

18.06.2019

Junior to counsel for the appellant present. Mr. Kabirullah Khattak learned Additional Advocate General present. Junior to counsel requested for adjournment as learned counsel for the appellant is not in attendance. Adjourn. To come up for arguments on 08.08.2019 before D.B.


Member


Member

08.08.2019

Clerk to counsel for the appellant present. Mr. Muhammad Jan, DDA for respondents present. Clerk to counsel for the appellant seeks adjournment due to general strike on the call of Pakistan Bar council. Adjourn. To come up for arguments on 09.10.2019 before D.B.


Member


Member

9-10-2019

Due to tour of Honble Member to Camp court Smt the case is adjourned to 20-12-2019


Reader

20.12.2019 Junior to counsel for the appellant and Mr. Kabir Ullah Khattak learned Additional Advocate General present. Junior to counsel for the appellant submitted application for adjournment. Adjourned with the direction to furnish member copy of the present service appeal. To come up for arguments on 29.01.2020 before D.B.


Member


Member

29.01.2020 Junior to counsel for the appellant and Addl. AG for the respondents present.

Former requests for adjournment due to general strike of the Bar. Adjourned to 30.03.2020 for arguments before the D.B.


Member


Member

30.03.2020 Due to public holidays on account of Covid-19, the case is adjourned. To come up for the same on 18.06.2020 before D.B.


Reader

18.06.2020

Learned counsel for the appellant for the appellant and Mr. Kabir Ullah Khattak learned Additional Advocate General for the respondents present.

At the outset, learned counsel for the appellant referred to the last paragraph of the impugned order dated 07.07.2010 and stated that penalty to the appellant was awarded with retrospective effect.

It shall, therefore, be in the fitness of things to adjourn the instant matter to a date after the date of hearing in cases involving the similar proposition by a larger bench of this Tribunal.

Adjourned to 07.09.2020 before D.B

07.09.2020

Member
Mr. Amjid Nawaz, junior to senior counsel is present for appellant. Mr. Kabirullah Khattak, Additional Advocate General for the respondents, is also present.

Since the impugned order has been made efficacious ex-post facto which issue is pending consideration before the Larger Bench of this august Service Tribunal, therefore, it is appropriate to submit the instant appeal before the worthy bench. Adjourned to 25.11.2020.

(Mian Muhammad)
Member (Executive)


(Muhammad Jamal Khan)
Member (Judicial)

25.11.2020

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

The proposition has not yet been decided by the Larger Bench, therefore, the instant appeal is adjourned.

Adjourned to 17.02.2021 before D.B.



(Mian Muhammad)
Member (E)


Chairman

17.02.2021

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

Former requests for adjournment in order to further prepare the brief. Adjourned to 28.05.2021 for hearing before the D.B.



(Mian Muhammad)
Member(E)



Chairman

28.05.2021

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

Request for adjournment was made on the ground that the issue involved in the present appeal is pending adjudication before Larger Bench of this Tribunal. Adjourned. To come up for arguments before D.B on 31.08.2021. Learned counsel for the appellant is directed to provide ^{Copies of} annexure ^{for} ~~of~~ second Member copy of appeal on or before the date fixed.


(MIAN MUHAMMAD)
MEMBER (EXECUTIVE)


(SALAH-UD-DIN)
MEMBER (JUDICIAL)

31.08.2021

Miss Uzma Syed, Advocate, junior of learned counsel for the appellant present. Mr. Muhammad Rasheed, Deputy District Attorney for the respondents present.

Junior of learned counsel for the appellant requested for adjournment on the ground that learned counsel for the appellant is busy in august High Court. Adjourned. To come up for arguments before the D.B on 02.11.2021.



(ATIQ UR REHMAN WAZIR)
MEMBER (EXECUTIVE)

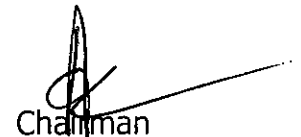


(SALAH-UD-DIN)
MEMBER (JUDICIAL)

02.11.2021

Counsel for the appellant and Mr. Noor Zaman Khattak, District Attorney for the respondents present.

The learned Member (Judicial) is on leave, therefore, case is adjourned. To come up for arguments on 03.02.2022 before the D.B.



Chairman

03.02.2022

The Tribunal is non-functional, therefore, the case is adjourned to 14.04.2022 before the D.B for the same.



Reader

14.04.2022

None for the appellant. Mr. Kabirullah Khattak, Addl. AG for the respondents present. Notices be issued to the appellant and his counsel for arguments on ~~30.05~~2022 before DB.



