

29.11.2022

Learned counsel for the appellant present. Mr. Muhammad Latif, ADEO and Mr. Behramand, A.D alongwith Mr. Asif Masood Ali Shah, Deputy District Attorney for the respondents present.

Mr. Muhammad Lateef, ADEO stated at the bar that the office of District Education Officer Bajour has been shifted twice, therefore, some time may be granted for production of minutes of DPC dated 10.05.2018. So many opportunities have been granted to the respondents for production of minutes of DPC dated 10.05.2018, therefore, last opportunity is granted for production of the record, failing which coercive measures shall be taken against the respondents under the law.

Learned counsel for the appellant pointed out that connected Service Appeal bearing No. 4756/2021 as well as Service Appeal bearing No. 4757/2021 are fixed for arguments on 16.02.2023, therefore, the same may also be fixed on the said date. Adjourned. To come up for production of minutes of DPC dated 10.05.2018 as well as arguments on 16.02.2023 before the D.B.



(Mian Muhammad)
Member (Executive)

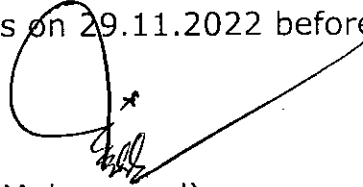


(Salah-Ud-Din)
Member (Judicial)

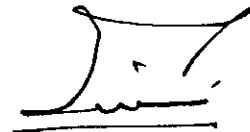
13.09.2022

Nemo for the appellant. Mr. Kabirullah Khattak, Additional Advocate General for the respondents present.

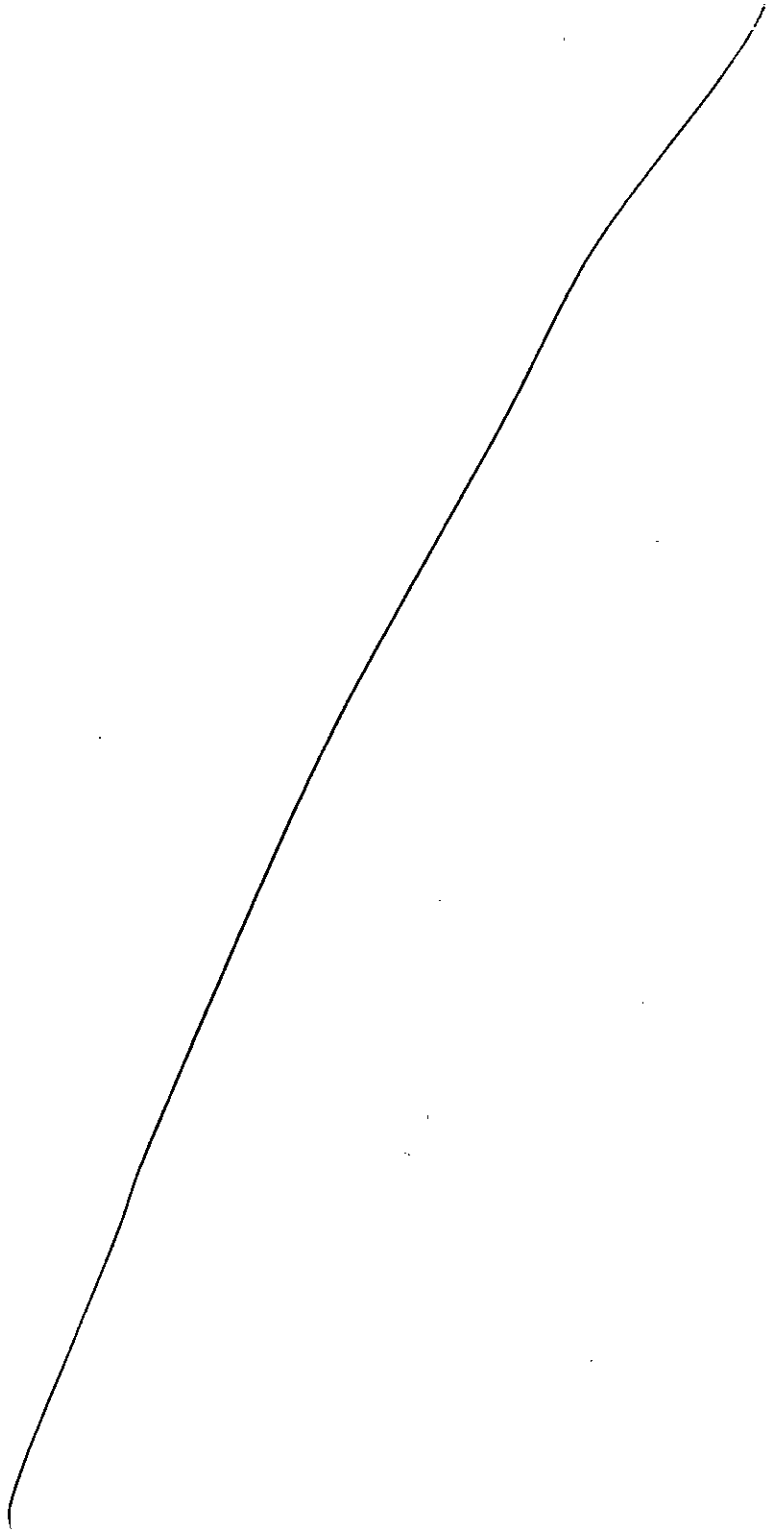
Notice for prosecution of the appeal be issued to the appellant as well as her counsel and to come up for arguments on 29.11.2022 before the D.B.



