
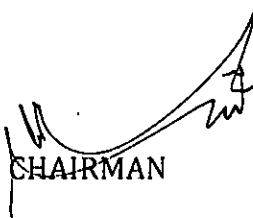


Form-A
FORM OF ORDERSHEET


Court of _____

Case No. 857/2017

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1	16/08/2017	<p>The appeal of Syed Imran Ali Shah presented today by Mr. Amin-ur-Rehman 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-	16.8.2017	<p>This case is entrusted to S. Bench for preliminary hearing to be put up there on <u>7-9-2017</u>.</p> <p style="text-align: right;"> CHAIRMAN</p>

07.09.2017

Appellant absent. Notice be issued to the appellant for attendance. To come up for preliminary hearing on 05.10.2017 before S.B.



(Muhammad Hamid Mughal)
Member (J)

05.10.2017

Appellant alongwith counsel present. Preliminary arguments heard. It was contended by learned counsel for the appellant that the appellant was serving in Revenue Department and was promoted on the recommendation of departmental promotion/selection committee from the post of Kanoongo to the post of District Kanoongo (BPS-14) on acting charge basis vide order dated 02.07.2013. It was further contended that later on on the recommendation of departmental promotion committee promoted the appellant as District Kanoongo on regular basis but with immediate effect. It was further contended that since the appellant was already qualified for promotion to the post of District Kanoongo on regular basis from the date when he was promoted to the post of District Kanoongo on acting charge basis therefore, the impugned dated 31.08.2016 to the extent of immediate effect is illegal and liable to be rectified. It was further contended that the said order is also affected the seniority of the appellant therefore, the same is liable to be modified.

The contentions raised by learned counsel for the appellant need consideration. The appeal is admitted for regular hearing subject to deposit of security and process fee within 10 days, thereafter notice be issued to the respondents for written reply/comments for 15.11.2017 before S.B.

Appellant Deposited
Security & Process Fee


(Muhammad Amin Khan Kundi)
Member

15.11.2017

Clerk of the counsel for the appellant present. Mr. Kabir Ullah Khattak, Addl: AG for the respondents present. Written reply not submitted. Requested for further adjournment. Adjourned. To come up for written reply/comments on 12.12.2017 before S.B.


Gul Zeb Khan)
Member (E)

12.12.2017

Appellant in person and Addl:AG alongwith Mr. M. Yousaf Khan, Supdt for respondents present. Written reply not submitted. Requested for adjournment. To come up for written reply/comments on 03.01.2018 before S.B.


(Ahmad Hassan)
Member (E)

03.01.2018


Counsel for the appellant present and Assistant AG alongwith Yousaf Khan, Supdt for the respondents present. Written reply on behalf of respondent no. 2, 3 & 4 submitted. Learned Assistant AG rely on behalf of respondent no.1 on the same. To come up for rejoinder and arguments on 14.03.2018 before D.B.


(Gul Zeb Khan)
Member (E)

14.03.2018

Counsel for the appellant and Mr. Muhammad Jan, Deputy District Attorney alongwith Mr. Ibrar Ali, Assistant Secretary for the respondents present. Through the present appeal, appellant seeks his antedated promotion to the post of District Kanoongo. However, neither the working paper nor minutes of meeting of Departmental Promotion Committee as well as promotion criteria are available on record. Representative of the department is directed to produce the same on or before the next date of hearing. Adjourned. To come up for such record, rejoinder and arguments on 03.05.2018 before D.B.


(Muhammad Amin Khan Kundi)
Member


(Muhammad Hamid Mughal)
Member

03.05.2018

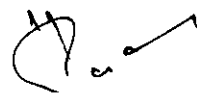
Due to retirement of the worthy Chairman, the Tribunal is incomplete, therefore the case is adjourned. To come up for same on 19.07.2018 before D.B


Reatley

19.07.2018

Learned counsel for the appellant and Mr. Muhammad Jan learned Deputy District Attorney alongwith Mr. Javid Assistant for the present. Learned counsel for the appellant seeks adjournment. Adjourned. To come up for arguments on 13.09.2018 before D.B