(Rozina Rehman)
Member (J)

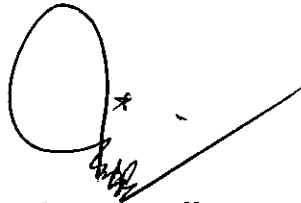


CHAIRMAN

30th May, 2022

Learned counsel for the appellant present. Mr. Naseerud Din Shah, AAG for the respondents present.

Learned counsel for the appellant seeks adjournment in order to properly assist the Tribunal. Last opportunity is granted. To come up for arguments on 06.07.2022 before the D.B.



(Mian Muhammad)
Member(E)

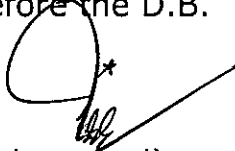


(Kalim Arshad Khan)
Chairman

06.07.2022

Learned counsel for the appellant present. Mr. Asif Masood Ali Shah, Deputy District Attorney for the respondents present.

Learned counsel for the appellant requested for adjournment on the ground that he has not made preparation for arguments. Adjourned. To come up for arguments on 13.10.2022 before the D.B.



(Mian Muhammad)
Member (E)



(Salah-ud-Din)
Member (J)

13th Oct., 2022

Counsel for the appellant present. M. Muhammad Riaz Khan Paindakhel, Assistant Advocate General for the respondents present.

Learned counsel for the appellant requests for adjournment in order to further prepare the brief. Last opportunity is granted. To come up for arguments on 30.11.2022 before the D.B.



(Fareeha Paul)
Member (E)




(Kalim Arshad Khan)
Chairman

30th Nov. 2022

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

Learned counsel for the appellant states that Service Appeal No. 1369/2018 titled "Farman Ali Vs. DPO, Swat and others", and others were fixed for arguments on 08.12.2022 and requests that instant appeal might be clubbed with the same. This appeal is clubbed with the same and to come up for arguments on 08.12.2022 before the D.B.



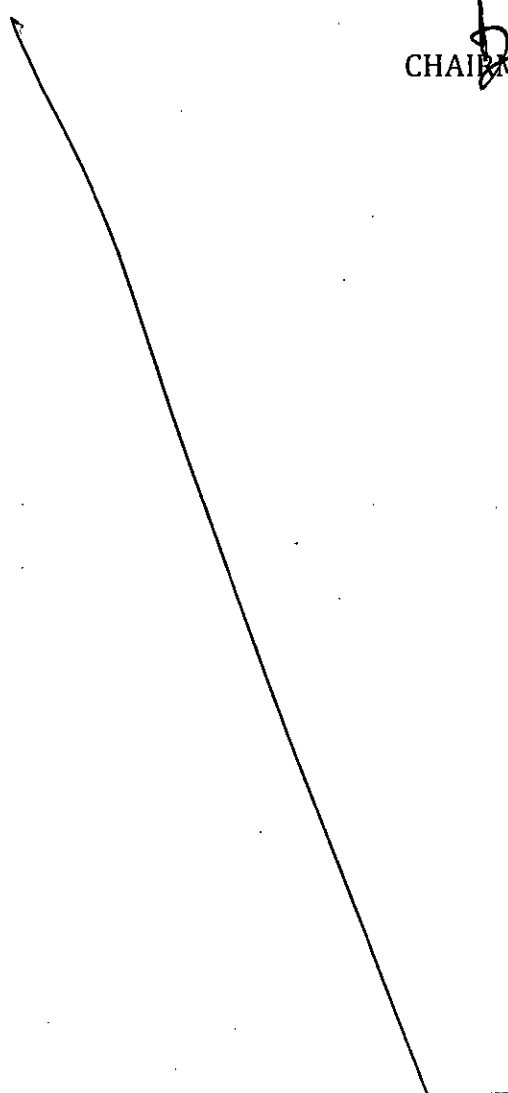

(Fareeha Paul)
Member (E)


(Kalim Arshad Khan)
Chairman

Form- A
FORM OF ORDER SHEET

Court of _____

Case No. 1105/2016

S.No.	Date of order proceedings	Order or other proceedings with signature of judge or Magistrate
1	2	3
1	31/10/2016	<p style="text-align: center;">The appeal of Mr. Asmatullah Khan resubmitted today by Mr. Saadullah Khan Marwat 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-	3/11/2016	<p style="text-align: center;">This case is entrusted to S. Bench for preliminary hearing to be put up there on <u>10-11-2016</u></p> <p style="text-align: right;"> CHAIRMAN</p> 

10.11.2016

Counsel for the appellant present and seeks adjournment. Adjourned. To come up for preliminary hearing on 01.02.2017.



(PIR BAKHSH SHAH)
MEMBER

01.02.2017

Learned counsel for the appellant argued that the appellant was serving as constable when dismissed from service on the allegations of willful absence vide impugned order dated 07.07.2010 where-against his departmental appeal was also rejected on 09.08.2011 where-after appellant preferred review petition under rule 11-A of Police Rules, 1975 which was also rejected on 15.09.2016 and hence the instant service appeal 14.10.2016.