(Mian Muhammad)
Member (Executive)



(Salah-Ud-Din)
Member (Judicial)




Counsel was
informed
telephonically
on 23/11/22

21.12.2021

Clerk of learned counsel for the appellant present. Mr. Noor Zaman Khattak, District Attorney for respondents present.

Clerk of learned counsel for the appellant stated that learned counsel for the appellant is unable to attend the Tribunal today due to strike of lawyers. Adjourned. To come up for arguments before the D.B on 09.03.2022.


(Atiq Ur Rehman Wazir)
Member (E)


Chairman

9-3-22

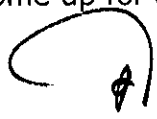
*Due to Retirement of the Honorable
Chairman the case is adjourned
to come up for the same as before on
28-6-22*

Reads

28.06.2022

Akhunzada Ahmad Saeed Advocate for the appellant present. Mr. Bahraman Khan ADEO (Litigation) alongwith Mr. Riaz Khan Paindakheil, Assistant Advocate General for the respondents present.

Representative of respondents again sought time for production of Minutes of DPC meeting held on 10.05.2018 for promotion to the post of Senior Drawing Master (Female). The appeal in hand has been adjourned time and again with directions to the respondents to produce the above mentioned Minutes of the aforementioned DPC meeting but even today, they have not complied with the directions of this Tribunal, therefore, DEO Bajaur shall personally appear alongwith Minutes of the concerned DPC and to come up for arguments on 13.09.2022 before the D.B.


(Rozina Rehman)
Member (J)

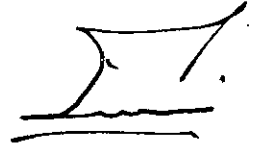

(Salah Ud Din)
Member (J)

21.06.2021

Mr. Akhunzada Ahmad Saeed, Advocate, for the appellant present. Mr. Muhammad Adeel Butt, Additional Advocate General for the respondents present and sought further time for submission of Minutes of the DPC meeting dated 10.05.2018. Adjourned. Last chance is given. To come up for submission of minutes of DPC meeting as well as arguments before the D.B on 12.10.2021.



(ATIQU-UR-REHMAN WAZIR)
MEMBER (EXECUTIVE)



(SALAH-UD-DIN)
MEMBER (JUDICIAL)

12.10.2021

Appellant present through counsel.