(Ahmad Hassan)
Member


(Muhammad Hamid Mughal)
Member

13.09.2018

Learned counsel for the appellant and Mr. Muhammad Jan learned Deputy District Attorney alongwith Mr. Atta Ullah Assistant Secretary for the respondents present. Representative of the respondents seeks adjournment to comply with the directions as mentioned in the order sheet dated 14.03.2018. Adjourned. To come up for record and arguments on 30.10.2018 before D.B


(Hussain Shah)
Member


(Muhammad Hamid Mughal)
Member

30.10.2018

Due to retirement of Hon'ble Chairman, the Tribunal is incomplete. Therefore, the case is adjourned. To come up for the same on 17.12.2018.

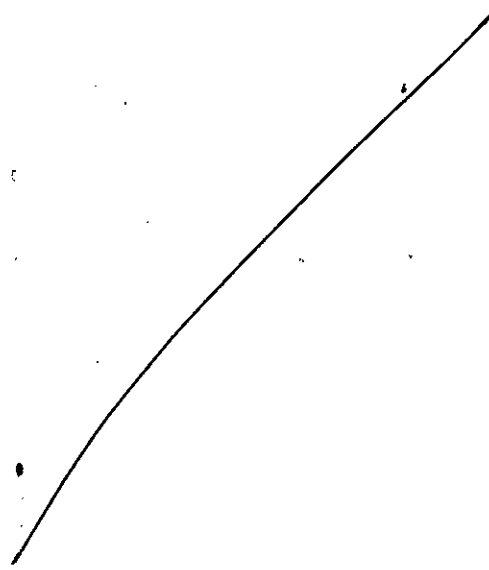

Reader

17.12.2018

Learned Counsel for the appellant and Mr. Kabirullah Khattak learned Additional Advocate General for the respondents present. Representative of the respondents is directed to produce the relevant record as mentioned in order sheet dated 14.03.2018. Adjourned. To come for record and arguments on 25.01.2019 before D.B


(Hussain Shah)
Member


(Muhammad Amin Kundi)
Member



25.01.2019

Counsel for the appellant present. Mr. Muhammad Riaz Khan Paindakhel, Assistant AG alongwith Mr. Muhammad Arif, Superintendent for the respondents present. Record mentioned in order sheet 14.03.2018 was not produced by the respondents. Representative of the department is directed to produce the record mentioned in order sheet dated 14.03.2018 positively on the next date. Adjourned to 11.03.2019 for record and arguments before D.B.


(AHMAD HASSAN)
MEMBER


(MUHAMMAD AMIN KHAN KUNDI)
MEMBER

11.03.2019


Junior to counsel for the appellant and Mr. Zia Ullah learned Deputy District Attorney alongwith Mr. Arif Superintendent for the respondents present and submitted Minutes of DPC which is placed on file, adjournment requested. Adjourn. To come up for arguments on 30.04.2019 before D.B.


Member


Member

30.04.2019

Counsel for the appellant and Mr. Riaz Ahmad Pinda Khel, Assistant AG alongwith Mr. Muhammad Arif, Superintendent for the respondents present. Learned counsel for the appellant seeks adjournment. Adjourned to 19.06.2019 for arguments before D.B.


(AHMAD HASSAN)
MEMBER


(M. AMIN KHAN KUNDI)
MEMBER

19.06.2019

Learned counsel for the appellant and Mr. Zia Ullah learned Deputy District Attorney alongwith Mr. Javed Assistant for the respondents present. Learned Deputy District Attorney seeks adjournment to furnish copy of working paper regarding promotion to the post of District Kanungo in the year 2013 and relevant promotion criteria/service rules in vogue in the year 2013. Adjourn. To come up for record/arguments on 20.06.2019 before D.B.


Member


Member

20.06.2019

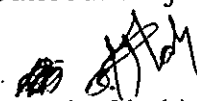
Learned counsel for the appellant present. Mr. Zia Ullah learned Deputy District Attorney alongwith Javid Assistant present. Arguments heard. To come up for order on 03.07.2019 before D.B.


