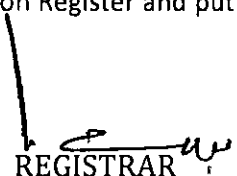



Form- A

FORM OF ORDER SHEET

Court of _____

Case No.- 1417 /2021 21

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	21/01/2021	<p>The appeal of Syed Habib Jan resubmitted today by Mr. Khaled Rehman 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-		<p>This case is entrusted to S. Bench for preliminary hearing to be put up there on <u>19/03/21</u></p> <p style="text-align: right;"> CHAIRMAN</p>

19.03.2021

Counsel for the appellant present.

Preliminary arguments heard and case file perused. The impugned order dated 28.07.2016 passed by the Assistant Political Agent Khar/Dy: Commandant Bajaur Levies according to which 50 officials including the appellant appearing at Sr. 37, were "Reinstated in service with immediate effect at the bottom of seniority with no back benefits etc". The impugned order was challenged before the appellate authority i.e Political Agent/Commandant Bajaur Levies and the appellate authority vide order dated 24.02.2017 dismissed the same where-after they approached for redressal of their grievance before the Federal Service Tribunal. The Federal Service Tribunal vide order dated 25.04.2017 declared that the order dated 28.10.2016 stands implemented and the petition has become infructuous. Thereafter, Federal Service Tribunal vide order 06.12.2019 "remanded all pending appeals to the respective competent authority to treat them as pending departmental appeals and decide them afresh after giving the appellant opportunity of personal hearing". Secretary Home being the respective competent authority decided the case of appellant and dismissed his departmental appeal on 03.11.2020. Consequent upon the dismissal of his departmental appeal, the appellant submitted the instant service appeal under Section-4 of the Khyber Pakhtunkhwa Service Tribunal Act, 1974 on 02.12.2020 which is within the statutory period.

Points urged need consideration. Service appeal is admitted subject to all legal objections. Appellant is directed to deposit security and process fee within 10 days. To come up for arguments on 29.03.2021 before S.B.


(MAIN MUHAMMAD)
MEMBER

1417/2021


22.06.2021

Appellant Deposited
Security & Process Fee

Counsel for the appellant present and stated that due to unavoidable circumstances Security and process fee could not be deposited. He submitted an application for further time to deposit the same.

The appellant is directed to deposit security and process fee within three days positively. Thereafter, notices be issued to the respondents for submission of written reply/comments in office within 10 days of the receipt of the notice, positively. If the written reply/comments are not submitted within the stipulated time, the office is directed to submit the file with a report of non-compliance. File to come up for arguments on 09.11.2021 before the D.B.

Stipulated period has passed and reply has not been submitted.


Chairman

P.S

05.07.2021

ds

Learned Addl: A.G be reminded about the omission and for submission of Reply/comments within extended time of 10 days.


Chairman

S.A No. 1417/2021
09.11.2021

Mr. Muhammad Amin Ayub, Advocate, for the appellant present. Mr. Asif Masood Ali Shah, Deputy District Attorney for the respondents present.

Reply/comments on behalf of respondents not submitted, therefore, notices be issued to the respondents for submission of reply/comments as well as arguments before the D.B on 10.02.2022.



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



(Salah-Ud-Din)
Member (J)

10-02-2022

Due to retirement of the Honorable Chairman the case is adjourned to come up for the same as before on 6/6/22



Reader

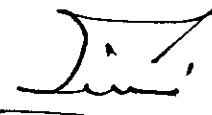
06.06.2022

Clerk of learned counsel for the appellant present. Mr. Riaz Ahmed Paindakhel, Assistant 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 not available today due to strike of lawyers. Adjourned. To come up for submission of reply/comments as well as arguments on 17.08.2022 before the D.B.



(Fareeha Paul)
Member (E)



(Salah-ud-Din)
Member (J)

17-8-2022

Due to the summer vacations the case is adjourned to 2-11-2022



Reader

2nd Nov., 2022

Assistant to learned counsel for the appellant present.

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

Learned counsel for the appellant seeks 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

Counsel for the appellant present. Mr. Muhammad Riaz Khan Paindakhel, Assistant Advocate General alongwith Ijaz Ahmad, Assistant for the respondents present.

Learned counsel for the appellant wants to submit rejoinder. He may do so within a week. To come up for arguments on 03.02.2023 before the D.B.


(Fareeha Paul)
Member (E)


(Kalim Arshad Khan)
Chairman