



Form-A  
FORM OF ORDERSHEET

Court of \_\_\_\_\_  
Case No. 77/2018

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1	22/1/2018	<p>The appeal of Mr. Muhammad Asghar presented today by Mr. Hassan U.K. Afridi Advocate, may be entered in the Institution Register and put up to Worthy Chairman for proper order please.</p> <p style="text-align: right;"> REGISTRAR</p>
2-	<del>22/1/18</del> 23/01/18	<p>This case is entrusted to S. Bench for preliminary hearing to be put up there on <u>06/02/18.</u></p> <p style="text-align: right;"> CHAIRMAN</p>

06.02.2018

Counsel for the appellant present. Preliminary arguments heard and case file perused. The appellant was appointed as C.T (Senior Teacher) in the Education Department on 19.04.1992. Presently he is performing duties as SCT (BPS-16) in GHS, Shin Dhand, F.R Kohat. Vide order dated 12.10.2017 fifteen SETs were promoted as SST (BPS-16). Name of the appellant is appearing at S.No. 7 of the seniority list, while some candidates though not eligible for promotion have been promoted. He preferred departmental appeal on 16.10.2017, which was not responded within stipulated period, hence, the instant service appeal. The appellant has not been treated according to law and rules.


Appellant Deposited  
Security & Process Fee

Points urged need consideration. Admit. Subject to deposit of security and process fee within 10 days, thereafter, notices be issued to the respondents for written reply/comments for 26.03.2018 before S.B.

(AHMAD HASSAN)  
MEMBER

26.03.2018

Appellant in person present. Mr. Kabir Ullah Khattak, Addl: AG present. None present on behalf of official respondent department as well as private respondent. Written reply not submitted. Learned Additional AG requested for adjournment. Adjourned. To come up for written reply/comments on 10.04.2018 before S.B.

  
Member

10.04.2018

Appellant in person and Addl: AG for the respondents present. Written reply not submitted. Requested for adjournment. Adjourned. To come up for written/comments on 25.04.2018 before S.B.



Member

25.04.2018

The Tribunal is non functional due to retirement of the Honorable Chairman. Therefore, the case is adjourned. To come up for the same on 21.06.2018 before S.B.



Reader

21.06.2018

Appellant in person and Mr. Kabirullah Khattak, Additional AG for the respondents present. Representative of the department is not in attendance therefore, notice be issued to the respondents with the direction to direct the representative to attend the court and submit written reply on the next by way of last chance. Adjourned. To come up for written reply/comments on 02.08.2018 before S.B.



(Muhammad Amin Khan Kundi)

Member

02.08.2018

Appellant Muhammad Asghar in person present. Mr. Daud Jan, Supdt alongwith Mr. Kabirullah Khattak, Addl: AG for respondents present. Written reply/comments on behalf of respondents no. 3 and 5 submitted. To come up for written reply/comments of the remaining respondents on 13.09.2018 before S.B.



Chairman

13.09.2018

Clerk to counsel for the appellant present. Mr. Daud Jan, Supdt alongwith Mr. Kabirullah Khattak, Addl: AG for respondents present. Clerk to counsel for the appellant submitted an application for impleadment. Notice of application be issued to the respondents for reply/arguments as well as written reply/comments of the remaining respondents on 08.11.2018 before S.B.

  
Chairman


08.11.2018

Due to retirement of Hon'ble Chairman, the Tribunal is defunct. Therefore, the case is adjourned. To come up on 26.12.2018. Written reply not received.

  
READER

26.12.2018

Appellant in person present. Written reply on behalf of respondents No.3 & 5 already submitted. None present on behalf of remaining respondents. Notice be issued to the remaining respondents i.e. respondent No. 1, 2, 4, 6 & 7. Adjourn. To come up for written reply/comments on behalf of respondent No. 1, 2, 4, 6 & 7 on 30.01.2019 before S.B.

