



Form- A
FORM OF ORDER SHEET

Court of _____

Case No. 1109/2013

S.No.	Date of order Proceedings	Order or other proceedings with signature of judge or Magistrate
1	2	3
1	18/07/2013	<p style="text-align: center;">The appeal of Mr. Muhammad Ishaq presented today by Mr. Muhammad Asif Yousafzai Advocate may be entered in the Institution Register and put up to the Worthy Chairman for preliminary hearing.</p> <p style="text-align: right;"> REGISTRAR</p>
2	24-7-2013	<p style="text-align: center;">This case is entrusted to Primary Bench for preliminary hearing to be put up there on <u>10-10-2013</u>.</p> <p style="text-align: right;"> CHAIRMAN</p>

3.


10.10.2013

Appeal No. 1109/2013.
Mr. Muhammad Ghani

Counsel for the appellant present and heard on

preliminary. Contended that the appellant has not been treated in accordance with the law/rules. The appellant filed departmental appeal against the order dated 19.03.2013 and amended rules dated 22.03.2013, which has not been responded within the statutory period of 90 days. The appellant filed the instant appeal before this Hon'ble Tribunal on 18.07.2013. Points raised at the Bar need consideration. The appeal is admitted to regular hearing subject to all legal objections. The appellant is directed to deposit the security amount and process fee within 10 days. Thereafter, notice be issued to the respondents. Case adjourned to 26.12.2013 for submission of written reply.

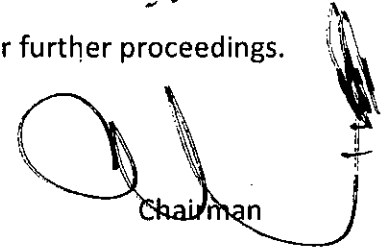
The appellant deposited
Security & Process fee
Rs 200/- Bank receipt
attached on file


Member.

4.

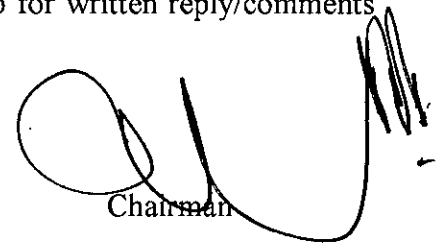
10.10.2013

This case be put before the Final Bench for further proceedings.


Chairman

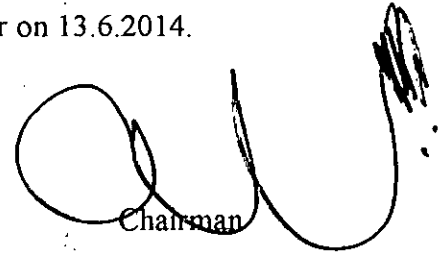
26.12.2013

Counsel for the appellant and Mr. Wazir Islam, Assistant on behalf of respondents with Mr. Usman Ghani, Sr. GP present. Written reply has not been received. To come up for written reply/comments on 21.3.2014.


Chairman

21.3.2014

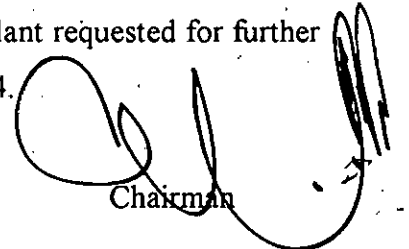
Appellant with counsel and Mr. Wazir Islam, Assistant on behalf of respondents with AAG present. Written reply/joint para-wise comments received on behalf of the respondents, copy whereof is handed over to the appellant for rejoinder on 13.6.2014.



Chairman

13.6.2014

Appellant with counsel and Mr. Wazir Islam, Assistant on behalf of respondents with AAG present. Rejoinder has not been received, and learned counsel for the appellant requested for further time. To come up for rejoinder on 29.9.2014.