Member


Member

03.07.2019


Appellant in person and Mr. Ziaullah, Deputy District Attorney alongwith Mr. Javed, Assistant for the respondents present. Learned Member Judicial Mr. Muhammad Hamid Mughal is on official tour at Camp Court Swat, therefore, order could not be announced. Adjourned to 16.07.2019 for order.


(Hussain Shah)

Member

16.07.2019


Appellant in person and Mr. Zia Ullah Learned Deputy District Attorney for the respondents present. Order could not be announced due to incomplete bench. Adjourned. To come up for order on 22.08.2019 before D.B.


(Hussain Shah)

Member

22.08.2019

Appellant in person present. Mr. Zia Ullah learned Deputy District Attorney for the respondents present. Order could not be announced due to learned judicial Member (Mr. Hamid Mughal) is on official tour at Camp Court Abbottabad. Adjourned. To come up for order on 30.8.2019 before D.B.



(Hussain Shah),

Member

30.08.2019

Appellant present. Mr. Zia Ullah learned Deputy District Attorney alongwith Atta ur Rehman SI present. To come up before proper bench which heard the arguments, on 13.09.2019 before D.B.



Member


Member

13.09.2019

Appellant present. Through the present service appeal the appellant seeks antedation of his promotion as District Kanungo and in pursuance there of rectification of the seniority list of District Kanungos however the appellant has not arrayed District Kanungos in the panel of respondents. The appellant is directed to furnish particulars of all those District Kanungos, against whom he claims his seniority, till the next date fixed as 18.10.2019. Adjourn. To come up for further proceedings on the date fixed before D.B


Member


Member

17.10.2019

Clerk to counsel for the appellant present. Mr. Kabir Ullah Khattak learned Additional Advocate General alongwith Muhammad Arif Superintendent present.

Clerk to counsel for the appellant submitted application for impleadment of officials in the calendar of respondents of the present service appeal. Name and particulars are mentioned in the Para-II of the application. Adjourn. To come up for arguments on the said application and further proceedings on 13.12.2019 before D.B.



Member



Member

13.12.2019

Lawyers are on strike as per the decision of All Pakistan Joint Lawyers Action Committee. Adjourn. To come up for further proceedings/arguments on 19.02.2020 before D.B



