

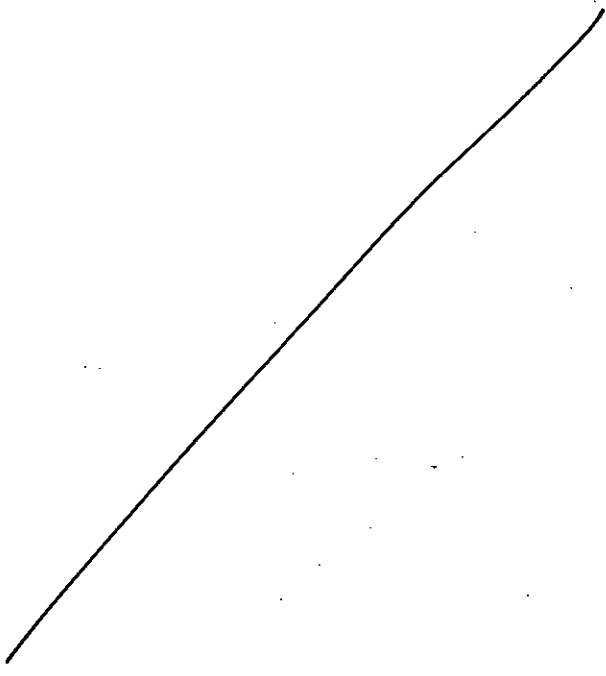


Form- A
FORM OF ORDER SHEET

Court of _____
Case No. 1172/2016

S.No.	Date of order proceedings	Order or other proceedings with signature of judge or Magistrate
1	2	3
1	23/11/2016	<p>The appeal of Dr. Nazir Hussain resubmitted today by Mr. Muhammad Asif Yousafzai Advocate may be entered in the Institution Register and put up to the Learned Member for proper order please.</p> <p style="text-align: right;"> REGISTRAR</p> <p>2-</p> <p>This case is entrusted to S. Bench for preliminary hearing to be put up there on <u>7-12-16</u>.</p> <p style="text-align: right;"> MEMBER</p> 

07.12.2016

Counsel for the appellant present. Learned counsel for the appellant requested for adjournment for preparation. Request accepted. To come up for preliminary hearing on 16.01.2017 before S.B.


(ASHFAQUE TAJ)
MEMBER

16.01.2017

Counsel for the appellant present. Requested for adjournment. Request accepted. To come up for preliminary hearing on 26.01.2017 before S.B.


(AHMAD HASSAN)
MEMBER



1172/2016

26.01.2017

Learned counsel for the appellant argued that the appellant was serving as Senior Director BPS-19 when appointed as Director General Agriculture Research, a post of BPS-20, w.e.f 18.3.2011. That the appellant served against the said post and was entitled to perks and privileges attached to the said post which was granted to him w.e.f. 25.4.2014 upto 25.09.2014 however the same was not granted to him w.e.f. 18.3.2011 upto March, 2014 constraining the appellant to prefer departmental appeal on 15.08.2016 which was not responded and hence the instant service appeal on 16.11.2016.

That the appellant is entitled to the perks and privileges attached to the post of Director General Agriculture Research BPS-20 for the afore-stated period w.e.f, March, 2011 to March 2014.

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 01.3.2017 before S.B.

Applicant Deposited
Security Process Fee

Chairman


01.03.2017

Clerk to counsel for the appellant and Addl: AG for respondents present. Written reply not submitted. Requested for adjournment. To come up for written reply/comments on 30.03.2017 before S.B.

(MUHAMMAD SAMIR NAZIR)
MEMBER


03.2017

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 24.04.2017 before S.B.


Chairman

26.04.2017

Counsel for the appellant and Mr. Fakhr Ul Islam SO (Litigation) alongwith Addl: AG for the respondents present. Written reply not submitted despite grant of last opportunities. Requested for further adjournment. Last opportunity is further extended subject to payment of cost of Rs. 500/- which shall be borne by respondents from their own pockets. To come up for written reply/comments on 30.05.2016 before S.B.


(Ahmad Hassan)
Member


30.05.2017

Counsel for the appellant and Mr. Waseem, Junior Clerk alongwith Addl. AG for the respondents present. Written reply not submitted despite extension of last opportunity and cost of Rs. 500/-. Another last opportunity is extended subject to payment of further cost of Rs. 500/- which shall be borne by the respondents from their own pockets. To come up for written reply/comments and cost of Rs. 1000/- on 18.07.2017 before S.B.


