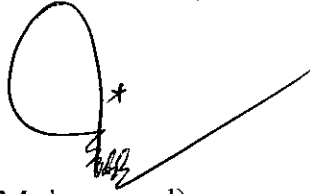


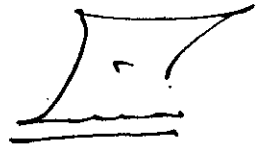
29.11.2022

Junior of learned counsel for the appellant present. Mr. Naseer-ud-Din Shah, Assistant Advocate General for the respondents present.

To come up for arguments alongwith Service Appeal bearing No. 743/2017 titled "Bibi Shahnaz Versus Government of Khyber Pakhtunkhwa through Secretary Elementary & Secondary Education at Peshawar and 02 others", on 16.12.2022 before D.B.



(Mian Muhammad)
Member (E)



(Salah-ud-Din)
Member (J)

15-03-2022

Due to retirement of the Honorable
Chairman the case is adjourned to
come up for the same as before
on 28-06-2022


Reader

28.06.2022

Learned counsel for the appellant present. Mr. Eid Muhammad Assistant alongwith Mr. Kabir Ullah Khattak learned Additional Advocate General for respondents present.

File to come up alongwith connected Service Appeal bearing No.743/2017 titled "Bibi Shehnaz Vs. Government of Khyber Pakhtunkhwa" on 13.09.2022 before the D.B.

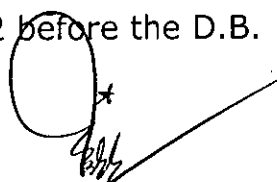

(Rozina Rehman)
Member (J)



(Salah Ud Din)
Member (J)

13.09.2022

Clerk of learned counsel for the appellant present. Mr. Muhammad Riaz Khan Paindakhel, Assistant Advocate General for the respondents present.

To come up for arguments alongwith Service Appeal bearing No. 743/2017 titled "Bibi Shahnaz Versus Government of Khyber Pakhtunkhwa through Secretary Elementary & Secondary Education at Peshawar and two others", on 29.11.2022 before the D.B.


(Mian Muhammad)
Member (Executive)



(Salah-Ud-Din)
Member (Judicial)

02.07.2021

Mr. Nouman, Advocate, for the appellant present. Mr. Eid Muhammad, Senior Clerk alongwith Muhammad Rasheed Khan, Deputy District Attorney present.

Learned counsel for the appellant requested for adjournment on the ground that he has not met preparation for arguments today. Adjourned. To come up for arguments before the D.B on 28.07.2021. Learned counsel for the appellant is directed to provide a second Member copy of the appeal on or before the date fixed.



(ATIQ UR REHMAN WAZIR)
MEMBER (EXECUTIVE)


(SALAH-UD-DIN)
MEMBER (JUDICIAL)

28.07.2021

Clerk of counsel for the appellant present. Mr. Eid Muhammad alongwith Muhammad Rasheed, Deputy District Attorney for the respondents present.

Clerk of 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 20.09.2021.


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



(SALAH-UD-DIN)
MEMBER (JUDICIAL)

20.09.2021

Counsel for appellant present.

Kabir Ullah Khattak learned A.A.G for respondents present.

File to come up alongwith connected appeal No. 743/2017 titled Bibi Shehnaz Vs. Government, on 01.12.2021 before D.B.


(Rozina Rehman)
Member (J)

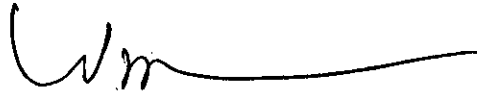

Chairman

01.12.2021 Due to non-availability of DB, the case is adjourned to 15-03-2022
A no
Reader

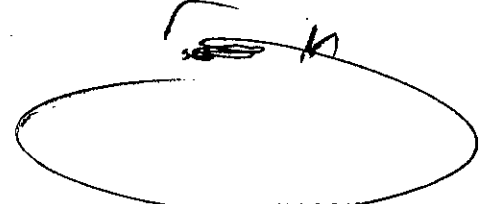
19.01.2021

Mr. Muhammad Noman, Advocate, for appellant is present. Mr. Riaz Ahmad Paindakheil, Assistant Advocate General and Mr. Eid Muhammad, Senior Clerk, for the respondents are also present.