Member



Member

10.02.2020

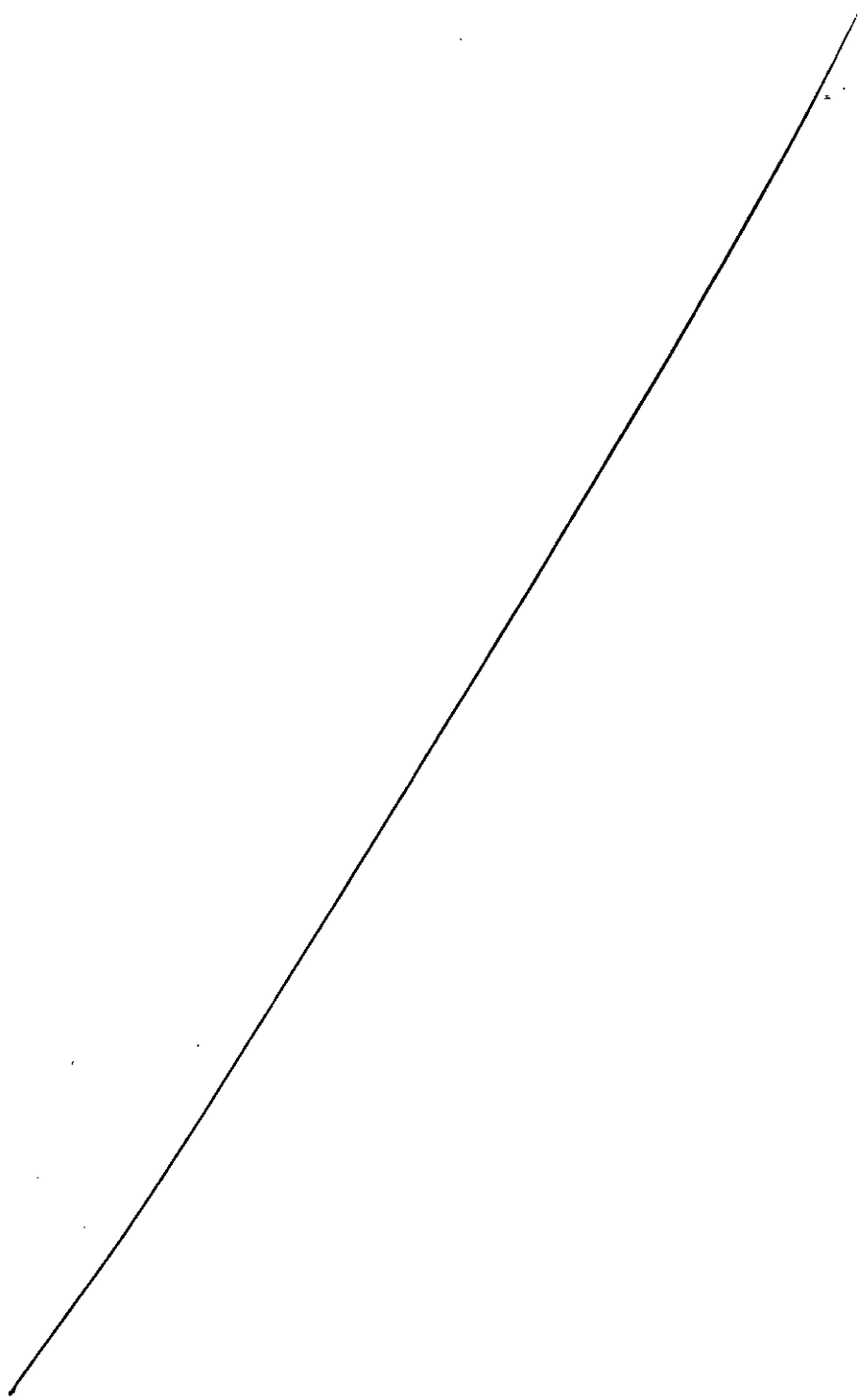
Counsel for the appellant and Mr. Riaz Ahmad Paindakheil, Assistant AG alongwith Mr. Arif, Superintendent for the respondents present. Learned counsel for the appellant requested for adjournment. Adjourned to 13.04.2020 for arguments on the impleadment application before D.B.



(Hussain Shah)
Member



(M. Amin Khan Kundi)
Member



Due Covid-19 the case is
adjourned. To come if further
source on 01-07-2020-
CMM
Roshan

13-04-20

01.07.2020

Due to COVID-19, the case is adjourned. To come up for the same on 30.09.2020 before D.B.



Reader

30.09.2020

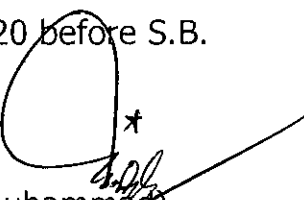
Appellant present through counsel.

Mr. Muhammad Jan learned Deputy District Attorney for respondents present.

Arguments on application heard. File perused.

Application in hand was submitted on behalf of appellant under Order 1 Rule 10 of Civil Procedure Code to the effect that final decision of the titled service appeal may affect adversely nine employees of the department, therefore, they deserve right of hearing in view of Article 10-A of Constitution of Islamic Republic of Pakistan, 1973. It was therefore, requested that the said officials mentioned in the application in Para-02 may be impleaded in the panel of respondents. This application was not objected to by the respondents.

Keeping in view the facts and circumstances of the case and in order to reach at a correct conclusion, application is accepted and all the officials mentioned in Para-02 of the application stand impleaded in the panel of respondents. Concerned Muharrir is directed to make entries in the memo of appeal as well as in the register with red ink. Notice be issued to all the respondents for 17.12.2020 before S.B.



(Mian Muhammad)
Member (E)



(Rozina Rehman)
Member (J)

17.12.2020

Junior to counsel for the appellant and Mr. Kabirullah Khattak learned AAG for respondents present.

Due to COVID-19, the case is adjourned for the same on 10.03.2021 before D.B.




READER

10.03.2021


Appellant present through counsel.

Riaz Khan Paindakheil learned Assistant Advocate General for respondents present.