Registrar

10. 18.07.2017

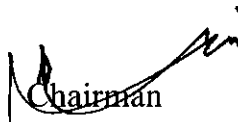
Counsel for the appellant and Mr. Muhammad Adeel Butt, Additional AG alongwith Mr. Waseem, Senior Clerk for the respondent present. Written reply alongwith cost of Rs/ 1000/- submitted receipt obtained from the learned counsel of the appellant. To come up for rejoinder and arguments on 12.09.2017 before D.B.


(Muhammad Hamid Mughal)
Member

12.09.2017

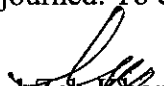
Counsel for the appellant and Assistant AG alongwith Fakhrul Islam, SO (Lit.) for the respondents present. Counsel for the appellant seeks adjournment. Adjourned. To come up for arguments on 09.11.2017.

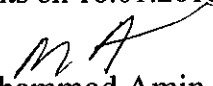

Member


Chairman

09.11.2017


Junior counsel for the appellant present. Mr. Ziaullah, Deputy District Attorney for the respondents also present. Junior counsel for the appellant requested for adjournment on the ground that learned senior counsel for the appellant is not available today. Adjourned. To come up for arguments on 18.01.2018 before D.B.



(Gul Zeb Khan)
Member


(Muhammad Amin Khan Kundi)
Member

18.01.2018


Clerk of the counsel for appellant present. Mr. Muhammad Jan, DDA for the respondents present. Clerk of the counsel for appellant seeks adjournment as ~~his~~ senior counsel is not in attendance today. Adjourn. To come up for arguments on 21.03.2018 before D.B.


(Gul Zeb Khan)
Member (E)


(Muhammad Hamid Mughal)
Member (J)

21.03.2018

Appellant absent. Learned counsel for the appellant is also absent. However, clerk of the counsel for appellant present and seeks adjournment. Mr. Muhammad Jan, Deputy District Attorney for the respondents present. Adjourned. To come up for arguments on 17.05.2018 before D.B.


(Muhammad Amin Khan Kundi)
Member


(Muhammad Hamid Mughal)
Member

17.05.2018

Appellant absent. Learned counsel for the appellant is also absent. However, junior to learned senior counsel for the appellant present and seeks adjournment. Mr. Usman Ghani, District Attorney alongwith Mr. Muhammad Ilyas, Senior Statistician for the respondent also present. Adjourned. To come up for arguments on 01.08.2018 before D.B.


(Muhammad Amin Khan Kundi)
Member


(Muhammad Hamid Mughal)
Member

Service Appeal No. 1172/2016

01.08.2018

Appellant absent. Learned counsel for the appellant is also absent. However, junior counsel for the appellant present and requested for adjournment. Mr. Riaz Ahmad Paindakheil, Assistant AG alongwith Mr. Muhammad Ilyas, Director and Mr. Waseem, Senior Clerk for the respondents present. Adjourned. To come up for arguments on 24.09.2018 before D.B.



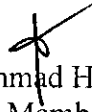
(Ahmad Hassan)
Member (E)



(Muhammad Hamid Mughal)
Member (J)

24.09.2018

Junior to counsel for the appellant present. Mr. Wasim, Senior Clerk alongwith Mr. Ziaullah, DDA for respondents present. Junior to counsel for the appellant made a request for adjournment. Granted. Case to come up for arguments on 31.10.2018 before D.B.



(Ahmad Hassan)
Member



(M. Amin Khan Kundi)
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.



19.12.2018

junior to counsel for the appellant and Mr. Muhammad Jan learned Deputy District Attorney 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 13.02.2019 before D.B.


(Hussain Shah)
Member


(Muhammad Amin Kundi)
Member

13.02.2019

Junior to counsel for the appellant and Mr. Muhammad Jan learned Deputy District Attorney for the respondents present. Junior to counsel for the appellant requested for adjournment as senior counsel for the appellant is not in attendance. Adjourned. To come up for arguments on 15.03.2019 before D.B.


