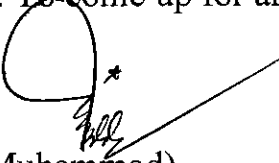



08.12.2022

Learned counsel for the appellant present. Mr. Arif Saleem, ASI alongwith Mr. Naseer-ud-Din Shah, 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 on 13.12.2022 before the D.B.

  
(Mian Muhammad)  
Member (E)


  
(Salah-Ud-Din)  
Member (J)

30<sup>th</sup> Nov. 2022

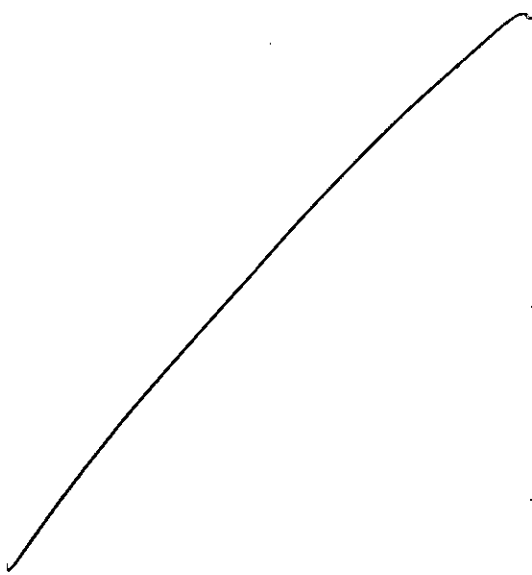
Learned counsel for the appellant present. Mr. Naseerud Din Shah, Assistant Advocate General for the respondents present.

File received from the learned D.B-II with the observation that the matter was heard by both of us (the undersigned) but vide order sheet dated 31.05.2022 in connected Service Appeal No. 1369/2018 titled "Farman Ali Vs. DPO, Swat and others", the bench sought some clarification which were not made, therefore, let it be fixed before any available D.B. To come up for arguments on 08.12.2022 before the D.B.

SCANNED  
KP&T  
Peshawar

  
(Fareeha Paul)  
Member (E)

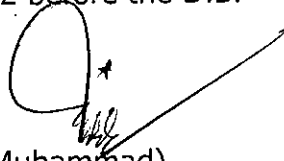
  
(Kalim Arshad Khan)  
Chairman



20.09.2022

Ms. Uzma Syed, Advocate junior of learned counsel for the appellant present. Mr. Naseer-Ud-Din Shah, Assistant Advocate General for the respondents present.

Junior of learned counsel for the appellant sought adjournment on the ground that learned counsel for the appellant is busy in the august Peshawar High Court, Peshawar. Adjourned. To come up for arguments on 30.11.2022 before the D.B.



(Mian Muhammad)  
Member (E)

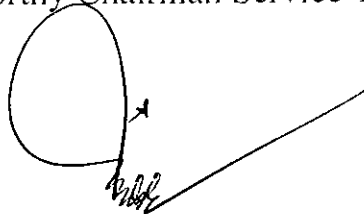


(Salah-Ud-Din)  
Member (J)

30.11.2022

Learned counsel for the appellant present. Mr. Hikmat Khan, Head Constable alongwith Mr. Naseer-ud-Din Shah, Assistant Advocate General for the respondents present.

Learned Assistant Advocate General stated that arguments in similar nature appeal have been heard by a bench comprising of worthy Chairman and Miss. Fareeha Paul learned Member (Executive) and the appeal was fixed for order, therefore, the appeal in hand may also be fixed before the said bench. The appeal in hand is, therefore, sent to worthy Chairman Service Tribunal for further appropriate order. Learned counsel for the parties shall appear before the worthy Chairman Service Tribunal today at 12:55 P.M.



(Mian Muhammad)  
Member (E)



(Salah-Ud-Din)  
Member (J)

23.06.2022

Junior to counsel for the appellant present.