That the absence of the appellant was due to illness of his mother and that the prescribed procedure for enquiry was not followed.


Points urged need consideration. Admit. Subject to deposit of security and process fee within 10 days, notices be issued to the respondents for written reply/comments for 15.03.2017 before S.B.

Appellant Deposited
Security & Process Fee >


Chairman


15.03.2017

Clerk to counsel for the and Addl. AG for respondents present. Written reply not submitted. Requested for adjournment. Request accepted. To come up for written reply/comments on 19.04.2017 before S.B.


(AHMAD HASSAN)
MEMER

19.04.2017

Counsel for the appellant and Mr. Asghar Ali, HC alongwith Addl. AG for the respondents present. Written reply not submitted. Request for adjournment. Request accepted. To come up for written reply/comments on 18.05.2017 before S.B.


(Muhammad Amin Khan Kundi)
Member

18.05.2017

Counsel for the appellant and Addl. AG for the respondents present. Learned Assistant AG submitted written reply. To come up for rejoinder and arguments on 11.07.2017 before D.B.


(Ahmad Hassan)
Member

08. 11.07.2017

Junior to counsel for the appellant and Asst: AG alongwith Mr. Asghar Ali, H.C for respondents present. Junior to counsel for the appellant requested for time to file rejoinder. Adjourned. To come up for rejoinder and arguments on 06.11.2017 before D.B.

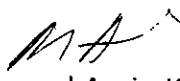

(Ahmad Hassan)
Member


(Muhammad Hamid Mughal)
Member

06.11.2017

Counsel for the appellant present. Mr. Ziaullah, Deputy District Attorney alongwith Mr. Asghar Ali, Head Constable for the respondents also present. Learned counsel for the appellant submitted rejoinder and requested for adjournment. Adjourned. To come up for arguments on 15.01.2018 before D.B.

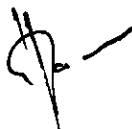

(Gul Zeb Khan)
Member.


(Muhammad Amin Khan Kundi)
Member

15.01.2018

Clerk of the counsel for appellant present. Mr. Kabir Ullah Khattak, Addl: AG for the respondents present. Lawyer community on strike on the call of Khyber Pakhtunkhwa Bar Council. Adjourned. To come up for arguments on 13.03.2018 before D.B.



(Gul Zeb Khan)
Member


(M. Hamid Mughal)
Member

13.03.2018

Junior to counsel for appellant and Mr. Muhammad Jan, learned Deputy District Attorney for the respondents present. Junior to counsel for the appellant seeks adjournment as senior counsel for the appellant is not available. Adjourn. To come up for arguments on 02.05.2018 before D.B


(M.Amin Khan Kundi)
Member


(Muhammad Hamid Mughal)
Member

02.05.2018

Learned counsel for the appellant and Mr. Muhammad Jan, Learned Deputy District Attorney present. The Tribunal is defunct due to retirement of Hon'ble Chairman. Therefore the case is adjourned. To come up for the same on 17.07.2018


READER

17.07.2018

Learned counsel for the appellant and Mr. Zia Ullah, Learned Deputy District Attorney present. Learned counsel for the appellant seeks adjournment. Adjourned. To come up for arguments on 10.09.2018 before D.B



(Ahmad Hassan)
Member


(Muhammad Hamid Mughal)
Member

10.09.2018

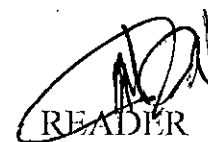
Learned counsel for the appellant and Mr. Riaz Khan Paindakheil learned Assistant Advocate General present. Learned counsel for the appellant seeks adjournment. Adjourned. To come up for arguments on 31.10.2018 before D.B


(Hussain Shah)
Member


(Muhammad Hamid Mughal)
Member

31.10.2018

Due to retirement of Hon'ble Chairman, the Tribunal is defunct. Therefore, the case is adjourned. To come up on 19.12.2018.


READER

19.12.2018

Learned counsel for the appellant and Mr. Muhammad Jan learned Deputy District Attorney for the respondents present. Learned counsel for the appellant requested for adjournment. Adjourned. To come up for arguments on 07.02.2019 before D.B.


(Hussain Shah)


(Muhammad Amin Kundi)

07.02.2019

Member Counsel for the appellant present. Mr. Kabirullah Khattak, Additional AG for the respondents present. Learned counsel for the appellant requested for adjournment. Adjourned to 23.04.2019 for arguments before D.B-I.


(AHMAD HASSAN)
MEMBER


(MUHAMMAD AMIN KHAN KUNDI)
MEMBER

23.4.19

The Bench is incomplete therefore case is adjourned to 18-6-2019


Reader