According to the learned counsel his senior is indisposed of today and requested for adjournment. Request is acceded to, the appeal is adjourned to 05.04.2021 on which date file to come up for arguments before D.B.



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




(MUHAMMAD JAMAL KHAN)
MEMBER (JUDICIAL)

05.04.2021

Junior to counsel for appellant present.

Asif Masood Ali Shah learned Deputy District Attorney for respondents present.

File to come up alongwith connected service appeal No.743/2017 on 2/7/2021 before D.B.



(Atiq ur Rehman Wazir)
Member (E)




(Rozina Rehman)
Member (J)

18.09.2020

Counsel for appellant present.

Mr. Kabirullah Khattak learned Additional Advocate General alongwith Eid Muhammad Senior Clerk for respondents present.

Former requests for adjournment. Adjourned. Adjourned. To come up for arguments on 11.11.2020 before D.B.


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

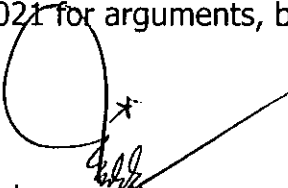

(Rozina Rehman)
Member (J)

11.11.2020

Nemo for appellant.

Kabir Ullah Khattak learned Additional Advocate General alongwith Eid Muhammad ADEO for respondents present.

Lawyers are on general strike, therefore, case is adjourned to 19.01.2021 for arguments, before D.B.


(Mian Muhammad)
Member (E)


(Rozina Rehman)
Member (J)

18.02.2020

Learned counsel for the appellant present. Mr. Kabirullah Khattak Additional AG alongwith Mr. Eid Muhammad Senior Clerk for the respondent No. 3 present. Representative of the respondents department submitted promotion order dated 26.12.2012 and inquiry report dated 12.01.2017, which is placed on file. Copy of the same is handed over to the learned counsel for the appellant. Learned Additional AG seeks adjournment. Adjourned. To come up for arguments on 07.04.2020 before D.B.


(Hussain Shah)
Member


(M. Amin Khan Kundi)
Member

07.04.2020 Due to public holiday on account of COVID-19, the case is adjourned to 11.06.2020 for same as before.


Reader

11.06.2020

None present on behalf of the appellant. Mr. Muhammad Jan, Deputy District Attorney for the respondents present. Notices be issued to appellant and her counsel for attendance and arguments for 21.08.2020 before D.B.


(Mian Muhammad)
Member


(M. Amin Khan Kundi)
Member

21.08.2020

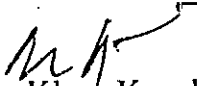
Due to summer vacation case to come up for the same on 18.09.2020 before D.B.


Reader

24.10.2019

Junior counsel for the appellant and Mr. Ziaullah, Deputy District Attorney for the respondents present. Junior counsel for the appellant requested for adjournment on the ground that learned senior counsel for the appellant is not available today. Case to come up for arguments on 03.01.2020 before D.B.


(Hussain Shah)
Member


(M. Amin Khan Kundi)
Member

03.01.2020

Learned counsel for the appellant present. Mr. Riaz Paindakhel learned Assistant Advocate General alongwith Mr. Eid Muhammad Senior Clerk for the respondents present. Record reveals that the appellant was imposed major penalty of removal from service vide order dated 24.08.2016 on the allegation of absence. The appellant filed departmental appeal which was partially accepted and the removal order was converted into other major penalty of reversion from PSHT BPS-15 to SPST BPS-14 with effect from the date of her promotion but the promotion order of the appellant of SPST BPS-14 to the post of PSHT BPS-15 is not available on record. Therefore the representative of the respondent department is strictly directed to furnish the copy of promotion order of the appellant as well as inquiry report dated 12.01.2017 if any alongwith all the relevant inquiry record. Adjourned. To come up for record and arguments on 18.02.2020 before D.B.


