




Form- A
FORM OF ORDER SHEET

Court of _____

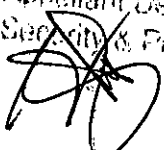
Case No. 19/2017

S.No.	Date of order proceedings	Order or other proceedings with signature of judge or Magistrate
1	2	3
1	09/01/2017	<p style="text-align: center;">The appeal of Dr. Hakim Khan resubmitted today by Mr. Muhammad Asif Yousafzai 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-	10-1-2017	<p style="text-align: center;">This case is entrusted to S. Bench for preliminary hearing to be put up there on <u>16-1-2017</u>.</p> <p style="text-align: right;"> CHAIRMAN</p>
	16.01.2017	<p style="text-align: center;">Counsel for the appellant present. Requested for adjournment. Request accepted. To come up for preliminary hearing on 26.01.2017 before S.B.</p> <p style="text-align: right;"> (AHMAD HASSAN) MEMBER</p>


26.01.2017

Learned counsel for the appellant argued that the appellant is serving as Associate Professor at Hazara University. That previously he was serving as Research Officer Hazara Agriculture Research Station, Abbottabad. That where-after appellant applied for the post of Assistant Professor Hazara University and was appointed as such on 11.11.2010. That the appellant applied for resignation from his previous position w.e.f. 31.08.2009 which was accepted w.e.f 31.07.2010 constraining the appellant to prefer service appeal No. 557/2013 which was decided on 20.04.2016 directing the respondents to consider the case of the appellant at par with the case of similarly placed employee namely Dr. Ayub ex-Research Officer. That vide impugned order dated 13.10.2016 communicated to the appellant on 23.11.2016 the request of the appellant declined by the appellate authority constraining the appellant to prefer the instant service appeal on 22.12.2016.

That the impugned order of the appellate authority is against facts and law and appellant entitled to the grant of resignation from his previous service w.e.f 31.08.2009.

Appellant Deposited
Security & Process Fee


Points urged need consideration. Admit. Subject to deposit of security and process fee within 10 days notices be issued to the respondents. To come up for written reply/comments on 02.03.2017 before S.B.


Chairman

02.03.2017

Counsel for the appellant and Assistant AG for respondents present. Written reply not submitted. Requested for adjournment. To come up for written reply/comments on 10.04.2017 before S.B.


Chairman

10.04.2017

Junior to counsel for the appellant and Addl. AG for the respondents present. Written reply not submitted. Requested for further adjournment. Last opportunity granted. To come up for written reply/comments on 11.05.2017 before S.B.


Chairman

11.05.2017

Counsel for appellant present. Mr. Muhammad Ilyas, Statistician alongwith Mr. Muhammad Adeel Butt, Additional AG for the respondents also present. Written reply by respondents not submitted despite last opportunity. Learned Additional AG requested for further time for submission of written reply. Last opportunity is further extended subject to payment of cost of Rs. 500/- which shall be borne by the respondents from their own pockets. To come up for written reply/comments and cost on 03.07.2017 before S.B.


(MUHAMMAD AMIN KHAN KUNDI)
MEMBER

03.07.2017

Counsel for the appellant and Addl: AG alongwith Mr. Muhammad Ilyas, Statistician for respondents present. Written reply not submitted. Requested for further time. Last opportunity if further extended subject to payment of cost of Rs. 1000/- which shall be borne by the respondents from their own pockets. To come up for written reply/comments on 07.08.2017 before S.B.


(Ahmad Hassan)
Member

07.08.2017

Appellant with counsel and Addl: AG alongwith Dr. Bashir ullah, A.D(Planning) and Mr. Wasim Khan, Senior Clerk for respondents present. Written reply not submitted. Requested for further time. Last opportunity further extended subject to payment of cost of Rs. 1500/- which shall be borne by the respondents from the their own pockets. Adjourned. To come up for written reply/comments on 21.09.2017 before S.B.


(Ahmad Hassan)
Member

21.09.2017

Counsel for the appellant and Adll: AG alongwith Mr. Sufiyan A.D for respondents present. Written reply submitted. Cost of Rs. 1500/- also paid and receipt thereof obtained from the learned counsel for the appellant. The appeal is assigned to D.B for rejoinder and final hearing on 22-12-2017


(Ahmad Hassan)
Member

22.12.2017

Junior to counsel for the appellant, and Mr. Muhammad Riaz, Asstt. AG for the respondents present. Senior counsel for the appellant is not in attendance due to death of his wife. Adjourned. To come up for arguments on 16.02.2018 before the D.B.

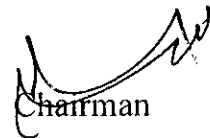

Member


Chairman

26.02.2018

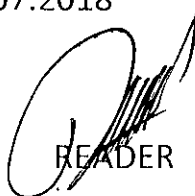
Counsel for the appellant and Addl. AG for the respondents present. Counsel for the appellant seeks adjournment. To come up for arguments on 30.04.2018 before the D.B.