Riaz Khan Paindakheil learned Assistant Advocate General for respondents present.

Former submitted an application for adjournment as senior counsel for appellant is busy before Hon'ble Peshawar High Court, Peshawar. Learned counsel for the appellant had sought time to argue the case on the preceding date as well, where-after, last chance was given. Today he is busy in the High Court, therefore junior counsel for appellant is directed to make sure the presence of senior counsel on the next date positively. To come up for arguments on 19.07.2022 before D.B.



(Fareeha Paul)  
Member (E)



(Rozina Rehman)  
Member (J)

19.07.2022

Appellant present through counsel.

Kabir Ullah Khattak, learned Additional Advocate General for respondents present.

Former made a request for adjournment as he has not prepared the brief. Adjourned by way of last chance. To come up for arguments on 20.09.2022 before D.B.



(Fareeha Paul)  
Member(E)



(Rozina Rehman)  
Member (J)

01.02.2022

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

Clerk of learned counsel for the appellant requested for adjournment on the ground that learned counsel for the appellant is busy before the august Peshawar High Court, Peshawar. Adjourned. To come up for arguments on 12.05.2022 before the D.B.



(Rozina Rehman)  
Member (J)



(Salah-ud-Din)  
Member (J)

ORDER  
12.05.2022

Deleted, for reconstitution of Bench. To come up for order on 26.05.2022.



Reader

26<sup>th</sup> May, 2022

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

Learned counsel for the appellant seeks time to argue the case on the next date. Adjourned but as a last chance. To come up for arguments on 23.06.2022 before D.B.



(Fareeha Paul)  
Member(E)





(Kalim Arshad Khan)  
Chairman

29.06.2021

Mr. Saad Ullah Khan Marwat, Advocate, for the appellant present. Muhammad Adeel Butt, Additional Advocate General alongwith Mr. Arif Saleem Stenographer for the respondents present.

We being Members of Larger Bench, remained busy in hearing arguments in the appeals fixed before the Larger Bench, therefore, arguments in the instant appeal could not heard. Adjourned. To come up for arguments before the D.B on 21.10.2021

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


  
(SALAH-UD-DIN)  
MEMBER (JUDICIAL)

21.10.2021

Counsel for appellant present.

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

Request for adjournment was made on behalf of learned ~~counsel~~; granted. To come up for arguments on 01.02.2022 before D.B.

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

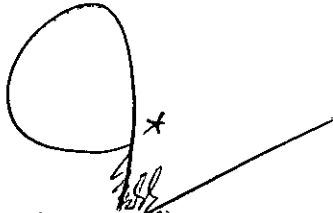
  
(Rozina Rehman)  
Member (J)



04.01.2021

Miss. Uzma Syed, Advocate counsel for the appellant present. Additional AG alongwith Mr. Arif Saleem, Steno for respondents present.

At the opening of the case at the very outset, the learned Additional AG referred to the impugned order dated 02.03.2012 which has been made efficacious ex-post-fictively and since the issue involved is pending adjudication before the larger bench of this Tribunal, therefore, it would be appropriate to adjourn the present appeal till the decision on the matter by the larger bench. Till then the case is adjourned to 29.03.2021 for further proceedings before D.B.



(Mian Muhammad)  
Member(E)



(M. Jamal Khan)  
Member(J)

29.03.2021

The concerned D.B is not available today, therefore, the appeal is adjourned to 29.06.2021 for the same.



Reader

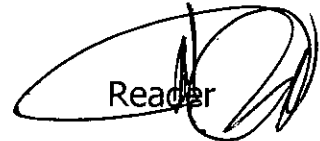
10.06.2020

Bench is incomplete as one learned Member (J) is on leave. Therefore, the case is adjourned. To come up for the same on 24.08.2020 before D.B.

  
Reader

24.08.2020

Due to summer vacation case to come up for the same on 28.10.2020 before D.B.

