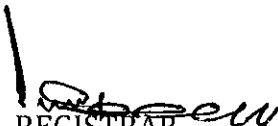



Form- A  
FORM OF ORDER SHEET

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

Case No. 436/2017

S.No.	Date of order proceedings	Order or other proceedings with signature of judge or Magistrate
1	2	3
1	05/05/2017	<p style="text-align: center;">The appeal of Mr. Kamran resubmitted today by Mr. Muhammad Ayaz 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 5/5/17</p>
2-	8-05-2017	<p style="text-align: center;">This case is entrusted to S. Bench for preliminary hearing to be put up there on <u>16-05-2017</u></p> <p style="text-align: right;"> CHAIRMAN</p>

16.05.2017

Counsel for the appellant present and requested for adjournment. Adjourned. To come up for preliminary hearing on 07.06.2017 before S.B.

  
(Ahmad Hassan)  
Member

07.06.2017

Appellant in person present and requested for adjournment. Request accepted. To come up for preliminary hearing on 12.07.2017 before S.B.

  
(Ahmad Hassan)  
Member

12.07.2017

None present on behalf of the appellant. Notice be issued to appellant and his counsel for preliminary hearing for 08.08.2017 before S.B.

  
(Muhammad Amin Khan Kundi)  
Member

08.08.2017

Appellant in person present and seeks adjournment due to general strike of the Bar. Adjourned. To come up for preliminary hearing on 24.08.2017 before S.B.

  
(Ahmad Hassan)  
Member

24/8/2017

Clerk of counsel for the appellant present and seeks adjournment. Adjourned. To come up for preliminary hearing on 13/9/2017 before SB.

  
(GUL ZEB KHAN)  
MEMBER

13.09.2017

Counsel for the appellant seeks adjournment. Granted. To come up for preliminary hearing on 11.10.2017 before S.B.

  
Chairman

11.10.2017

Counsel for the appellant present and seeks adjournment. Adjourned. To come up for preliminary on 06.11.2017 before S.B.

  
(AHMAD HASSAN)  
MEMBER

06.11.2017

Counsel for the appellant present and seek adjournment. Adjourned. To come up for preliminary hearing on 23.11.2017 before S.B.

  
(AHMAD HASSAN)  
MEMBER

23.11.2017

Counsel for the appellant present and requested for adjournment. Adjourned. To come up for preliminary hearing on 21.12.2017 before S.B.

  
(MUHAMMAD AMIN KHAN KUNDI)  
MEMBER

21.12.2017

Today has been declared holiday for Judicial Officers. Therefore the case is adjourned. To come up for the same on 15.01.2018.

  
READER

15.01.2018

Appellant in person present. Due to strike of the Bar learned counsel for the appellant is not in attendance today. Adjourned. To come up for preliminary hearing on 08.02.2018 before S.B.

  
(Muhammad Amin Khan Kundi)  
Member

08.02.2018

Counsel for the appellant (Mis. Uzma Syed, Advocate) present and submitted Wakalat Nama on behalf of the appellant. Preliminary arguments heard and case file perused. The appellant was appointed as Constable on 19.10.2009. Disciplinary proceedings were initiated and major penalty of removal from service was imposed on him with retrospective effect vide impugned order dated 23.12.2011. He preferred departmental appeal on 12.05.2016 which was rejected on 10.11.2016, hence, the instant service appeal. Learned counsel for the appellant when confronted on the point that departmental appeal is-time barred invited attention to the impugned order which was passed with retrospective effect hence, is void ab-initio. Limitation does not run against void order.

Appellant Deposited  
Security & Process Fee

Points urged need consideration. Admit, subject to limitation. The appellant is directed to deposit of security and process fee within 10 days, thereafter, notices be issued to the respondents for written reply/comments for 26.03.2018 before S.B.

  
(AHMAD HASSAN)  
MEMBER

26.03.2018

Appellant in person present. Mr. Kabir Ullah Khattak, Addl: AG alongwith Ihsan Khan, S.I (Legal) for the respondent present. Written reply not submitted. Requested for adjournment. Adjourned. To come up for written reply and comments on 10.04.2018 before S.B.

  
Member

10.04.2018

Appellant alongwith counsel and Addl: AG for the respondents present. Written reply <sup>not</sup> submitted. Requested for adjournment. Adjourned. Appellant is directed to submit copies of memo appeal for respondent No. 1. Thereafter notices be issued to the respondents. To come up for written/comments on 10/05/18. before S.B.

  
Member

10.05.2018

The Tribunal is non-functional due to retirement of our Hon'ble Chairman. Therefore, the case is adjourned. To come up for same on 05.07.2018.

  
Reader

05.07.2018

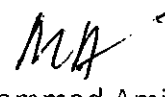
None present on behalf of appellant. Mr. Sardar Shoukat Hayat. Addl: AG alongwith Mr. Ihsan Ullah. ASI for the respondents present. Written reply submitted on behalf of official respondents. To come up for rejoinder if any and arguments on 29.08.2018 before D.B.