(Hussain Shah)
Member


(Muhammad Amin Khan Kund))
Member

15.03.2019

Junior to counsel for the appellant and Mr. Kabir Ullah Khattak learned Additional Advocate General alongwith Toheed Iqbal Research Officer present. Junior to counsel for the appellant seeks adjournment as senior counsel for the appellant is not in attendance. Adjourn. To come up for arguments on 06.05.2019 before D.B


Member


Member

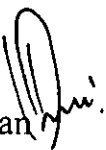
06.05.2019

Appellant with counsel and Mr. Ziaullah, DDA for respondents present.

Learned counsel for the appellant requests for adjournment as he ^{has} not prepared the brief of the matter.


Adjourned to 17.06.2019 for arguments before D.B.


Member

Chairman 

17.06.2019


Learned counsel for the appellant and Mr. Zia Ullah learned Deputy District Attorney for the respondents present. Learned counsel for the appellant seeks adjournment. Adjourned. To come up for arguments on 05.08.2019 before D.B.

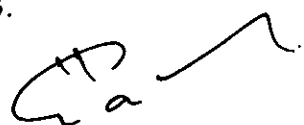

Member


Member

05.08.2019

Learned counsel for the appellant present. Mr. Zia Ullah learned Deputy District Attorney alongwith Toheed Iqbal AD present. Representative of the respondent department submitted working paper for promotion to the post of Director General Agriculture Research Khyber Pakhtunkhwa, Peshawar/Senior Director, Agriculture Research Institute, Tarnab, Peshawar/Senior Director Outreach, Agriculture Research Khyber Pakhtunkhwa Peshawar alongwith pertinent documents/allied documents. Learned counsel for the appellant seeks adjournment for arguments with the request that the present service appeal may be clubbed with another service appeal filed by the appellant for his pro-forma promotion to Grade-20. Adjourn. To come up for arguments alongwith another service appeal on 13.09.2019 before D.B.


Member


Member

13.09.2019

Learned counsel for the appellant and Mr. Zia Ullah learned Deputy District Attorney present. Learned counsel for the appellant seeks adjournment. Adjourn. To come up for arguments on 01r.10.2019 before D.B.


Member


Member

01.10.2019

Learned counsel for the appellant and Mr. Zia Ullah learned Deputy District Attorney present. Learned counsel for the appellant seeks adjournment. Adjourned by way of last chance. To come up for arguments on 27.11.2019 before D.B.

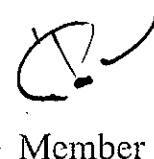

Member


Member

27.11.2019

Learned counsel for the appellant and Mr. Usman Ghani learned District Attorney present. Learned counsel for the appellant seeks adjournment. Adjourn. To come up for arguments on 27.01.2020 before D.B.


Member


Member

27.01.2020

Junior to counsel for the appellant and Addl. AG alongwith Attaur Rahman, Inspector (Legal) for the respondents present.

Due to general strike on the call of K.P Bar Council, instant appeal is adjourned to 26.03.2020 for arguments before the D.B.


Member


Member


26.03.2020


Due to public holidays on account of Covid-19, the case is adjourned. To come up for the same on 15.06.2020 before D.B.


Reader

15.06.2020

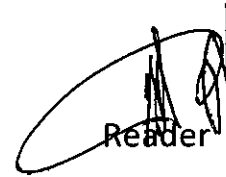
Learned counsel for the appellant present. Mr. Riaz Khan Paindakheil learned Assistant Advocate General alongwith Toheed Iqbal Assistant Director for respondents present. Learned counsel for the appellant seeks adjournment. Adjourn. To come up for arguments on 27.08.2020 before D.B.


(Rozina Rehman)
Member


(M.Amin Khan Kundi)
Member

27.08.2020

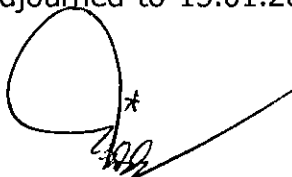
Due to summer vacation, the case is adjourned to 03.11.2020 for the same as before.


Reader

03.11.2020

Junior to counsel for the appellant and Addl. AG alongwith Tuheed Iqbal, AD for the respondents present.

The Bar is observing general strike, therefore, the matter is adjourned to 13.01.2021 for hearing before the D.B.