  
Member

Service Appeal No. 77/2018

30.01.2019

Appellant alongwith his counsel present. Mr. Kabirullah Khattak, Additional AG for the respondents present. Written reply on behalf of respondents No. 3 & 4 has already submitted. None present on behalf of respondents No. 1, 2, 4, 6 & 7 despite issuance of notice on previous date hence, they are proceeded ex-parte. The appeal is assigned to D.B-II for rejoinder and arguments for 11.04.2019.

  
(MUHAMMAD AMIN KHAN KUNDI)  
MEMBER

11.04.2019

Appellant in person and Mr. Usman Ghani, District Attorney for official respondents No. 1 to 4 present. Due to strike <sup>on the call</sup> of Pakistan Bar Council, learned counsel for the appellant is not available today. Adjourned. To come up for rejoinder and arguments on 30.05.2019 before D.B.

  
(AHMAD HASSAN)  
MEMBER

  
(M. AMIN KHAN KUNDI)  
MEMBER

30.05.2019

Counsel for the appellant and Mr. Muhammad Jan, Deputy District Attorney for official respondents present. Learned counsel for the appellant requested for adjournment to furnish rejoinder. Adjourned to 22.07.2019 for rejoinder and arguments before D.B.

  
(HUSSAIN SHAH)  
MEMBER

  
(M. AMIN KHAN KUNDI)  
MEMBER

22.07.2019 Learned counsel for the appellant present. Mr. Muhammad Jan learned Deputy District Attorney for the respondents present. Learned counsel for the appellant submitted rejoinder which is placed on file, and seeks adjournment. Adjourned. To come up for arguments on 19.09.2019 before D.B.

  
(Hussain Shah)  
Member

  
(M. Amin Khan Kundi)  
Member


19.09.2019 Appellant in person present. Mr. Riaz Khan Paindakheil learned Assistant Advocate General present. Appellant seeks adjournment as his counsel is not in attendance. Adjourn. To come up for arguments on 30.10.2019 before D.B.

  
Member

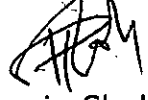
Member

30.10.2019 Junior counsel for the appellant and Mr. Riaz Ahmad Paindakheil, Assistant AG for the respondents present. Junior counsel for the appellant requested for adjournment on the ground that learned senior counsel for the appellant is busy before the Hon'ble Peshawar High Court, Peshawar and cannot attend the Tribunal today. Adjourned to 05.12.2019 for arguments before D.B.

  
(Ahmad Massan)  
Member

  
(M. Amin Khan Kundi)  
Member

04.12.2019 Appellant in person present. Mr. Zia Ullah learned Deputy District Attorney for the respondents present. Appellant requested for adjournment that his counsel is not in attendance. Adjourned. To come up for arguments on 04.02.2020 before D.B.

  
(Hussain Shah)  
Member

  
(M. Amin Khan Kundi)  
Member

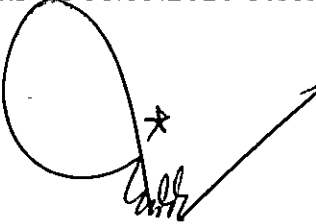
04.02.2020 Appellant in person and Mr. Kabirullah Khattak, Additional AG for the respondents present. Appellant requested for adjournment on the ground that his counsel is not available today due to general strike of Khyber Pakhtunkhwa Bar Council. Adjourned to 17.03.2020 for arguments before D.B.

  
(Ahmad Hassan)  
Member

  
(M. Amin Khan Kundi)  
Member

17.03.2020

Appellant in person present. Addl: AG for respondents present. Due to general strike on the call of Peshawar Bar Council, the instant case is adjourned. To come up for arguments on 18.05.2020 before D.B.

  
(MAIN MUHAMMAD)  
MEMBER

  
(M. AMIN KHAN KUNDI)  
MEMBER

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For the purpose of this report, the data is as follows:



18-5 .2020

10/8/2020

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

Reader

10.08.2020

Due to summer vacations case to come up for the same on 12.10.2020 before D.B.

Reader

12.10.2020

Appellant present through counsel.

Mr. Riaz Khan Paindakheil learned Assistant Advocate General for respondents present.

Record shows that an application for impleadment had been filed on 13.09.2018 but no order was passed and the record is totally silent in this regard.

