attorney present. Written reply not submitted. Learned District Attorney sought some time to submit to submit written reply. Case to come up for written reply/comments on 07.11.2018 before the S.B at camp court, Swat.


Member
Camp Court Swat


07.11.2018

Due to retirement of the Hon'ble Chairman Service Tribunal is incomplete. Tour to Camp Court Swat has been cancelled. To come up for the same on 07.01.2019 at camp court Swat.


Reader


07.01.2019


Counsel for the appellant present. Mr. Riaz, Head Constable alongwith Mr. Mian Ameer Qadir, District Attorney for respondents present. Written reply on behalf of respondents submitted, copy of the said is handed over the learned counsel for the appellant. Case to come up for rejoinder and arguments on 01.04.2019 before D.B at camp court Swat.


(Muhammad Amin Khan Kundi)
Member
Camp Court Swat

01.04.2019

Learned counsel for the appellant and Mr. Mian Ameer Qadir, District Attorney for the respondents present. Learned counsel for the appellant submitted rejoinder and seeks adjournment for arguments. Adjourn. To come up for arguments on 06.05.2019 before D.B at Camp Court Swat.


(M. Amin Khan Kundi)
Member
Camp Court Swat


(M. Hamid Mughal)
Member
Camp Court Swat

06.05.2019

Appellant in person and Mr. Mian Amir Qadir learned District Attorney alongwith Mr. Riaz Head Constable for the respondents present. Appellant seeks adjournment as his counsel is not in attendance. Adjourn. To come up for arguments on 01.07.2019 before D.B at Camp Court, Swat.



Member


Member
Camp Court Swat

01.07.2019

Appellant in person present. Mian Amir Qadir, DDA alongwith Mr. Khawas Khan, SI for respondents present. Appellant seeks adjournment on the ground that his counsel was busy before the Peshawar High Court, Peshawar. Adjourned Case to come up for arguments on 07.10.2019 before D.B at camp court Swat.


Member


Member
Camp Court Swat

07.10.2019

Appellant in person and Mr. Anwar-ul-Haq, Deputy District Attorney alongwith Mr. Khawas Khan, S.I (Legal) for the respondents present. Appellant requested for adjournment on the ground that his counsel is not available today. Adjourned to 03.12.2019 for arguments before D.B at Camp Court Swat.

03.12.2019


(Hussain Shah)

Camp Court Swat


(Muhammad Amin Khan Kundi)

Camp Court Swat

03.12.2019

Appellant in person present. Mr. M. Riaz Khan, Painsdakhel, Assistant Advocate General for respondents present. Appellant seeks adjournment as his counsel is not available today. Adjourn. To come up for arguments on 03.02.2020 before D.B at camp court Swat.

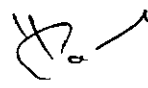

Member


Member
Camp Court Swat

03.02.2020

Appellant in person present. Mr. Muhammad Jan learned Deputy District Attorney alongwith Riaz H.C present. Appellant seeks adjournment as his counsel not available. Adjourn. To come up for arguments on 03.03.2020 before D.B at Camp Court, Swat.


Member


Member
Camp Court, Swat.

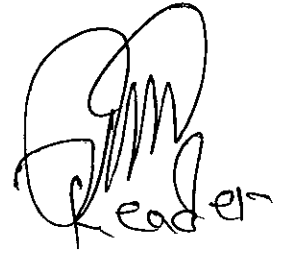
03.03.2020

Appellant in person present. Mr. Usman Ghani learned District Attorney for the respondents present. Appellant requested for adjournment on the ground that learned counsel is not available today. Adjourn. To come up for arguments on 04.05.2020 before D.B. at Camp Court Swat.


Member


Member
Camp Court Swat

Due to corona virus to
to camp Court Swat has been
cancelled. To come up for the
same on 02/06/20


Reader

02.06.2020 Due to Covid-19, the case is adjourned. To come up for the
same on 07.07.2020, at camp court Swat.


Reader

08.07.2020 Bench is incomplete. Therefore, the case is adjourned.
To come up for the same on 08.09.2020, at camp court
Swat.


