

22.01.2021

Junior counsel for appellant present.

Kabir Ullah Khattak learned Additional Advocate General for respondents present.

Written reply was not submitted. Representative of respondents is not in attendance. Case is adjourned on the request of learned A.A.G for submission of reply/comments. To come up for written reply/comments on 08.02.2021 before S.B. The restraint order dated 05.10.2021 shall remain operative till the next date of hearing.



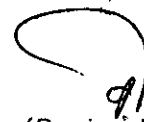
(Rozina Rehman)
Member (J)

08.02.2021

Appellant in person present.

Kabir Ullah Khattak learned Additional Advocate General for respondents present.

Written reply on behalf of respondents is still awaited. Representative of respondents is not in attendance. Learned A.A.G made a request for time to furnish reply/comments. Opportunity is granted. To come up for written reply/comments on 24.02.2021 before S.B. The restraint order dated 05.01.2020 shall remain operative till the next date of hearing.



(Rozina Rehman)
Member (J)

24.02.2021

Junior to senior counsel for appellant is present. Mr. Kabirullah Khattak, Additional Advocate General alongwith Mr. Haseenullah, Litigation Clerk, on behalf of respondent No. 2 and Mr. Tauseef-ur-Rehman, ADEO, on behalf of respondent No. 3, are also present.

Representative of the respondent no. 3 submitted written reply on behalf of the said respondent which is placed on record. Representative of respondent No. 2 stated at the bar that he relies on the written reply submitted by respondent No. 3 on behalf of respondent No. 2. Therefore, file to come up for rejoinder and arguments on 15.03.2021 before D.B. The restraint order dated 05.01.2020 shall remain operative till the next date of hearing.

(Muhammad Jamal Khan)
Member

15.03.2021

Counsel for the appellant and Mr. Muhammad Rashid, DDA for the respondents present.

Former requests for adjournment as senior learned counsel is engaged before the Hon'able Peshawar High Court, Peshawar today.

Adjourned to 01.04.2021 before D.B.



(Mian Muhammad)
Member(E)

Chairman

01.04.2021

Due to non availability of the concerned D.B, the case is adjourned to 27.04.2021 for the same.

27-4-21


Reader
Due to COVID-19, the case is adjourned to 17-8-2021 for the same. 

09.07.2021

Mr. Noor Muhammad Khattak, Advocate, for the appellant present. Mr. Arshed Ali, ADO (Litigation) alongwith Mr. Kabirullah Khattak, Additional Advocate General for the respondents present.

Learned counsel for the appellant submitted application alongwith placing on file additional documents consisting of 30 sheets, the request is allowed and the documents are placed on file.

Joint request for adjournment was made, therefore, the appeal in hand is adjourned. To come up for arguments before the D.B on 30.07.2021. The restraint order dated 05.01.2020 shall remain operative till the date fixed.


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


(SALAH-UD-DIN)
MEMBER (JUDICIAL)

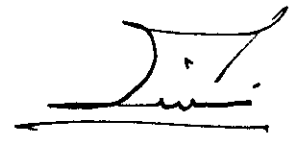
Case was heard
A
on
2/6/21

30.07.2021

Mr. Noor Muhammad Khattak, Advocate, for the appellant present. Mr. Asif Masood Ali Shah, Deputy District Attorney for the respondents present.

Learned counsel for the appellant requested for adjournment on the ground that he has not made preparation for arguments due to some domestic engagements. Adjourned. To come up for arguments before the D.B on 03.09.2021. Long date given due to summer vacations.



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

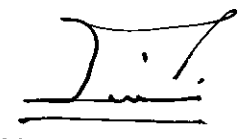

(SALAH-UD-DIN)
MEMBER (JUDICIAL)

03.09.2021

Mr. Said Khan, junior of learned counsel for the appellant present. Mr. Muhammad Rasheed, Deputy District Attorney for the respondents present.

Junior of learned counsel for the appellant sought adjournment on the ground that learned counsel for the appellant is ill. Adjourned. To come up for arguments before the D.B on 23.09.2021.


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


(SALAH-UD-DIN)
MEMBER (JUDICIAL)

23.09.2021

Clerk of counsel for the appellant and Mr. Asif Masood Ali Shah, DDA for the respondents present.

Learned counsel for the appellant present in other cases is not in attendance at the moment and request for adjournment is made on his behalf. Therefore, case to come up on 26-11-21 for arguments before the D.B.



(Rozina Rehman)
Member(Judicial)



Chairman

26.11.2021


Proper DB is not available, therefore, the case is
adjourned to 16/12/21 for the same before ^{as} ~~the~~



Reader

16.12.2021

Junior of learned counsel for the appellant present. Mr. Kabirullah Khattak, Additional Advocate General for respondents present.

Junior of learned counsel for the appellant requested for adjournment on the ground that learned counsel for the appellant is busy before Hon'ble Peshawar High Court, Bannu Bench. Adjourned. To come up for arguments before the D.B on 07.01.2022.

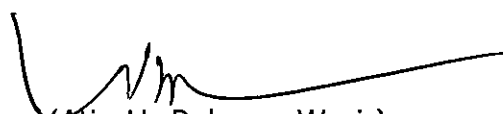

(Atiq Ur Rehman Wazir)
Member (E)


(Salah-ud-Din)
Member (J)

07.01.2022

Learned counsel for the appellant present. Mr. Asif Masood Ali Shah, Deputy District Attorney for respondents present.

Due to paucity of time, arguments could not be heard. Adjourned. To come up for arguments before the D.B on 20.01.2022.