Chairman

29.09.2014

Appellant with counsel and Mr. Muhammad Adeel Butt, AAG for the respondents present. Rejoinder received on behalf of the appellant, copy whereof is handed over to the learned AAG for arguments on 02.04.2015.



Member

2.4.2015

Appellant in person and Mr. Ziaullah, GP with Muhammad Khalid, Supdt. for the respondents present. Counsel for the appellant is not available and appellant requested for adjournment. Therefore, case is adjourned to 12.10.2015 for arguments.



MEMBER



MEMBER

12.10.2015

Clerk to counsel for the appellant and Mr. Jan Ayaz, Assistant alongwith Mr. Ziaullah, GP for respondents present. Arguments could not be heard due to paucity of time. To come up for arguments on 4-4-16.


Member


Member

04.04.2016

Appellant with counsel and Mr. Jan Ayaz, Assistant alongwith Addl: AG for respondents present. The learned Member (Executive) is on leave therefore, Bench is incomplete. To come up for arguments on 5.7.16 before D.B.


Member

05.07.2016

Since 5th July has been declared as public Holiday on account of Eid-ul-Fitar, therefore, the case is adjourned for arguments on 13.07.2016.


Member

13.7.2016

Counsel for the appellant and Mr. Muhammad Jan, GP for respondents present. Counsel for the appellant requested for adjournment. Request accepted. To come up for arguments on 23-11-16.


Member


Member

23.11.2016

Counsel for the appellant and Additional AG for the respondents present. Learned counsel for the appellant seeks adjournment. Adjournment granted. To come up for arguments on 29.3.17 before D.B.


(ABDUL LATIF)
MEMBER


(MUHAMMAD AAMIR NAZIR)
MEMBER

29.03.2017


Counsel for appellant and Mr. Muhammad Jan, GP for respondents present. Learned counsel for appellant seeks adjournment. Adjourned for final hearing on 26.07.2017 before D.B.


Member


Chairman

26.07.2017

Junior to counsel for the appellant and Asst: AG alongwith Mr. Zakir, Assistant (Lit) for respondents present. Junior to counsel for the appellant seeks adjournment. Adjourned. To come up for ~~subsequent~~ arguments on 28.09.2017 before D.B.


(Ahmad Hassan)
Member


(M. Hamid Mughal)
Member

28.09.2017

Counsel for the appellant present. Mr. Ziaullah, Deputy District Attorney for the respondents also present. Learned counsel for the appellant requested for adjournment. Adjourned. To come up for arguments on 01.12.2017 before D.B.


(Gul Zeb Khan)
Member


(Muhammad Amin Khan Kundi)
Member

01.12.2017


Since 1st December, 2017 has been declared as Public Holiday on account of Rabbi-ul-Awal. To come up for arguments on 26.01.2018 before the D.B.


Reader

26.01.2018

Clerk to counsel for the appellant Mr. Zia Ullah learned Deputy District Attorney alongwith Faiz Ul Haq for the respondents present. Clerk to counsel for the appellant seeks adjournment. Adjourned. To come up for arguments on 03.04.2018 before D.B.



(Ahmad Hassan)
Member(E)


(M. Hamid Mughal)
Member (J)

03.04.2018

Junior to counsel for the appellant and Mr. Riaz Paindakheil, learned Assistant Advocate General for the respondents present. Junior to counsel for the appellant seeks adjournment as senior counsel is not available. Adjourn. To come up for arguments on 31.05.2018 before D.B.



(Ahmad Hassan)


(Muhammad Hamid Mughal)

31.05.2018

Appellant is absent. Syed Nauman Advocate put attendance on behalf of senior counsel for the appellant. Mr. Ziaullah, Deputy District Attorney for the respondents present. Learned counsel for the appellant requested for adjournment.


The appeal pertains to the year 2013, hence adjourned for tomorrow i.e. 01.06.2018 for arguments before the D.B.