Reader


08.02.2020

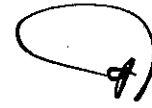
Appellant in person present.

Mr. Muhammad Jan Deputy District Attorney for the respondents present.

Issue involved in the present case is pending before Larger Bench of this Tribunal.

Adjourned to 07.12.2020 for arguments before D.B at Camp Court, Swat.


(Attiq-ur-Rehman)
Member
Camp Court, Swat


(Rozina Rehman)
Member
Camp Court, Swat

07.12.2020

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

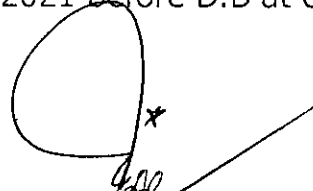
01.02.2021

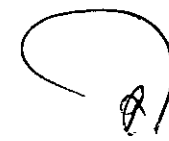
Nemo for parties.


Reader

Muhammad Riaz Khan Paindakhel, Assistant Advocate General for respondents is present.

Preceding date was adjourned on account of Covid-19, therefore, both the parties be put on notice for the date fixed. Issue involved in the instant case is pending before Larger Bench of this Tribunal, therefore, case is adjourned to 05.04.2021 before D.B at camp court Swat.


(Mian Muhammad)
Member(E)


(Rozina Rehman)
Member(J)
Camp Court Swat

05/04/2021

Due to COVID-19, the case is adjourned to

07/06/2021 for the same.



READER


Due to COVID-19, the cases
is adjourned to 7/10/21


Reader

07.10.2021 Appellant in person present. Mr. Asif Masood Ali Shah, Deputy District Attorney for respondents Present.

Learned Members of the DBA are observing Sogh over the demise of Qazi Imdadullah Advocate and in this regard request for adjournment was made; allowed. To come up for arguments before the D.B on 09.12.2021 at Camp Court, Swat.


(Atiq-Ur-Rehman Wazir)
Member (E)
Camp Court, Swat



(Rozina Rehman)
Member (J)
Camp Court, Swat

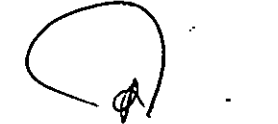
08.12.2021

Appellant in person present.

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

Former made a request for adjournment as his counsel is busy before Hon'ble Peshawar High Court, Peshawar. Adjourned. To come up for arguments on 09.02.2022 before D.B at Camp Court, Swat.


(Atiq-Ur-Rehman Wazir)
Member (E)
Camp Court, Swat


(Rozina Rehman)
Member (J)
Camp Court, Swat

09.02.2022


Tour is hereby canceled. Therefore, the case is adjourned to 06.04.2022 for the same as before at Camp Court Swat.



Reader

06.04.2022

Clerk of counsel for the appellant present. Mr. Muhammad Riaz H.C alongwith Mr. Noor Zaman Khan Khattak, District Attorney for the respondents present.

Clerk of counsel for the appellant requested for adjournment on the ground that learned counsel for the appellant is unable to attend the Tribunal today due to strike of lawyers. Adjourned. To come up for arguments on 10.05.2022 before the D.B at Camp Court Swat.

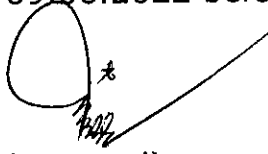

(Rozina Rehman)
Member (J)
Camp Court, Swat


(Salah-Ud-Din)
Member (J)
Camp Court Swat

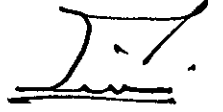
10.05.2022

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

Clerk of learned counsel for the appellant requested for adjournment on the ground that learned counsel for the appellant is out of station today. Adjourned. To come up for arguments on 09.06.2022 before the D.B at Camp Court Swat.