  
Member

29.08.2018

Counsel for the appellant and Mr. Kabirullah Khattak, Additional AG for the respondents present. Learned counsel for the appellant seeks adjournment to furnish rejoinder. Adjourned. To come up for rejoinder and arguments on 01.10.2018 before D.B.

  
(Ahmad Hassan)  
Member

  
(Muhammad Amin Khan Kundi)  
Member

01.10.2018

Learned counsel for the appellant and Mr. Riaz Ahmed Paindakhel Assistant Advocate General for the respondent present. Learned counsel for the appellant seeks adjournment. Adjourned. To come up for arguments on 15.11. 2018 before D.B.



(Hussain Shah)  
Member



(Muhammad Hamid Mughal)  
Member

15.11.2018

Due to retirement of Hon'ble Chairman, the Tribunal is defunct. Therefore, the case is adjourned. To come up on 03.01.2019.



READER

03.01.2019

Appellant in person present. Mr. Kabirullah Khattak, Addl: AG for respondents present. Appellant seeks adjournment. Granted. Case to come up for arguments on 06.03.2019 before D.B.



Member

Member

06.03.2019

Counsel for the appellant and Mr. Kabirullah Khattak, Additional AG for the respondents present. Learned counsel for the appellant seeks adjournment. Adjourn. To come up for arguments on 09.04.2019 before D.B.

  
(M. HAMID MUGHAL)  
MEMBER

  
(M. AMIN KHAN KUNDI)  
MEMBER

09.04.2019

Appellant in person and Mr. Kabirullah Khattak, Additional AG for the respondents present. Appellant seeks adjournment on the ground that his counsel is not available today. Adjourned. To come up for arguments on 11.06.2019 before D.B.

  
(AHMAD HASSAN)  
MEMBER

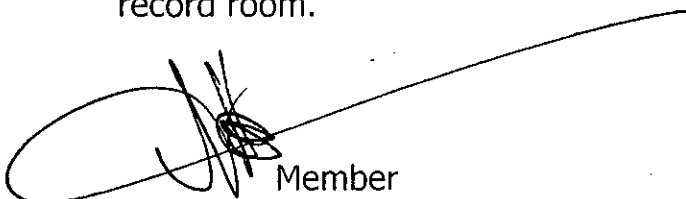
  
(M. AMIN KHAN KUNDI)  
MEMBER

11.06.2019

Nemo for appellant. Mr. Muhammad Riaz Paindakhel, Asstt. AG for the respondents present.

It is now past 4.00 P.M and no one is present on behalf of the appellant despite repeated calls.

Dismissed for non-prosecution. File be consigned to record room.

  
Member

  
Chairman

Announced:  
11.06.2019



11.08.2021

Petitioner present through counsel.

Mr. Kabir Ullah Khattak learned Additional Advocate General for respondents present.

Arguments on application heard. Record perused.

Application in hand was filed for restoration of appeal which was dismissed in default on 11.06.2019.

As per record, appeal was dismissed in default on 11.06.2019, whereas, application seeking restoration was filed on 11.07.2019.

In view of the above, instant application stands accepted. File stands restored. It be properly registered. Application stands consigned to the record room, copy whereof be placed on original file. To come up for arguments in the main appeal on 03.12.2021 before D.B.

  
(Rozina Rehman)  
Member (J)

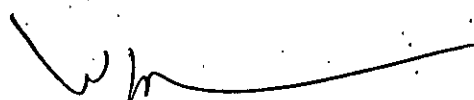
  
Chairman


03.12.2021

Counsel for appellant present.

Asif Masood Ali Shah, learned Deputy District Attorney present.

Former made a request for adjournment in order to prepare the brief. Request is accorded. To come up for arguments on 29.03.2022 before D.B.

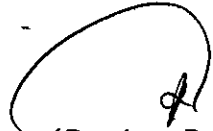
  
(Atiq ur Rehman Wazir)  
Member (E)

  
(Rozina Rehman)  
Member (J)

29.03.2022

Counsel for the appellant present. Mr. Kabirullah Khattak,  
Additional Advocate General 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  
07.06.2022 before the D.B.



(Rozina Rehman)  
Member (J)



(Salah-ud-Din)  
Member (J)

7.6.22

*Proper P.B is an issue, therefore the case  
is adjourned to 25-8-22 for final.*



25.08.2022

Learned counsel for the appellant present. Mr. Muhammad  
Adeel Butt, 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 12.10.2022 before the D.B.




(Salah-Ud-Din)  
Member (Judicial)

12<sup>th</sup> Oct, 2022

Learned counsel for the appellant. Mr. Muhammad Adcel Butt, Addl: AG for respondents present.

Learned counsel for the appellant submitted an application for hearing the instant appeal with other similar nature of appeals which are fixed on 30.11.2022 for arguments. Application is allowed. To come up for arguments on 30.11.2022 before D.B alongwith connected appeal .


  
(Fareeha Paul)  
Member(Executive)


  
(Kalim Arshad Khan)  
Chairman

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)

30<sup>th</sup> 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