

Form- A

FORM OF ORDER SHEET

Court of _____

Case No.- 1486/2019

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	05/11/2019	<p>The appeal of Mr. Muhammad Arif presented 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 style="text-align: right;"><i>[Signature]</i> REGISTRAR 5/11/19</p> <p>This case is entrusted to S. Bench for preliminary hearing to be put up there on <u>16/12/19.</u></p> <p style="text-align: right;">CHAIRMAN</p>
2-	11/11/19.	

12

16.12.2019

Counsel for the appellant present.

Learned counsel referred to the impugned order dated 21.06.2019 and contended that major penalty of compulsory retirement from service was imposed upon the appellant on the ground of alleged absence. However, no regular/proper enquiry was conducted against him which was mandatory under the relevant rules. The appellant was, therefore, condemned unheard, hence the order is not sustainable.

Instant appeal is admitted to regular hearing, in view of the available record and arguments of learned counsel. 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 on 07.02.2020 before S.B.

ETA
16/12/19

07.02.2020

Chairman
Junior to counsel for the appellant and Addl. AG for
the respondents present.

Learned AAG seeks time to contact the respondents and submit reply/comments. Adjourned to 24.03.2020 on which date the requisite reply/comments shall positively be furnished.

(Signature)
(Ahmad Hassan)
Member

24.03.2020

Due to public holidays on account of Covid-19, the case is adjourned. To come up for the same on 15.06.2020 before S.B.

(Signature)
Reader

15.06.2020

Junior counsel for the appellant and Mr. Kabirullah Khattak, Additional AG for the respondents present. Neither written reply on behalf of respondent submitted nor representative of the department is present, therefore, notices be issued to the respondents with the direction to direct the representative to attend the court and submit the written reply on the next date positively. Adjourned to 23.07.2020 for written reply/comments but as a last chance before S.B.

MA

(MUHAMMAD AMIN KHAN KUNDI)
MEMBER

23.07.2020

Appellant is absent. Mr. Kabirullah Khattak, Additional AG is present.

Written reply/comments on behalf of respondents have not been submitted so far despite last chance given in the previous order sheet dated 15.06.2020. Last opportunity is extended subject to payment of cost of Rs. 1000/- which shall be borne by the respondents from their own pockets. Notices be also issued to the respondents for submission of written reply/comment for 21.09.2020 before S.B. Appellant and his counsel be also put on notice for the date fixed.

Noted for 21.9.2020.
H.F. J.
Cost Received
Rs. 1000/-
21/9/2020

(MUHAMMAD JAMAL KHAN)
MEMBER

21.09.2020

Counsel for the appellant ^{alongwith appellt} and Addl. AG alongwith Muhammad Taufeeq, Assistant for the respondents present.

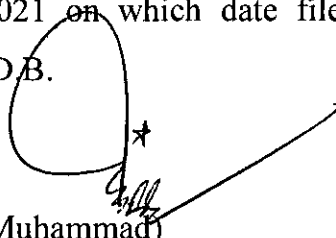
Representative of the respondents has furnished parawise comments which are made part of the record. Cost of Rs. 1000/- received from the said representative has been paid to the appellant and receipt whereof obtained and placed on record. The matter is assigned to D.B for arguments on 07.12.2020. The appellant may furnish rejoinder, within one month, if so advised.


Chairman

07.12.2020

Appellant in person present. Addl: AG alongwith Mr. Jehanzeb, Supdt for respondents present.

Since the Members of the Peshawar High Court, Peshawar as well as of the District Bar Associations, Peshawar, are observing strike today, therefore, learned counsel for the appellants not available today. Adjourned to 03.03.2021 on which date file to come up for arguments before D.B.


(Mian Muhammad)
Member (E)


(M. Jamal Khan)
Member(J)

03.03.2021

Junior to counsel for the appellant and Addl. AG alongwith Ajeebullah, ADO for the respondents present.

Learned senior counsel for the appellant is reported to be busy before Darul Qaza Bench of Peshawar High Court today. ~~Adjourned~~ is, therefore, sought. Adjourned to 08.06.2021 for hearing before the D.B.


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


Chairman

81-6-52

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8-3-51

explained as follows.


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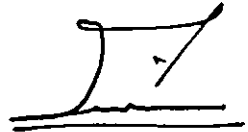
08.06.2021

Appellant alongwith Mr. Said Khan, Advocate, junior of learned counsel for the appellant present. 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 before the august Peshawar High Court, Peshawar. Adjourned. To come up for arguments before the D.B on 05.10.2021.



(ATIQU-UL-EHMAN WAZIR)
MEMBER EXECUTIVE



(SALAH-UD-DIN)
MEMBER (JUDICIAL)

S-10-21

05.10.2021

Mr. Muhammad Khattak, Advocate, for the appellant present. Mr. Masood, Deputy District Attorney for respondents present.

Learned counsel for the appellant seeks adjournment. Adjourned. To come up for arguments before the D.B on 29.11.2021.

(Mian Muhammad)
Member (E)

Chairman

~~29.11.2021~~ Due to unavailability of DB, the case is adjourned to 08/03/2022.

Amir
Reader

3-3-22

Due to retirement of the Honble Chairman the case is adjourned to 27-6-22

Amir
Reader

27.06.2022

Mr. Mujeeb-ur-Rehman, (junior of learned counsel for the appellant) present. Mr. Naseer-ud-Din Shah, Assistant 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 04.10.2022 before the D.B.



(Rozina Rehman)
Member (J)



(Salah-ud-Din)
Member (J)

4th Oct, 2022

Counsel for the appellant present. Syed Naseer Ud Din Shah, Asst: AG for respondents present.

Learned counsel for the appellant seeks adjournment as he has not prepared the case. Last opportunity granted for arguments failing which the case will be decided on the available record without arguments. To come up for arguments on 05.12.2022 before the D.B



(Fareeha Paul)
Member(Executive)




(Kalim Arshad Khan)
Chairman

05th Dec. 2022

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

Former seeks adjournment due to engagement of learned senior counsel for the appellant in Honourable Peshawar High Court today. Last opportunity is further extended subject to payment of cost of Rs. 5000/-. This appeal pertains to Camp Court, Abbottabad. Be sent there. To come up for arguments and cost on 24.01.2023 before the D.B at camp court Abbottabad.


(Fareeha Paul)
Member (E)


(Kalim Arshad Khan)
Chairman