  
Reader

28.10.2020

Junior to counsel for the appellant and Addl. AG alongwith Arif Saleem, ASI for the respondents present.

The Bar is observing general strike, therefore, the matter is adjourned to 04.01.2021 for further proceedings before the D.B.

  
(Atiq-ur-Rehman Wazir)  
Member

  
Chairman



14.11.2019

Learned counsel for the appellant present. Mr. Usman Ghani learned District Attorney present. Learned counsel for the appellant seeks adjournment. Adjourn. To come up for arguments on 17.01.2020 before D.B



Member



Member

17.01.2020

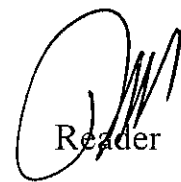
Appellant absent. Learned counsel for the appellant absent. Lawyers community is on strike on the call of Khyber Pakhtunkhwa Bar Council. Learned Member (Executive) is not available. Adjourned for 24.03.2020 before D.B.



Member

24.03.2020

Due to public holidays on account of Covid-19, the case is adjourned. To come up for the same on 10.06.2020 before D.B.



Reader

06.05.2019

Junior counsel for the appellant and Mr. Kabirullah Khattak, Additional AG alongwith Mr. Inayatullah, Head Constable for the respondents present. Written reply on behalf of respondents not submitted. Learned Additional AG requested for further time for filing of written reply. Adjourned to 26.06.2019 for written reply/comments before S.B.



(MUHAMMAD AMIN KHAN KUNDI)  
MEMBER

26.06.2019

Junior to counsel for the appellant and Mr. Kabir Ullah Khattak learned Additional Advocate General alongwith Inayat Ullah H.C present. Representative of respondent department submitted written reply/comments. Adjourn. To come up for rejoinder, if any, and arguments on 30.08. 2019 before D.B.



Member

22.03.2019

Learned counsel for the appellant present.  
Preliminary arguments heard.

The appellant was enlisted in service in the year 2008. After completion of training in PTC Hangu he was posted in various police station. In the year 2012 he was dismissed from service w.e.f. 28.11.2011 by respondent No. 1. The appellant submitted departmental appeal to respondent No.2 on 20.09.2012 which was rejected on 07.11.2012. The learned counsel for the appellant argued that not only the appellant was dismissed from service on account of absence but many other were also dismissed on the same ground but they all were reinstated vide order dated 30.11.2010, 15.03.2017 and 09.08.2017. Those reinstatement order are placed on file. It was further contended that the dismissal from service was retrospectively apart from converting the absence period as leave without pay which impliedly means that the absence period was regularized as such the very ground of dismissal was regularized rendering the dismissal order as void.

Points raised need consideration. The appeal is admitted for regular hearing. Subject to all legal objections. The appellant is directed to deposit security and process fee within ten (10) days. Thereafter notices be issued to the respondents for written reply/comments. To come up for written reply/comments on 06.05.219 before S.B.

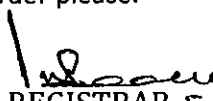
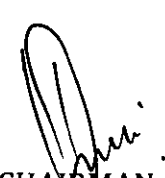

Appellant Deposited  
Security & Process Fee

  
Member

Form- A  
FORM OF ORDER SHEET

Court of \_\_\_\_\_

Case No. 182/2019

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	06/2/2019	<p>The appeal of Mr. Sawab Gul presented today by Mr. Saadullah Khan Marwat 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> <p>This case is entrusted to S. Bench for preliminary hearing to be put up there on <u>15-3-19</u>.</p> <p style="text-align: right;"> CHAIRMAN</p> <p>Learned counsel for the appellant present and seeks adjournment on the ground that similar nature appeals are fixed for 22.03.2019. Adjourn. To come up for preliminary hearing on <del>22.03.2019</del> before S.B</p> <p style="text-align: right;"> Member</p>
15.03.2019		