Member


Chairman

6.7.2018

Clerk to counsel for the appellant and Mr. Kabir Ullah Khattak, learned Additional Advocate General present. The Tribunal is defunct due to retirement of Hon'ble Chairman. Therefore the case is adjourned. To come up for the same on 13.07.2018


READER

13.07.2018


Learned counsel for the appellant and Mr. Usman Ghani, learned District Attorney present. Learned counsel for the appellant submitted rejoinder which is placed on file and seeks adjournment. Adjourned. To come up for arguments on 10.09.2018 before D.B.



(Ahmad Hassan)
Member


(Muhammad Hamid Mughal)
Member

10.09.2018

Learned counsel for the appellant and Mr. Kabir Ullah Khattak learned Additional Advocate General present. Learned counsel for the appellant seeks adjournment to furnish some relevant documents. Adjourned. To come up arguments on 31.10.2018 before D.B


(Hussain Shah)
Member


(Muhammad Hamid Mughal)
Member

31.10.2018

Due to retirement of Hon'ble Chairman, the Tribunal is defunct. Therefore, the case is adjourned. To come up on 19.12.2018.


READER

19.12.2018


Junior to counsel for the appellant and Mr. Kabirullah Khattak learned Additional Advocate General for the respondents present. Junior to counsel for the appellant requested for adjournment that as senior counsel for the appellant is not in attendance. Adjourned. To come up for arguments on 12.02.2019 before D.B.

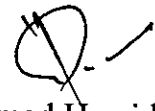

(Hussain Shah)
Member


(Muhammad Amin Kundi)
Member

12.02.2019

Counsel for the appellant present. Mr. Riaz Ahmad Paindakheil, Assistant AG for the respondents present. Learned counsel for the appellant submitted application alongwith additional documents. The same are placed on record. Adjourn. To come up for arguments on 15.03.2019 before D.B.


(M. Amin Khan Kundi)
Member


(Muhammad Hamid Mughal)
Member

15.03.2019

Appellant in person and 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 12.04.2019 before D.B


Member



Member

12.04.2019

Appellant with counsel present. Asst: AG for respondents present.

The case was argued at some length and learned counsel for the appellant invited attention to an application dated 12.02.2019, whereby some documents were placed on record. Reportedly a copy of the same was also handed over to the learned Asst: AG on the previous date of hearing. As factual controversy is involved in the matter and can only be resolved when reply of the respondents on the said application is received. Respondents are directed to submit reply on the said application within a period of 10 days. Case to come up for arguments on 10.05.2019 before D.B.



(Ahmad Hassan)
Member


(M. Amin Khan Kundi)
Member

10.05.2019

Clerk to counsel for the appellant and Mr. Kabir Ullah Khattak learned Additional Advocate General present. Clerk to counsel for the appellant seeks adjournment on the ground that learned counsel for the appellant is not available. Adjourn. To come up for arguments on 01.07.2019 before D.B.


Member


Member

01.07.2019

Appellant alongwith his counsel and Mr. Ziaullah, Deputy District Attorney alongwith M/S Muhammad Ilyas, Director Agriculture and Daud Khan, Assistant Director for the respondents present. Learned Deputy District Attorney submitted reply of the application mentioned in order sheet dated 12.04.2019. The same is placed on record. Adjourned to 26.08.2019 for arguments before D.B.



(HUSSAIN SHAH)
MEMBER



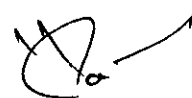
(M. AMIN KHAN KUNDI)
MEMBER

26.08.2019

Appellant in person present. Addl: AG for respondents present. Appellant seeks adjournment due to general strike on the call of Peshawar Bar Association. Adjourn. To come up for arguments on 08.10.2019 before D.B.



Member



Member

08.10.2019

Junior to counsel for the appellant present. Mr.Ziaullah, DDA alongwith Mr. M. Ilyas, Senior Statistician and Mr. Tauheed, AD for respondents present. Junior to counsel for the appellant seeks adjournment. Adjourn. To come up for arguments on 8.11.2019 before D.B.




Member




Member

08.11.2019

Learned counsel for the appellant and Mr. Usman Ghani learned District Attorney alongwith Toheed Iqbal AD present. Learned counsel for the appellant seeks adjournment. Adjourn. To come up for arguments on ~~13~~ 12.2019 before D.B.


Member


Member

13.12.2019

Appellant in person present. Addl: AG for respondents present. Appellant seeks adjournment due to general strike of the bar. Adjourned. Case to come up for arguments on 10.02.2020 before D.B.


Member


Member

10.02.2020


Appellant alongwith his counsel and Mr. Riaz Ahmad Paindakheil, Assistant AG for the respondents present. Learned counsel for the appellant requested for adjournment. Adjourned to 06.03.2020 for arguments before D.B.


(Hussain Shah)
Member


(M. Amin Khan Kundi)
Member

06.03.2020

Counsel for the appellant present. Mr. Ziaullah, DDA alongwith Mr. Tauheed Iqbal, Assistant Director for respondents present. Learned counsel for the appellant seeks adjournment. Adjourned. To come up for arguments on 03.04.2020 before D.B.


Member


Member

03/4/2020

Due to COVID-19, the case is adjourned. To come up for the same on 30.6.2020.