(Mian Muhammad)
Member (E)
Camp Court Swat

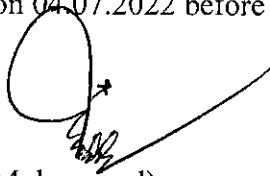


(Salah-ud-Din)
Member (J)
Camp Court Swat

07.06.2022

Appellant in person present. Mr. Kabirullah Khattak, learned Additional Advocate General alongwith Mr. Sultant Khan DSP for the respondents present.

Counselors are on strike. Adjourned. To come up for arguments on 04.07.2022 before the D.B at camp court Swat.



(Mian Muhammad)
Member (E)
Camp Court Swat



(Kalim Arshad Khan)
Chairman
Camp Court Swat

04.07.2022

Appellant in person present.

Noor Zaman Khattak, learned District Attorney alongwith Saltanat Khan DSP (Legal) for respondents present.

Former made a request for adjournment as his counsel is busy before Hon'ble Peshawar High Court Mingora Bench (Darul Qaza) Swat. Adjourned by way of last chance. To come up for arguments on 01.08.2022 before D.B at Camp Court, Swat.



(Fareeha Paul)
Member (E)
Camp Court, Swat



(Rozina Rehman)
Member (J)
Camp Court, Swat

1-8-22

due to Samman's Vacation the case is adjourned to 5-9-22 for the same



05.09.2022

Appellant in person present. Mr. Arshed Ali, Head Constable alongwith Mr. Asif Masood Ali Shah, Deputy District Attorney 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 04.10.2022 before the D.B at Camp Court Swat.



(Mian Muhammad)
Member (Executive)
Camp Court Swat




(Salah-Ud-Din)
Member (Judicial)
Camp Court Swat

04.10.2022

Learned counsel for the appellant present. Mr. Muhammad Jan, District Attorney for the respondents present.

Learned counsel for the appellant requested that similar nature appeals are fixed for arguments before the D.B on 30.11.2022 at Principal Seat Peshawar, therefore, in order to avoid any contradictory judgment, the appeal in hand may also be sent to Principal Seat Peshawar for arguments before the D.B on 30.11.2022.

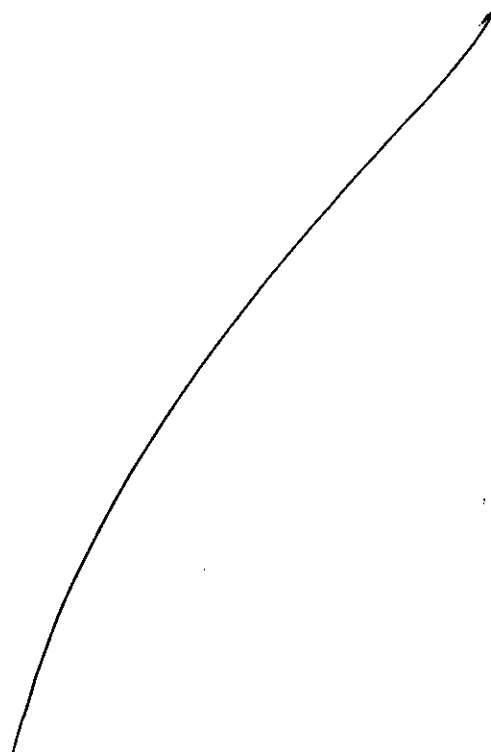
Request of learned counsel for the appellant seems genuine, therefore, the appeal in hand be placed before the worthy Chairman Khyber Pakhtunkhwa Service Tribunal for further appropriate orders. Appellant as well as his counsel shall appear before worthy Chairman Khyber Pakhtunkhwa Service Tribunal at Principal seat Peshawar on 30.11.2022 at 09:30 A.M.



(Rozina Rehman)
Member (Judicial)
Camp Court Swat



(Salah-Ud-Din)
Member (Judicial)
Camp Court Swat



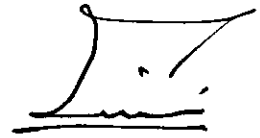
30.11.2022

Learned counsel for the appellant present. Mr. Hikmat Khan, Head Constable alongwith Mr. Naseer-ud-Din Shah, Assistant Advocate General for the respondents present.