Member


Chairman

01.06.2018

Junior to counsel for the appellant and Mr. Kabir Ullah Khattak, learned Additional Advocate General present. Junior to counsel for the appellant seeks adjournment as Learned counsel for the appellant is not in attendance. Adjourned. To come up for arguments on 16.07.2018 before D.B



(Muhammad Amin Kundi)
Member


(Muhammad Hamid Mughal)
Member

16.07.2018

Clerk to counsel for the appellant present. Mr. Sardar Shoukat Hayat, Addl: AG for respondents present. Arguments could not be heard due to general strike of the Bar. Adjourned. To come up for arguments on 03.09.2018 before D.B.


(Ahmad Hassan)
Member


(Muhammad Hamid Mughal)
Member

03.09.2018

Appellant absent. Learned counsel for the appellant and Mr. Muhammad Jan, Deputy District Attorney for the respondents present. Learned counsel for the appellant requested for adjournment. Adjourned. To come up for arguments on 22.10.2018 before D.B.


(M. Amin Khan Kundi)
Member


(M. Hamid Mughal)
Member

22.10.2018

Neither appellant nor his counsel present. Mr. Kabirullah Khattak, Additional AG alongwith Mr. Jan Ayaz, Assistant for the respondents present. Due to retirement of Hon'ble Chairman, the Tribunal is incomplete. To come up for same as before on 05.12.2018.



Reader

05.12.2018


Counsel for the appellant present. Mr. Muhammad Jan, Deputy District Attorney for the respondents present. Learned counsel for the appellant requested for adjournment. Adjourned. To come up for arguments on 24.01.2019 before D.B.

24.01.2019


(Ahmad Hassan)


(M. Amin Khan Kundi)

Counsel for the appellant present. Mr. Muhammad Jan, DDA alongwith Mr. Faraz ul Haq, Supdt for respondents present. Counsel for the appellant seeks adjournment. Adjourned. Case to come up for arguments on 28.02.2019 before D.B.


(Ahmad Hassan)
Member


(M. Amin Khan Kundi)
Member

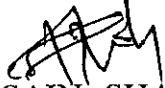
28.02.2019

Bench is incomplete, therefore the case is adjourned. To come up on 15-4-2019


READER

15.04.2019

Counsel for the appellant and Mr. Ziaullah, Deputy District Attorney for the respondents present. Learned counsel for the appellant seeks adjournment. Adjourned to 31.05.2019 for arguments before D.B.


(HUSSAIN SHAH)
MEMBER


(M. AMIN KHAN KUNDI)
MEMBER

31.05.2019

Counsel for the appellant and Mr. Riaz Paindkhel learned Assistant Advocate General alongwith Mr. Jan Ayaz Assistant for the respondents present. Counsel for the appellant seeks adjournment. Adjourned. To come up for arguments on 28.06.2019 before D.B.


(Hussain Shah)
Member


(M. Amin Khan Kundi)
Member

28.06.2019

Counsel for the appellant and Mr. Muhammad Jan, Deputy District Attorney alongwith Mr. Jan Ayaz, Assistant for the respondents present. Learned counsel for the appellant requested for adjournment. Member copy of the present appeal is not available on file, therefore, learned counsel for the appellant is directed to furnish the same on or before the next date of hearing. Adjourned to 01.08.2019 for arguments before D.B.


(HUSSAIN SHAH)
MEMBER


(M. AMIN KHAN KUNDI)
MEMBER

01.08.2019

Counsel for the appellant and Mr. Ziaullah, DDA for respondents present. Learned counsel for the appellant seeks adjournment. Adjourned. Case to come up for arguments on 11.10.2019 before D.B.


Member


Member

11.10.2019

Learned counsel for the appellant present. Mr. Zia Ullah learned Deputy District Attorney alongwith Faiz ul Haq Superintendent present. Learned DDA stated that the matter in issue has already been decided finally by the Apex Court vide judgment reported in 2015 SCMR 269. Learned counsel for the appellant seeks adjournment for proper assistance. Adjourn. To come up for arguments on 26.11.2019 before D.B.