(Mian Muhammad)
Member


Chairman

13.01.2021

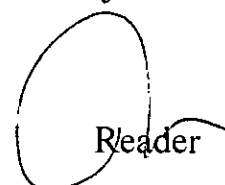
Junior to counsel for the appellant and Mr. Kabirullah Khattak learned Addl. AG for respondents present.

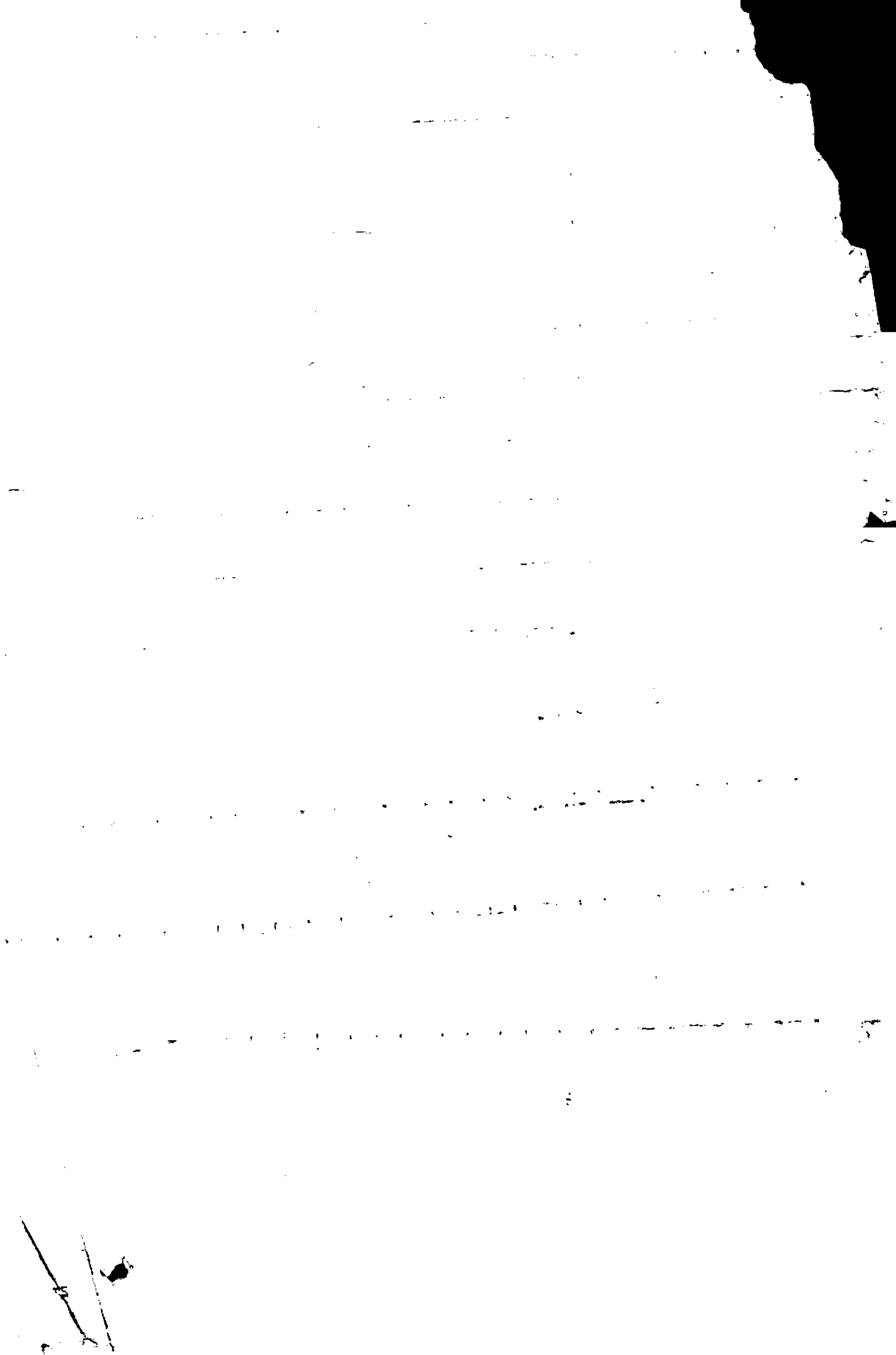
Due to COVID-19, the case is adjourned for the same on 20.04.2021 before D.B.