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


Chairman

20.01.2022

Appellant present in person. Mr. Muhammad Riaz Khan Paindakhel, Asstt. AG alongwith Tauseefur Rehman, ADEO for the respondents present.

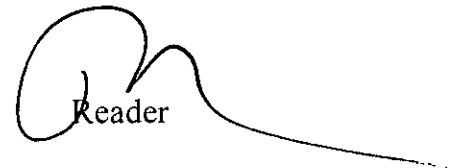
Due to general strike of the Bar, counsel for the appellant is not in attendance. Case to come up for arguments on 04.02.2022 before the D.B.


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


Chairman

04.02.2022

Due to retirement of the Worthy Chairman, the Tribunal is defunct, therefore, case is adjourned to 18.05.2022 for the same as before.



Reader

18.05.2022

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 in order to prepare the brief. Adjourned. To come up for arguments on 10.06.2022 before the D.B.


(Rozina Rehman)
Member (J)


(Salah-Ud-Din)
Member (J)

10.06.2022

Bench is incomplete, therefore, case is adjourned to 18.07.2022 for the same as before


Reader.

18.07.2022

Appellant alongwith his counsel present.

Muhammad Adeel Butt, learned Additional Advocate General for respondents present.

Learned counsel for appellant was ready for arguments but due to insufficient record in respect of promotion on the strength of 33% quota, case is adjourned with direction to the learned AAG to produce the entire record in shape of final seniority list of 2019, 2020, 2021 & 2022 and information regarding sanctioned post and promotion on the strength of 33% quota. To come up for production of relevant record and arguments on 02.09.2022 before D.B.



(Fareeha Paul)
Member(E)



(Rozina Rehman)
Member (J)

02.09.2022

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

Learned Member (Judicial) Ms. Rozina Rehman is on leave, therefore, arguments could not be heard. Adjourned. To come up arguments on 18.10.2022 before the D.B.



(Salah-Ud-Din)
Member (Judicial)


18.10.2022

Appellant present through counsel.

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

Former made a request for adjournment in order to prepare the brief. Adjourned. To come up for arguments on 08.12.2022 before D.B.


(Fareeha Paul)
Member(E)


(Rozina Rehman)
Member (J)

08th Dec. 2022 . Learned counsel for the appellant present. Mr. Muhammad Riaz Khan Paindakhel, Asst: AG for respondents present.

Learned counsel for the appellant seeks adjournment on the ground that she has not prepared the case. Last opportunity granted to the learned counsel for the appellant to argue the case on the next date positively. To come up for arguments on 14.03.2023 before the D.B. P.P is given to the parties.


(Fareeha Paul)
Member(Executive)




(Kalim Arshad Khan)
Chairman

Form- A

FORM OF ORDER SHEET

Court of _____

Case No.- 15295 /2020

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	02/12/2020	<p>The appeal of Mr. Atiq-ur-Rehman presented today by Mr. Noor Muhammad Khattak 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>05/01/2021</u></p> <p style="text-align: right;"> CHAIRMAN</p>
2-		

05.01.2021

Counsel for the appellant present.

Instant appeal contains^s the prayer to the effect that the respondents shall observe 40% promotion quota reserved for Class-IV employees. Further, a direction is sought to be issued to the respondents to consider the appellant for promotion to the post of Junior Clerk BPS-11 ~~in light of 40% promotion~~ ^{against the said} quota. It is contended by learned counsel that in case the respondents act upon the notification dated 18.07.2019, there would be availability of 137 posts of Junior Clerk in toto, ~~out of~~ ^{out of which} which 54 ~~are~~ for appointment by promotion. The placement of appellant in the relevant seniority list ~~at~~ ^{at} S.No. 54 would cause his promotion against the reserved ~~post.~~ ^{post.}

In view of the available record and arguments of learned counsel, instant appeal is admitted to regular hearing subject to all just exceptions. Appellant is required to deposit security and process fee within 10 days. Thereafter, notices be issued to the respondents for submission of written reply/comments on 22.01.2021 before S.B.

Alongwith the appeal an application for restraining the respondents from making any promotion/appointment on the posts of Junior Clerk BPS-11 has been submitted. Notice of the application be also given to the respondents for the date fixed. Till then, the respondents shall not make appointment through initial recruitment to the post of Junior Clerk.

Chairman

15295/2020

05.01.2021

Counsel for the appellant present.

Instant appeal contains the prayer to the effect that the respondents shall observe 40% promotion quota reserved for Class-IV employees. Further, a direction is sought to be issued to the respondents to consider the appellant for promotion to the post of Junior Clerk BPS-11 against the said quota. It is contended by learned counsel that in case the respondents act upon the notification dated 18.07.2019, there would be availability of 137 posts of Junior Clerk in toto, while 54 for appointment by promotion. The placement of appellant in the relevant seniority list at S.No. 54 would cause his promotion against the reserved post.

In view of the available record and arguments of learned counsel, instant appeal is admitted to regular hearing subject to all just exceptions. Appellant is required to deposit security and process fee within 10 days. Thereafter, notices be issued to the respondents for submission of written reply/comments on 22.01.2021 before S.B.

Alongwith the appeal an application for restraining the respondents from making any promotion/appointment on the posts of Junior Clerk BPS-11 has been submitted. Notice of the application be also given to the respondents for the date fixed. Till then, the respondents shall not make appointment through initial recruitment to the post of Junior Clerk.

Appellant Deposited
Security & Process Fee

06/1/21



Chairman