Muhammad Riaz Khan Paindakheil learned Assistant Advocate General alongwith Bahraman ADEO for respondents present.

File to come up alongwith connected Service Appeal No.598/2019 on 21.12.2021 before D.B.



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



(Rozina Rehman)
Member (J)

24.03.2021

Counsel for the appellant and Asstt. AG for the respondents present.

To come up for hearing before the D.B on 21.06.2021 alongwith Service Appeal No. 597/2019.

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

Chairman


Postscript

26.05.2021

The order dated 24.03.2021 was written but could not be signed by the D.B including the then Chairman who due to unforeseen reason could not attend the office in coming days. He died in the meantime and the order sheet was left unsigned. To bring the proceedings of appeal on track, it is become expedient for ex-post facto completion of the order sheet. The unsigned order dated 24.03.2021 is reproduced below which be given effect accordingly:-

"Counsel for the appellant and Asstt. AG for the respondents present.

To come up for hearing before the D.B on 21.06.2021 alongwith Service Appeal No. 597-19."


(Atiq-ur-Rehman Wazir)
Member


Chairman

27.4.2020

Due to COVID19, the case is adjourned to 10/7/2020 for the same as before.


Reader

10.07.2020

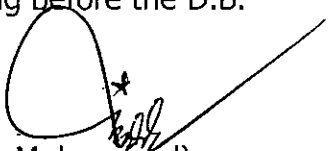
Due to COVID19, the case is adjourned to 01.10.2020 for the same as before.


Reader

01.10.2020

Counsel for the appellant and Mr. Muhammad Jan, Deputy District Attorney alongwith Bahrawar Said, ADEO for the respondents present.

Counsel for the appellant seeks adjournment to further prepare the brief. The matter is adjourned to 22.12.2020 for hearing before the D.B.


(Mian Muhammad)
Member (Executive)


Chairman

22.12.2020

Due to COVID-19, the matter is adjourned to 24.3.21 for the same.


Reader

14.11.2019

Counsel for the appellant present. Mr. Ziaullah, DDA for respondents present. Learned counsel for the appellant seeks adjournment. Adjourned. To come up for arguments on 06.01.2020 before D.B.


Member


Member

06.01.2020

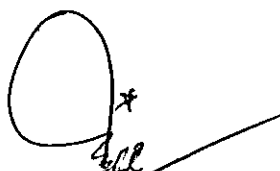
Learned counsel for the appellant present. Mr. Ziaullah, DDA for respondents present. Learned counsel for the appellant seeks adjournment. Adjourn. To come up for arguments on 10.03.2020 before D.B.


Member


Member

10.03.2020

Counsel for the appellant present. Mr. Muhammad Jan, DDA for respondents present. Learned counsel for the appellant submitted an application for directions to respondent to produce the notification/documents in respect of meeting of DPC, wherein one Mst. Kalsoom was recommended for promotion to Senior Drawing Master (BPS-16). The application is placed on record. The respondents are directed to furnish the same on the next date of hearing. Adjourned. To come up for record and arguments on 27.04.2020 before D.B.


Member


Member

17.10.2019

Counsel for the appellant and Addl. AG alongwith Behramand ADO for respondent No. 2 present.

Comments have been submitted on behalf of respondent No. 2. Placed on record. On 20.09.2019 the respondents were allowed further time as a last chance to submit their respective comments/reply. The respondents No. 1 & 3 have not preferred to avail the last chance so granted, therefore, the matter is posted for arguments before D.B on 06.11.2019. The appellant may furnish rejoinder to the comments of respondent No. 2 within ten days, if so advised.

The appellant has submitted an application for restraining the respondents from convening a meeting of DPC. Notice of the application be also given to the respondents for the next date. In the meanwhile and in case meeting of DPC is held before next date of hearing, one post of Senior Drawing Master shall be kept vacant.