Former submitted spare copies for notice to newly impleaded respondents. Notice be issued to newly impleaded respondents i.e. respondents No.5 to 13 for reply/comments. To come up for reply and arguments on 04/06/2021 before D.B.



(Atiq ur Rehman Wazir)
Member (E)

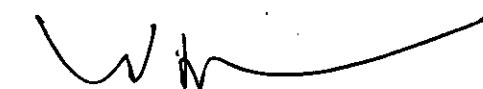


(Rozina Rehman)
Member (J)


04.06.2021

Learned counsel for the appellant present. Mr. Riaz Ahmad Paindakheil, Assistant Advocate General for official respondents No. 1 to 4 present.

Impleaded respondents No. 5 to 13 are absent and notices issued to them not returned back, therefore, they be summoned again and to come up for reply and arguments on impleadment application before the D.B on 03.08.2021.



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



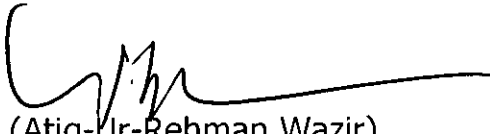
(SALAH-UD-DIN)
MEMBER (JUDICIAL)


03.08.2021

Junior of learned counsel for the appellant present.

Mr. Kabirullah Khattak, Additional Advocate General for official respondents No. 1 to 4, present.

Former requests for adjournment on the ground that senior counsel for the appellant is not available today. Adjourned. To come up for arguments on 07.12.2021 before D.B.


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


(Rozina Rehman)
Member (J)

07.12.2021

Counsel for the appellant and Mr. Asif Masood, Deputy District Attorney alongwith Muhammad Haroon, Assistant for the official respondents present.

Private respondents No. 5 to 13 impleaded vide order dated 30.09.2020 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. 5 to 13, within three days and then notices be sent to them as herein before directed. Case to come up for reply of respondents No. 5 to 13 and arguments on 08.03.2022 before the D.B.


(Salah-ud-Din)
Member(J)


Chairman

8-3-22

*due to Retirement of the Hon,ble Chairman
The case is adjourned to 28-6-22
Revised*

28.06.2022

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

Learned counsel for the appellant requested for adjournment on the ground that he has not prepared the brief of the case. Adjourned. To come up for arguments on 13.09.2022 before the D.B.



(Rozina Rehman)
Member (J)

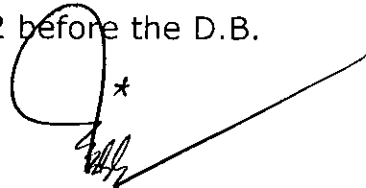


(Salah Ud Din)
Member (J)

13.09.2022

Learned counsel for the appellant present. Mr. Imran Akbar, Assistant alongwith Mr. Muhammad Riaz Khan Paindakhel, Assistant Advocate General for official respondents No. 1 to 4 present. None present on behalf of private respondents No. 5 to 13, therefore, they be summoned through TCS, the expenses of which be deposited by the appellant within three days. Learned counsel for the appellant shall submit correct addresses of private respondents No. 5 to 13 within three days. Adjourned. To come up for arguments on 20.10.2022 before the D.B.

*respondent 5 to 13
were put on notice*



(Mian Muhammad)
Member (Executive)



(Salah-Ud-Din)
Member (Judicial)

20th Oct, 2022

Learned counsel for the appellant present. Mr. Muhammad Riaz Khan Paindakhel, Asst: AG alongwith Mr. Imran, Assistant for respondents present.

Learned counsel for the appellant seeks adjournment on the ground that he has not prepared the case. Last opportunity is granted to him to argue the case on the next date failing which the case will be decided on the available record without arguments. To come up for arguments on 30.11.2022 before D.B.



(Fareeha Paul)
Member(Executive)



(Kalim Arshad Khan)
Chairman

30th Nov. 2022

Counsel for the appellant present. Mr. Muhammad Riaz Khan Paindakhel: AG for respondents present.

Learned counsel for the appellant seeks adjournment on the ground that he has not prepared the case. Adjourned as last chance. To come up for arguments on 19.01.2023 before the D.B.



(Fareeha Paul)
Member(Executive)



(Kalim Arshad Khan)
Chairman