READER

20.04.2021

Due to demise of the Worthy Chairman, the Tribunal is non-functional, therefore, case is adjourned to 12.08.2021 for the same as before.


Reader



12.08.2021

Nemo for appellant.

Asif Masood Ali Shah learned D.D.A for respondents present.

Preceding date was adjourned on a Reader's note, therefore, appellant/counsel be put on notice for 28.12.2021 for arguments before D.B.

13/9/21

(Rozina Rehman)
Member (J)

Chairman

28.12.2021

Due to Winter Vacations, the case is adjourned to 15.04.2022 for the same as before.

READER

15.04.2022

Nemo for the appellant present. Mr. Riaz Khan Faridkhan, Asst. AG along with Mr. Fouzeed Iqbal, AG for respondents present.

Previous date was changed on Reader note, therefore, notice of prosecution of appeal be issued to the appellant as well as his counsel through registered post. Adjourned and to come up for arguments before the D.B. on 16.05.2022

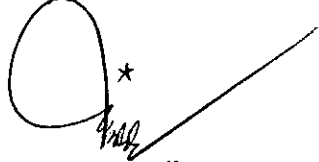
(Alian Muhammad)
Member (J)

(Alian Muhammad)
Member (J)

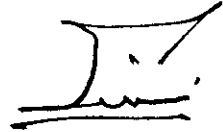
15.04.2022

. Nemo for the appellant present. Mr. Riaz Khan Paindakhel, Asst: AG alongwith Mr. Touheed Iqbal, AD for respondents present.

Previous date was changed on Reader note, therefore, notice of prosecution of appeal be issued to the appellant as well as his counsel through registered post. Adjourned and to come up for arguments before the D.B on 16.05.2022



(Mian Muhammad)
Member(E)



(Salah Ud Din)
Member(J)

16.05.2022

Mr. Taimur Ali Khan, Advocate learned counsel for the appellant present. Mr. Toheed Iqbal AD (litigation) alongwith Mr. Kabir Ullah Khattak Additional Advocate General for the respondents present.

Learned counsel for the appellant sought adjournment on the ground that he has not gone through the record. Adjourned. To come up for arguments on 29.06.2022 before the D.B.



(Rozina Rehman)
Member (J)



(Salah-Ud-Din)
Member (J)

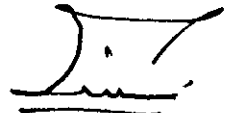
29.06.2022

Learned counsel for the appellant present. Mr. Touheed Iqbal, Assistant Director (Litigation) alongwith Mr. Kabirullah Khattak, Additional Advocate General for the respondents present.

Learned Additional Advocate General requested for adjournment on the ground that brief of the instant appeal has been misplaced. Adjourned. To come up for arguments on 06.10.2022 before the D.B.



(Rozina Rehman)
Member (J)



(Salah-ud-Din)
Member (J)

06.10.2022

Appellant present in person. Mr. Asif Masood Ali Shah, Deputy District Attorney respondents present.

Appellant made a request for adjournment on the ground that senior counsel for the appellant is not available today. Adjourned. To come up for arguments on 07.12.2022 before D.B.



(Mian Muhammad)
Member (J)




(Kalim Arshad Khan)
Chairman

7th Dec. 2022

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

Alongwith this appeal there is another connected appeal No. 1264/2016 with the same title, which is not placed before the Tribunal by the office. The Reader informed that the file had been misplaced. Registrar of the Tribunal is directed to initiate enquiry regarding misplacement of file and it is directed that the missing file, if not found, be reconstructed with the help of the files of the learned counsel for the appellant and the learned AAG. It has also been seen that the files are misplaced daily, therefore explanation of the Superintendent and the branch incharges, dealing with D.B, S.B, PH and Execution and camp court, all be called for as to why they are so irresponsible and careless and despite directions given in writing that a day before the date fixed, all the files should be handed over to the Reader against proper receipt and at the end of the day the files be returned to the branches against proper receipt. They should also explain why this direction was being violated. Registrar is directed to submit a detailed report. He is also directed to explain why the directions were not being complied with by his subordinates. To come up on 17.02.2023 before the D.B. P.P is given to the parties.


(Fareeha Paul)/
Member(Executive)


(Kalim Arshad Khan)
Chairman