Chairman




06.11.2019

Learned counsel for the appellant and Mr. Zia Ullah learned Deputy District Attorney present. Learned counsel for the appellant seeks adjournment to produce the relevant appointment and promotion criteria. Adjourn. To come up for arguments on 14.11.2019 before D.B.



Member



Member


27.06.2019

Learned counsel for the appellant present. Written reply not submitted. Bahraman ADEO representative of the respondent department present and requested for time to furnish written reply/comments. Granted. To come up for written reply/comments on 22.08.2019 before S.B.


Member

22.08.2019

Learned counsel for the appellant present. Mr. Kabirullah Khattak learned Additional Advocate General alongwith Mr. Behraman ADEO for the respondent present. Written reply not submitted. Representative of the respondents seeks time to furnish written reply/comments. Granted. To come up for written reply/comments on 20.09.2019 before S.B.


(Hussain Shah)
Member

20.09.2019

Counsel for the appellant and Addl. AG alongwith Behramand, ADO for the respondents present.

Representatives of the respondents seek further time. Last opportunity is granted to the respondents. To come up for requisite reply/comments on 17.10.2019 before S.B.


Chairman

30.04.2019

Counsel for the appellant present.

Learned counsel for the appellant contended that the requirement for promotion as Senior Drawing Master as provided through notification dated 13.11.2012 was in terms of five years service as D.M and qualification of Bachelor Degree from a recognized University with one year Drawing Master (D.M) Course Certificate. The appellant was duly qualified under the notification on 10.05.2018 when her name was dropped from the consideration of DPC whereby she was not recommended for promotion as S.D.M. The requisite diploma was earned by the appellant from Skilled Development Council in the Session 2009-10. In the said regard learned counsel referred to the copies of Diploma as well as Degree of appellant in Bachelor of Arts obtained from Allama Iqbal Open University Islamabad. It was also stated that junior to the appellant was recommended for promotion in the said DPC while similar treatment was denied to the appellant without assigning any reason.

The appeal in hand is admitted for regular hearing in view of averments by learned counsel and the available record. The appellant is directed to deposit security and process fee within 10 days. Thereafter, notices be issued to the respondents. To come up for written reply/comments on 27.06.2019 before S.B.

Appellant Deposited
Security & Process Fee

8/5/19


Chairman

14.03.2019

Counsel for the appellant present and submitted amended appeal. Learned counsel for the appellant also seeks adjournment. Adjourned to 25.03.2019 for preliminary hearing before S.B.


(MUHAMMAD AMIN KHAN KUNDI)
MEMBER

25.03.2019

Learned counsel for the appellant present and seeks adjournment to furnish promotion criteria from the post of DM (BPS-15) to the post of Sr.DM (BPS-16). Adjourn. To come up for preliminary hearing on 29.03.2019 before S.B


Member

29.03.2019

Learned counsel for the appellant present. Heard.

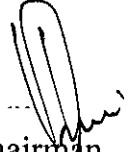
Learned counsel for the appellant was confronted with the proposition that according to the recruitment criteria the appellant does not possess the requisite qualification as her one year (Diploma) course is not from recognized institution, then how she could be termed as eligible/qualified for the promotion to the post of Sr. D.M. Learned counsel for the appellant seeks adjournment for proper assistance. Adjourn. To come up for preliminary hearing on 30.04.2019 before S.B


Member

10.1.2019

Learned counsel for the appellant requests for further time to prepare the brief.

Adjourned to 21.02.2019 for preliminary hearing before S.B.


Chairman

21.02.2019

Counsel for the appellant requests for permission to submit an amended appeal wherein the recommendations of DPC would be challenged and the private respondents will also be added.

The appellant may submit an amended appeal within a fortnight subject to all just and legal exceptions. Adjourned to 07.03.2019 for the needful.


Chairman

07.03.2019

Learned counsel for the appellant present and seeks adjournment to furnish amended appeal. The appellant may submit amended appeal within a week subject to all just and legal objections. Adjourn. To come up for further proceedings/amended appeal on ^{14.03.2019} 12.04.2019 before S.B


Member