Member


Member

26.11.2019

Appellant absent. Learned counsel for the appellant absent. However junior to counsel for the appellant present. Mr. Usman Ghani learned District Attorney for the respondents present. Junior to counsel for the appellant seeks adjournment as senior counsel for the appellant is not in attendance. Being an old case of the year 2013, adjourned by way of last chance. To come up for arguments on 29.01.2020 before D.B.


Member


Member

29.01.2020 Junior to counsel for the appellant and Mr. Muhammad Jan, DDA for the respondents present.

Former requests for adjournment due to general strike of the Bar. Adjourned to 25.02.2020 for arguments before the D.B.


Member

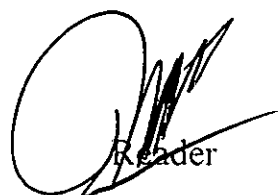

Member

25.02.2020 Learned counsel for the appellant present. Mr. Riaz Khan Paindakheil learned Assistant Advocate General present. Learned counsel for the appellant seeks adjournment on the ground that similar nature issue is pending before Larger Bench for adjudication. Adjourn. To come up for arguments on 20.04.2020 before D.B, at the request of learned counsel for the appellant.


Member


Member

20.04.2020 Due to public holidays on account of Covid-19, the case is adjourned. To come up for the same on 27.07.2020 before D.B.


Reader


27.07.2020 Due to COVID19, the case is adjourned to 11.09.2020 for the same as before.



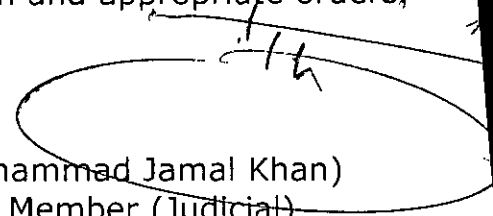
Reader

11.09.2020 Mr. Taimur Ali Khan, Advocate for appellant is present. Mr. Riaz Ahmad Paindakheil, Assistant Advocate General for the respondents is also present.

The learned counsel submitted that he had challenged the vairies of amendment made in the Service Rules by virtue of Notification bearing No. SOE/IRRI/23-5/2010-11 dated 25th June, 2012, which matter is pending adjudication before the Larger Bench of this august Tribunal, therefore, it would be appropriate to submit the instant appeal before referred to bench for consideration. Request is proper accordingly, the appeal is adjourned to 11.11.2020 and be submitted before the bench for consideration and appropriate orders,



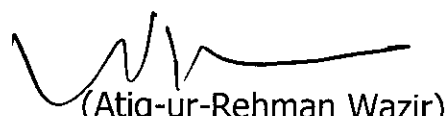
(Attique-ur-Rehman)
Member (Executive)



(Muhammad Jamal Khan)
Member (Judicial)

11.11.2020 Junior to counsel for appellant present. Mr. Usman Ghani learned District Attorney alongwith Faizul Haq Superintendent for respondents present.

The Bar is observing general strike, therefore, the matter is adjourned to 26.01.2021 for hearing before the D.B.



(Atiq-ur-Rehman Wazir)
Member (E)



Chairman

26.01.2021 Nemo for appellant.

Asif Mehmood learned Deputy District Attorney for respondents present.

Notice be issued to appellant/counsel for 06.04.2021 for arguments, before D.B.

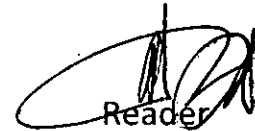


(Mian Muhammad)
Member (E)



(Rozina Rehman)
Member (J)

06.04.2021 Due to demise of Hon'able Chairman, the Tribunal is defunct, therefore, the case is adjourned to 07.06.2021 for the same.

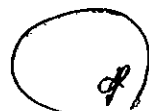


Reader

07.06.2021 Nemo for the appellant.

Muhammad Adeel Butt, learned Additional Advocate General for the respondents present.