Learned Assistant Advocate General stated that arguments in similar nature appeal have been heard by a bench comprising of worthy Chairman and Miss. Fareeha Paul learned Member (Executive) and the appeal was fixed for order, therefore, the appeal in hand may also be fixed before the said bench. The appeal in hand is, therefore, sent to worthy Chairman Service Tribunal for further appropriate order. Learned counsel for the parties shall appear before the worthy Chairman Service Tribunal today at 12:55 P.M.



(Mian Muhammad)
Member (E)




(Salah-Ud-Din)
Member (J)

30th Nov. 2022

Learned counsel for the appellant present. Mr. Naseerud Din Shah, Assistant Advocate General for the respondents present.

File received from the learned D.B-II with the observation that the matter was heard by both of us (the undersigned) but vide order sheet dated 31.05.2022 in connected Service Appeal No. 1369/2018 titled "Farman Ali Vs. DPO, Swat and others", the bench sought some clarification which were not made, therefore, let it be fixed before any available D.B. To come up for arguments on 08.12.2022 before the D.B.


(Fareeha Paul)
Member (E)


(Kalim Arshad Khan)
Chairman

Form-A
FORM OF ORDERSHEET

Court of _____

Case No. 515/2018

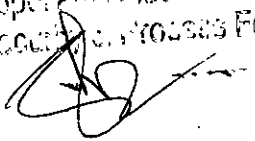
S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1	12/04/2018	<p>The appeal of Mr. Abdul Tawab resubmitted today by Mr. Saadullah Khan Marwat Advocate may be entered in the Institution Register and put up to the Learned Member for proper order please.</p> <p style="text-align: right;"><i>[Signature]</i> REGISTRAR 12/14/18</p>
2-	15/05/18.	<p>This case is entrusted to the S. Bench for preliminary hearing to be put up there on <u>21/05/18.</u></p> <p style="text-align: right;"><i>MA</i> MEMBER</p>

21.05.2018

Counsel for the appellant present. Preliminary arguments heard. It was contended by learned counsel for the appellant that the appellant was removed from service from the first date of his absence of official duty on the allegation of his absence vide order dated 21.02.2009. It was further contended that the impugned order was passed by the competent authority retrospectively therefore, the same is void and limitation does not run against the same. It was further contended that after availing departmental remedy the appellant has filed the present service appeal. It was further contended that neither proper inquiry was conducted nor opportunity of cross examination and defence was provided to the appellant therefore, the impugned order is illegal and liable to be set-aside.

The contention raised by the learned counsel for the appellant need consideration. The appeal is admitted for regular hearing subject to deposit of security and process fee within 10 days thereafter notice be issued to the respondents for written reply/comments for 10.07.2018 before S.B.

Appellant Deposited
Security & Process Fee



(Muhammad Amin Khan Kundi)
Member

10.07.2018

Neither appellant nor his counsel present. Mr. Usman Ghani, Sr. GP for the respondents present. Written reply not submitted on behalf of official respondents. Requested for adjournment. Granted. To come up for written reply and comments on 04.09.2018 before S.B at Camp Court, Swat.


Chairman

04.09.2018

Appellant Abdul Tawab in person present. Mr. Usman Ghani, District Attorney for respondents present. Written reply not submitted. Learned District Attorney sought some time to submit written reply/comments. Granted. Case to come up for written reply/comments on 02.10.2018 before S.B at camp court Swat.


Chairman
Camp Court Swat

02.10.2018

Appellant in person present. Mr. Usman Ghani, District Attorney present. Written reply not submitted. Learned District Attorney sought some time to submit to submit written reply. Case to come up for written reply/comments on 07.11.2018 before the S.B at camp court, Swat.


Member
Camp Court Swat

07.11.2018

Due to retirement of the Hon'ble Chairman Service Tribunal is incomplete. Tour to Camp Court Swat has been cancelled. To come up for the same on 07.01.2019 at camp court Swat.


Reader