30.06.2020

Due to COVID-19, the case is adjourned to 25.08.2020 for the same.


Reader

25.08.2020


Due to summer vacation case to come up for the same on 16.10.2020 before D.B.

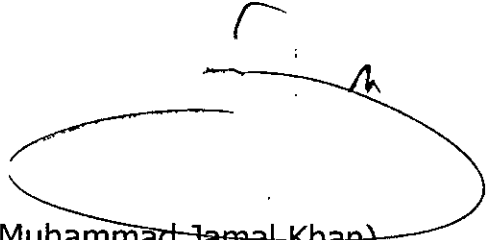

Reader

16.10.2020

Appellant in person present. Mr. Muhammad Jan learned Deputy District Attorney for respondents present.

Former requests for adjournment that his senior counsel ~~is busy~~ is busy before Hon'ble Peshawar High Court. Adjourned. To come up for arguments on 11.12.2020 before D.B.


(Atiq-Ur-Rehman Wazir)
Member


(Muhammad Jamal Khan)
Member

11.12.2020

Junior counsel for appellant is present. Mr. Kabirullah Khattak, Additional Advocate General and Mr. Toheed Iqbal, Assistant Director, for the respondents are also present.


Due to COVID-19, the case is adjourned to 05.03.2021 before D.B.


READER

05.03.2021

Nemo for the appellant. Mr. Abdur Rashid, DDA for the respondents present.

On the last date, the proceedings were adjourned on the strength of Reader's Note. Junior Counsel for the appellant was present on the last date while the respondents were duly represented. Despite repeated calls today, no one is available to represent the appellant, therefore, notice for next date be sent to appellant. Adjourned to 11.06.2021 for hearing before the D.B.


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


Chairman

11.06.2021

Nemo for the appellant. Mr. Muhammad Rasheed, Deputy District Attorney for the respondents present. Notice for prosecution of the appeal be issued to appellant as well as his counsel and to come up for arguments before the D.B on 09.09.2021.



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



(SALAH-UD-DIN)
MEMBER (JUDICIAL)

Noted
17/06/21

09.09.2021

Clerk of counsel for appellant present.

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

Lawyers are on general strike. Therefore, case is adjourned. To come up for arguments on 25.01.2022 before D.B.



(Rozina Rehman)
Member (J)



Chairman

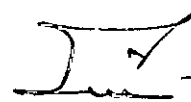
25.01.2022

Clerk of the learned counsel for the appellant present. Mr. Tauheed Iqbal AD (Legal) alongwith Mr. Kabir Ullah Khattak Additional Advocate General for respondents present.

Clerk of the learned counsel for appellant stated that learned counsel for appellant is unable to attend the Tribunal today due to strike of lawyers. Adjourned. To come up for arguments before the D.B on 31.03.2022.



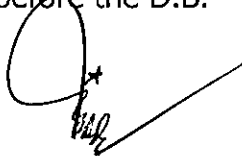
(Rozina Rehman)
Member (J)



(Salah-Ud-Din)
Member (J)

31st March, 2022 Appellant in person present. Mr. Kabirullah Khattak, Addl. A.G alongwith Tauheed Iqbal, AD (Legal) for the respondents present.

Former seeks adjournment due to non-availability of learned senior counsel for the appellant. Adjourned. Last opportunity is granted. To come up for arguments on 02.06.2022 before the D.B.



(Mian Muhammad)
Member(Executive)



Chairman

02.06.2022 Junior to counsel for the appellant present.

Naseer Ud Din Shah learned Assistant Advocate General alongwith Toheed Iqbal AD (Legal) for respondents present.

Lawyers are on general strike, therefore, case is adjourned. To come up for arguments on 08.07.2022 before D.B.



(Fareeha Paul)
Member(E)



(Rozina Rehman)
Member (J)

8-7-2022

Due to Holidays of Eid-ul-Azha
the case is adjourned to 25-10-2022


Reader

25.10.2022

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

Learned counsel for the appellant requested for adjournment on the ground that he has not made preparation for arguments. Adjourned. To come up for arguments before the D.B on 01.12.2022.



(Mian Muhammad)
Member (E)



(Salah-Ud-Din)
Member (J)

1st Dec. 2022

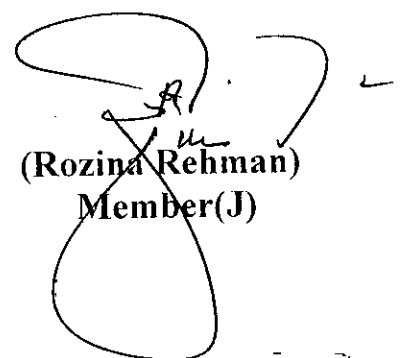
Nemo for the appellant. Mr. Muhammad Riaz Khan Paindakhel, Assistant Advocate General for the respondents present.

02. Called several times, till rising of the court but nobody turned up on behalf of the appellant. The appeal is, therefore, dismissed in default. Consign.

03. *Pronounced in open Court at Peshawar and given under my hand and the seal of the Tribunal on this 1st day of December, 2022.*



(Freeha Paul)
Member(E)



(Rozina Rehman)
Member(J)