




FORM OF ORDER SHEET

Court of _____

Case No.- 3244 /2021

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	01/03/2021	<p>The appeal of Mr. Saleem Khan resubmitted today by Mr. Aimal Khan Barkandi 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 <i>01/03/2021</i></p>
2-	18.05.2021	<p>This case is entrusted to S. Bench for preliminary hearing to be put up there on <u>18/05/21</u></p> <p style="text-align: right;"> CHAIRMAN</p>
<p>Early hearing application is accepted and fixed for 27/07/2021</p>		<p>Due to demise of the Worthy Chairman, the Tribunal is non-functional, therefore, case is adjourned to 31.08.2021 for the same as before.</p> <p style="text-align: right;"> Reader</p>

26.07.2021

Counsel for the appellant present and requests for adjournment to further prepare the case. He also submitted an application for correction of figures mentioned in Paras 3 and 4 of the memo of appeal, which will be discussed at the time of preliminary hearing. Case to come up on 05.10.2021.



Chairman

05.10.2021

Learned counsel for the appellant present.

In pursuance of order sheet dated 26.07.2021, learned counsel for the appellant submitted additional documents including charge sheet/statement of allegations and inquiry report, which are placed on file/record.

Preliminary arguments heard.

Learned counsel for the appellant argued that the appellant is aggrieved of impugned order dated 02.11.2020 whereby major penalty of "compulsory retirement from service" was awarded to him. He preferred departmental appeal in November 2020 (no specific date is mentioned on the departmental appeal). The departmental appeal was however regretted on 24.12.2020, and communicated to the appellant on 12.01.2021. It was further contended that the appellant has 24 years of service to his credit and he was proceeded against on flimsy ground/complaint of financial corruption. He actually obtained loan amounting to Rs. 200000/- from Mr. Hassan Gul for the treatment of her ailing mother suffering from cancer. The ends of justice have not been fulfilled and the appellant has not been given the opportunity of cross examination during inquiry proceedings and as such he has been condemned unheard.

Points raised need consideration. The appeal is admitted to regular hearing subject to all legal objections. The appellant is directed to deposit security and process fee within 10 days. Thereafter, notices be issued to the respondents for submission of written reply/comments in office within 10 days after receipt of notices, positively. If the written reply/comments are not submitted within the stipulated time, the office shall submit the file with a report of non-compliance. File to come up for arguments on 12.01.2022 before the D.B.

Appellant Deposited

Secy. Process Fee

11/10/21

(MIAN MUHAMMAD)
MEMBER (EXECUTIVE)

13.01.2022

Appellant in person present. Mr. Kabirullah Khattak, Addl. AG alongwith Mr. Alamzeb SDO for respondents present.

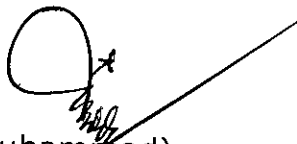
Reply/comments on behalf respondents are still awaited. Representative of respondents sought time for submission of reply/comments. Last opportunity is granted to respondents to furnish reply/comments on or before next date, failing which their right to submit reply/comments shall be deemed as struck off by virtue of this order. To come up for arguments before the D.B on 09.05.2022.



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

09.05.2022

Appellant in person present. Mr. Fida Muhammad, Sub-Engineer alongwith Mr. Riaz Ahmed Paindakhel, Assistant Advocate General for the respondents present and submitted written reply/comments, copy of which is handed over to the appellant. Adjourned. To come up for rejoinder, if any, as well as arguments on 15.07.2022 before the D.B.



(Mian Muhammad)
Member (E)




(Salah-ud-Din)
Member (J)



15.07.2022

Appellant alongwith clerk of his counsel present. Mr. Sher Akbar, Superintendent alongwith Mr. Riaz Ahmad 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 has proceeded to his native village due to some emergency. Adjourned. To come up for rejoinder, if any, as well as arguments on 10.10.2022 before the D.B.



(Rozina Rehman)
Member (J)

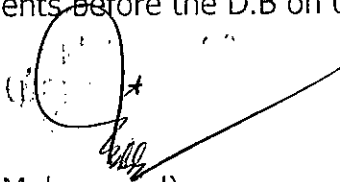


(Salah-ud-Din)
Member (J)

10.10.2022

Appellant in person present. Mr. Sher Akbar, Superintendent alongwith Mr. Muhammad Riaz Khan Paindakhel, Assistant Advocate General for the respondents present.

Appellant sought adjournment on the ground that his counsel is busy in the august Peshawar High Court, Peshawar. Adjourned. To come up for arguments before the D.B on 06.12.2022.



(Mian Muhammad)
Member (E)



(Salah-Ud-Din)
Member (J)

06th Dec. 2022 Learned counsel for the appellant present. Mr. Muhammad Adeel Butt, Addl: AG for respondents present.

Learned counsel for the appellant seeks adjournment on the ground that he has not prepared the case. Last opportunity granted to the appellant to argue the case failing which the case will be decided on the available record. To come up for arguments on 13.03.2023 before the D.B. P.P is given to the parties.



(Fareeha Paul)
Member(Executive)



(Kalim Arshad Khan)
Chairman