(Hussain Shah)
Member


(M. Amin Khan Kundi)
Member

26.03.2019

Junior to counsel for the appellant and Mr. Muhammad Jan learned Assistant Advocate General alongwith Mr. Eid Muhammad Senior Clerk for the respondents present. Junior to counsel for the appellant request for adjournment as senior counsel for the appellant is not in attendance. Adjourned. To come up for arguments on 27.05.2019 before D.B.


(Hussain Shah)
Member


(Muhammad Amin Khan khudi)
Member

27.05.2019

Clerk to counsel for the appellant and Mr. Kabir Ullah Khattak learned Additional Advocate General alongwith Eid Muhammad S.C present. Due to general strike of the bar, the case is adjourned. To come up for arguments on 30.07.2019 before D.B.


Member


Member

30.07.2019

Hassan Advocate junior to counsel for the appellant present. Mr. Zia Ullah learned Deputy District Attorney alongwith Eid Muhammad S.C present. Junior to counsel for the appellant seeks adjournment as senior learned counsel for the appellant is not in attendance. Adjourn. To come up for arguments on 24.10.2019 before D.B.


Member


Member

28.08.2018

Counsel for the appellant and Mr. Kabirullah Khattak AAG alongwith Eid Muhammad Senior Clerk DEO (F) for the respondents. Written reply submitted on behalf of the respondents. To come up for rejoinder and arguments on 29.10.2018 before D.B.


(Muhammad Amin Kundi)
Member

29.10.2018

Due to retirement of Hon'ble Chairman, the Tribunal is defunct. Therefore, the case is adjourned. To come up on 14.12.2018.


Reader

14.12.2018

Junior to counsel for the appellant and Mr. Kabirullah Khattak learned Additional Advocate General present. Junior to counsel for the appellant seeks adjournment as senior counsel is not in attendance. Adjourn. To come up for arguments on 07.02.2019 before D.B.



Member


Member

07.02.2019

Counsel for the appellant present. Mr. Muhammad Jan, Deputy District Attorney alongwith Mr. Eid Muhammad, Senior Clerk for the respondents present. Learned counsel for the appellant requested for adjournment. Adjourned to 26.03.2019 for arguments before D.B.


(AHMAD HASSAN)
MEMBER


(MUHAMMAD AMIN KHAN KUNDI)
MEMBER

29.06.2018

Counsel for the appellant and Addl. AG along with Mr. Hameed-ur-Rahman, AD-Litigation for the respondents present. Written reply not submitted on behalf of respondents. Requested for further adjournment. Adjourned. Last opportunity is granted. To come up for written reply/comments on 03.05.2018 before S.B.

Chairman

03.05.2018

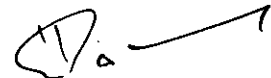
The Tribunal is non functional due to retirement of the Honorable Chairman. Therefore, the case is adjourned. To come up for the same on 28.06.2018 before S.B.



Reader

28.06.2018

Counsel or the appellant present. Mr. Muhammad Jan, DDA for the respondents presents. None present on behalf of respondents. Therefore, fresh notices be issued to the respondents department to attend the court positively. Written reply not submitted on behalf of respondents despite last opportunity. Requested for further adjournment. Another last opportunity is extended. To come up for reply/comments on 28-08-2018 before S.B.



Member

29.01.2018

Counsel for the appellant and Asst: AG alongwith Mr. Zakiullah, Senior Auditor for respondents present. Written reply not submitted. Requested for adjournment. Adjourned. To come up for written reply on 12.02.2018 before S.B.


(Ahmad Hassan)
Member(E)


12.02.2018

Clerk of the counsel for appellant present. Mr. Kabirullah Khattak, Additional AG for the respondents also present. Written reply not submitted. Learned Additional AG requested for further adjournment. Adjourned. To come up for written reply/comments on 27.02.2018 before S.B.