Due to general strike on the call of Khyber Pakhtunkhwa Bar Council learned counsel for the appellant is not available today, therefore, the case is adjourned to 28.09.2021 for arguments before D.B. Appellant be put on notice for the date fixed.



(ROZINA REHMAN)
MEMBER (J)

28.9.21

DB is on Tour case to

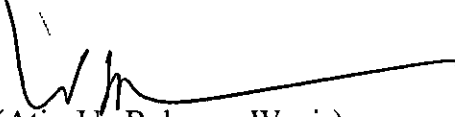
come up For the same on Dated. 2-2-22

Reader

02.02.2022

Learned counsel for the appellant present. Mr. Noor Zaman Khattak, District Attorney, for respondents present.

Learned counsel for the appellant requested for adjournment as he has not prepared the brief. Adjourned. To come up for arguments on ^{18/03}/2022 before the D.B.


(Atiq-Ur-Rehman Wazir)
Member (E)


Chairman

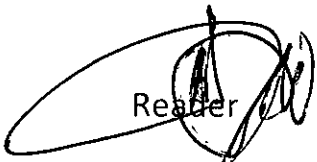
18.03.2022

Due to retirement of the Worthy Chairman, the Tribunal is defunct, therefore, case is adjourned to 21.06.2022 for the same as before.


Reader.

15.04.2022

As per directions of the worthy Chairman the instant case be refixed on 09.05.2022 instead of 21.06.2022. Notices of prosecution of appeal be issued to the parties for the date fixed.


Reader

10th May, 2022

Learned counsel for the appellant present. Mr. Kabirullah Khattak, Addl. AG for the respondents present.

The matter was already fixed for 21.06.2022 but being an old appeal, on 15.04.2022, the office was directed to issue notices to the parties for prosecution of the case for today. The record reveals that no notice was issued to the parties due to non-availability of postage stamp. Office is once again directed to send notices to the parties through e-mail as well as other means, positively for 21.06.2022.


(Fareeha Paul)
Member(E)


Chairman

21.06.2022

Syed Noman Ali Bukhari, Advocate (junior of learned counsel for the appellant) present. Mr. Mazhar Hussain, SDO alongwith Mr. Muhammad Adeel Butt, Additional Advocate General 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 the august Peshawar High Court, Peshawar. Adjourned. To come up for arguments on 12.08.2022 before the D.B.


(Fareeha Paul)
Member (E)


(Salah-ud-Din)
Member (J)

12.8.2022

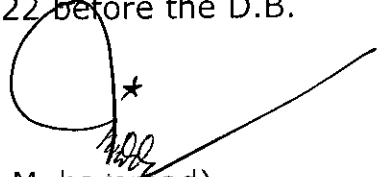
Proper DB not available the case is
adjourned to 21-9-2022



Reader

21.09.2022

Mr. Taimur Ali Khan, Advocate, junior of learned counsel for the appellant present. Mr. Asif Masood Ali Shah, 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 the august Peshawar High Court, Peshawar. Adjourned. To come up for arguments on 30.11.2022 before the D.B.


(Mian Muhammad)
Member (Executive)

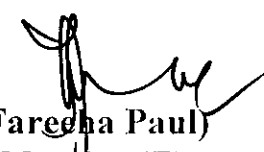

(Salah-Ud-Din)
Member (Judicial)

30th Nov. 2022

01. Nemo for the appellant. Mr. Muhammad Riaz Khan Paindakhel, Assistant Advocate General for the respondents present.

02. Called several times, till rising of the court but nobody turned up on behalf of the appellant. The appeal is, therefore, dismissed in default. Consign.

03. *Pronounced in open Court at Peshawar and given under ~~own~~ hand and the seal of the Tribunal on this 30th day of November, 2022.*


(Fareeha Paul)
Member(E)


(Kalim Arshad Khan)
Chairman