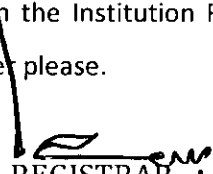




Form- A

FORM OF ORDER SHEET

Court of _____

Case No.- 11548 /2020

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	05/10/2020	<p>The appeal of Dr. Tariq Khan resubmitted today by Mr. Noor Muhammad Khattak Advocate may be entered in the Institution Register and put up to the Worthy Chairman for proper order please.</p> <p> REGISTRAR</p>
2-		<p>This case is entrusted to S. Bench for preliminary hearing to be put up there on <u>16/11/2020</u>.</p> <p> CHAIRMAN</p>
	16.11.2020	<p>Due to third day of mourning the demise of Honourable Chief Justice, Peshawar High Court, the members of the Bar are not appearing before the courts today. The matter is, therefore, adjourned to 03.02.2021 before S.B.</p> <p> Chairman</p>

03.02.2021

Counsel for the appellant present.

It is contended that the appellant was appointed as Medical Officer BS-17 on 18.07.2016 on adhoc basis. His service was regularized through order dated 08.05.2017 in pursuance of Khyber Pakhtunkhwa (Regularization of Service) Act 2017. Since his appointment on adhoc basis the appellant is performing duty with the respondent department but since 01.04.2018 his monthly salary has been stopped without any rhyme or reasons. A departmental appeal was submitted to the respondent No.2 on 07.05.2018 which remained un-responded, therefore, the appellant preferred Writ Petition No. 4478-P of 2018 before the Hon'ble Peshawar High Court. It was disposed of on 09.06.2020 with directions to concerned respondent to decide departmental appeal within One (01) month positively. Despite unambiguous order of the High Court the needful was not done, hence the instant appeal.

Explaining the delay in filing service appeal after more than two (02) years. It was contended that with the passage of every month a fresh cause of action accrued in favor of the appellant, therefore, the delay ibid was to be disregard. Relies 2002 PLC (CS) 1388.

Instant appeal is admitted to regular hearing subject to all just exceptions in view of the available record and arguments of learned counsel. Appellant is required to deposit security and process fee within 10 days. Thereafter, notices be issued to the respondents for submission of written reply/comments on 19.04.2021 before S.B.

Alongwith the appeal an application for restraining the respondents from taking any adverse action against the appellant is also submitted, Notice of the application be given to the respondents for the date fixed.

Chairman



Appellant Deposited
Security & Process Fee

03/02/21

19.04.2021

Due to demise of the Worthy Chairman the Tribunal is defunct, therefore, case is adjourned to 10.06.2021 for the same as before.


Reader

10.06.2021

Junior to Counsel and Mr. Farman Shah, Senior Auditor for respondent No. 3 and Gohar Ayub, Clinical Technician for respondent No. 5 alongwith Mr. Kabirullah Khattak, Addl. AG for the respondents present.

Stipulated period has passed and reply has not been submitted.

Written reply not submitted. Learned AAG is required to contact the respondents. The respondents are directed to submit written reply/comments in office within 10 days, 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 02.11.2021 before the D.B.


Chairman

P.S

22.06.2021

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


Chairman

02.11.2021


Counsel for the appellant and Mr. Javidullah,
Asstt. AG for the respondents present.

Reply of the respondents is still awaited. Last chance is given to the respondents to furnish reply/comments within 10 days in office, otherwise their right for submission of written reply/comments shall be deemed as struck off. The learned Member (Judicial) is on leave, therefore, case is adjourned. To come up for arguments on 07.02.2022 before the D.B.


Chairman

7-02-2022

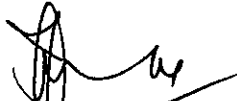
Due to retirement of the
Honble Chairman the case is adjourned
to come up for the same as before
on 06-02-2022


Reader

26th April, 2022

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

Learned counsel for the appellant requested for adjournment in order to assist the Tribunal. Last opportunity is granted. To come up for arguments before the D.B on 06.06.2022.



(Fareeha Paul)
Member (E)



Chairman

06.06.2022

Clerk of learned counsel for the appellant present. Mr. Kabirullah Khattak, Additional Advocate General for the respondents present.

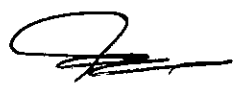
Clerk of learned counsel for the appellant requested for adjournment on the ground that learned counsel for the appellant is not available today due to strike of lawyers. Adjourned. To come up for arguments on 18.08.2022 before the D.B.


(Fareeha Paul)
Member (E)


(Salah-ud-Din)
Member (J)

18.8.22

Due to business vacation the case is adjourned 18.10.22 for the same.



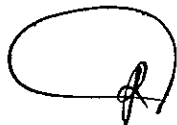
18.10.2022

Appellant present through counsel.

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

Former made a request for adjournment in order to prepare the brief. Adjourned. To come up for arguments on 05.12.2022 before D.B.



(Fareeha Paul)
Member(E)



(Rozina Rehman)
Member (J)

05th Dec. 2022

Junior to counsel for the appellant present. Mr. Muhammad Riaz Khan Paindakhel, Assistant Advocate General for the respondents present.

Appellant seeks adjournment due to engagement of his learned counsel in Honourable High Court today. Last chance is granted. To come up for arguments on 01.03.2023 before the D.B.


(Fareeha Paul)
Member (E)


(Kalim Arshad Khan)
Chairman