Application was filed for impleadment of the following employees as respondents.

1. Gul Muhammad
2. Hukam Khan.
3. Shoäib Khan.

The application was not objected to hence accepted and all three employees mentioned in the application stand impleaded in the panel of respondents. Entries be made in the memo of appeal as well as in the relevant register. Notice be issued to all the newly added respondents for 03.12.2020 before D.B.

(Mian Muhammad)  
Member (E)

(Rozina Rehman)  
Member (J)

03.12.2020

Bench is incomplete. Therefore, case is adjourned to  
04.03.2021 for the same as before.

  
Reader

04.03.2021


Due to COVID-19, the case is adjourned for the  
same on 07.06.2021 before D.B


  
**READER**

07.06.2021

Appellant in person present. Muhammad Adeel Butt  
learned Additional Advocate General for the respondents  
present.

Appellant sought adjournment on the ground that his  
counsel is not available today due to general strike on the call  
of Khyber Pakhtunkhwa Bar Council. Adjourned. To come up  
for arguments before the D.B on 13.09.2021.

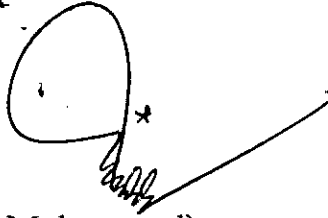
  
(ATIQ UR REHMAN WAZIR)  
MEMBER (E)

  
(SALAH-UD-DIN)  
MEMBER(J)

13.09.2021

Appellant with counsel present. Mr. Muhammad Rashid, DDA for respondents present.

Private respondents No. <sup>8, 9 and</sup> 6 to 10 are not present, therefore, notice of prosecution of appeal be issued to them as well as their counsel. Adjourned. To come up for arguments on 07.12.2021 before the D.B.



(Mian Muhammad)  
Member(E)



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


07.12.2021

Counsel for the appellant and Mr. Kabirullah Khattak, Addl. AG for the official respondents present.

Private respondents No. 8, 9 and 10 impleaded vide order dated 12.10.2020 are not in attendance. They be called for attendances through notice to be sent through registered post with A/D Cards. The appellant is directed to furnish the registered post envelopes alongwith A.D Cards for sending notices to the impleaded respondents No. 8, 9 and 10, within three days and then notices be sent to them as herein before directed. Case to come up for reply of respondents No. 8, 9 and 10 and arguments on 08.03.2022 before the D.B.



(Salah-ud-Din)  
Member(J)



Chairman

8-3-22


Due to retirement of the Honble  
Chairman the case is adjourned to  
28-6-22



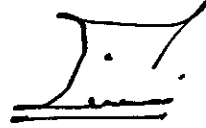
28.06.2022

Learned counsel for the appellant present. Mr. Riaz Khan Paindakheil, Assistant Advocate General for respondents present.

Learned counsel for the appellant requested for adjournment in order to prepare the brief of the case. Adjourned. To come up for arguments on 05.10.2022 before the D.B.



(Rozina Rehman)  
Member (J)



(Salah Ud Din)  
Member (J)

5<sup>th</sup> October, 2022 Appellant in person present. Mr. Muhammad Adeel Butt, Addl: AG for official respondents present. Private respondents are not in attendance.

*All the private respondents were put on notice*

Private respondents No. 8,9 and 10 were directed to submit reply vide order sheet dated 07.12.2021 with the directions to the appellant to furnish the registered post envelops alongwith A.D cards but those have not been submitted by the appellant. The appellant is directed to submit envelops alongwith A.D cards, thereafter private respondents be summoned through registered post for attendance and reply. To come up for arguments on 06.12.2022 before the D.B.




(Fareeha Paul)  
Member(Executive)




(Kalim Arshad Khan)  
Chairman

06<sup>th</sup> Dec. 2022 Junior to counsel for the appellant present. Mr. Muhammad Adeel Butt, Addl: AG for respondents present.

Junior to counsel for the appellant seeks adjournment on the ground that learned senior counsel is not available today. 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.

  
(Fareeha Paul)  
Member(Executive)

  
(Kalim Arshad Khan)  
Chairman