(Muhammad Amin Khan Kundi)
Member (J)

27.02.2018

Counsel for the appellant and Addl: AG for respondents present. Written reply not submitted. Requested for adjournment. Adjourned. Notices be also issued to the respondents. To come up for written reply/comments on 29.03.2018 before S.B.


(Ahmad Hassan)
Member (E)

06.12.2017

Learned counsel for the appellant present. Preliminary arguments heard and case file perused.

Learned counsel for the appellant argued that the appellant is was serving as PST Teacher in GGPS Bakarabad, Chitral. That the said posts was upgraded vide notification dated 26.12.2012 and the appellant was promoted as PST Head Teacher (BFS-15). Further argued that the posts of PST Teachers were required to be rationalized and upgraded and before making promotions in accordance with the formula and guidelines laid down in the policy dated 18.01.2013. That respondent No. 3 was required to adopt and follow the proper rationalization Policy before making any transfer or adjustment orders. That since the promotion/adjustment order was not received well in time, therefore appellant could not report arrival at GGPS Asper Domel within the stipulated period of 14 days and that, on this account an enquiry was ordered, which culminated in removal from service of the appellant vide order dated 24.08.2016. That on a departmental appeal dated 18.11.2016 this punishment has been converted vide order dated 06.03.2017 into minor penalty of reversion from PSHT (BPS-15) to SPST as well as recovery of the benefit of promotion. Further argued that the appellant never remained absent from her original station of duty as she was actually and physically performing her duty in the school of her respective Union Council which is duly confirmed by the Independent Monitoring Unit. That the impugned order is illegal order based on malafide and personal grudges due to the fact that respondents are annoyed from appellant's previous Writ Petition in Peshawar High Court and a service appeal lying pending in the Khyber Pakhtunkhwa Service Tribunal. That the delay in submission of the appeal is due to the fact that the appellant belongs to a far flung /remote area of District Chitral and could not make preparation in time.

Points raised need consideration. Admitted for regular hearing subject to all legal objections including limitation. Appellant is also directed to deposit security and process fee within (10) days, whereafter notice be issued to the respondents department for written reply/comments on 29.01.2018 before S.B.

(Gul Zeb Khan)
Member

Appellant Deposited
Security & Process Fee


18/8/2017

Counsel for the appellant present and seeks adjournment. Adjourned. To come up ^{for} arguments ^{for} according to order sheet dated 31/7/2017 on 26/9/2017.


(GUL ZEB KHAN)
MEMBER

26.09.2017

Counsel for the appellant present and requested for adjournment. Adjourned. To come up for arguments according to order sheet dated 31.07.2017 on 18.10.2017 before S.B.


(Muhammad Amin Khan Kundi)
Member

18/10/2017

Clerk of counsel for the appellant present and seeks adjournment. To come up for arguments according to order sheet dated 31/7/2017 on 9/11/2017 before SB.


(GUL ZEB KHAN)
MEMBER




09.11.2017

Junior to counsel for the appellant present and seeks adjournment as senior counsel is not in attendance. Adjourned. To come up for preliminary hearing on 06.12.2017 before S.B.


(AHMAD HASSAN)
MEMBER

Form- A
FORM OF ORDER SHEET

Court of _____
Case No. 746/2017

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1	14/07/2017	<p>The appeal of Mst. Baitul Jamal resubmitted today by Mr. Hamza Amir Gulab 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-	24-7-2017	<p>This case is entrusted to S. Bench for preliminary hearing to be put up there on <u>31-7-2017</u></p> <p style="text-align: right;"> CHAIRMAN</p>
	31.07.2017	<p>Counsel for he appellatnt present. Preliminary arguments partly heard. Counsel for the appellatnt seeks adjournment. To come up for arguments on the point of limitation alongwith connected service appeal No. 773/2017 on 18.08.2017 before this S.B.</p> <p style="text-align: right;"> Chairman</p>