

8.
09.12.2013

Mr. Abdul Mateen, Attorney for the appellant, on behalf of the appellant present. M/S Khurshid Ali, SO and Mosam Khan, AD are present in other cases and stated at the Bar that they have not received any notice in this case so far. Mr Muhammad Adeel Butt, AAG is also present. The representatives of the respondent-department are directed to bring complete record of the case, particularly record of the departmental appeal; and appeal to come up for Preliminary hearing on limitation, as impugned appellate order is dated 05.04.2013 while appeal has been lodged on 06.05.2013, and also maintainability of the appeal as the same has been lodged for promotion. To come up for preliminary hearing on 10.02.2014.


Chairman

9.
10.2.2014

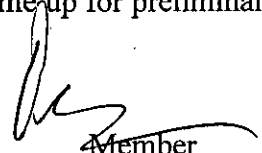
Mr. Abdul Mateen, Attorney for the appellant with counsel for the appellant present. Mr. Noor Muhammad, Advocate filed wakalatnama on behalf of the appellant, Mr. Khursheed Khan, SO for respondents No. 1 & 2, Mosam Khan, AD for respondents No. 3 & 4 and Aziz Khan, C.T Teacher on behalf of respondent No.7 with AAG for the respondents present. The requisite record produced, and request for further time made on behalf of the respondents. Representative of the respondent No. 7 is directed to bring complete record of the case of the appellant particularly departmental appeal, if any, and final seniority list, if any, for preliminary hearing on 24.2.2014 before the learned Primary Bench.


CHAIRMAN

10.

24.02.2014


Clerk of counsel for the appellant and Mr. Zia Ullah, GP for the respondents present. Preliminary arguments could not be heard due to general strike of the Bar. To come up for preliminary hearing on 10.03.2014.


Member

11.

10.03.2014

Clerk of counsel for the appellant present and requested for adjournment. To come up for preliminary hearing on 24.04.2014.

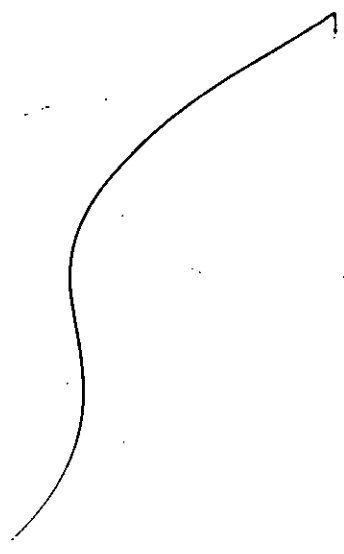

Member

12.

24.04.2014

No one is present on behalf of the appellant. Mr. Ziaullah, GP for the respondents present. To come up for preliminary hearing on 08.05.2014.



Member



13.

08.05.2014

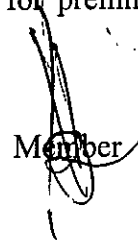
Counsel for the appellant and Mr. Ziaullah GP present. Vide order sheet dated 10.02.2014, the respondent No.7 was directed to bring complete record of the case of the appellant particularly departmental appeal, if any, and final seniority list, if any but today representative of respondent No.7 is absent. The learned GP once again directed to contact the respondent to produce the requisite record on the next date. To come up for preliminary hearing on 04.06.2014.


Member

14.

04.06.2014


counsel for the appellant and Mr. Ziallah, GP present. Vide order sheet dated 10.02.2014 the respondent No. 7 was directed to bring the complete record of the case of appellant particularly departmental appeal, if any, and final seniority list, if any but today representative of respondent No.7 is absent. The learned GP once again directed to contact the respondent to produce the requisited record on the next date. To come up for preliminary hearing on 01.07.2014.


Member

15.

01.07.2014

Counsel for the appellant and Mr. Ziaullah, GP present. Representatives of the respondents are absent. The learned GP submitted before the Court that he sent a letter to the respondents for production of complete record of the appellant, but today they are absent. He requested for further time to contact the respondents. The learned GP is further directed to ensure attendance of the respondents and submit complete record of the appellant as per order sheet dated 04.06.2014. To come up for further preliminary hearing on 20.08.2014.


Member

16

Reader Note.

20.08.2014

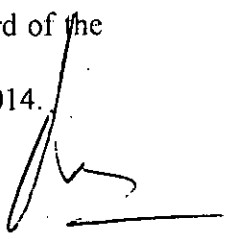
Clerk to counsel for the appellant and Mr. Ziaullah, GP for the respondents present. The Hon'able Bench is on tour to Abbotabad, therefore, case to come up for preliminary hearing on 02.09.2014.


Reader

17.

02.09.2014

Counsel for the appellant and Mr. Kabirullah Khattak, Assistant Advocate General for the respondents present. Learned AAG requested for time for production of complete record of the appellant. To come up for preliminary hearing on 24.09.2014.


Member

18.

24.09.2014

Counsel for the appellant and Mr. Sajjad Rashid, Assistant Director with Mr. Ziaullah, GP for the respondents present. Representative of the respondents requested for time to submit complete record of the appellant. Request accepted. To come up for preliminary hearing on 16.10.2014.



Member

19.

16.10.2014

Counsel for the appellant and Mr. Kabirullah Khattak, Asst: Advocate General for the respondents present. The learned AAG requested for further time to contact the respondents for submission of complete record of the appellant. Last chance is given to the respondents for submission of complete record. The learned AAG also directed to contact the respondents to produce the requisite record on the next date. To come up for preliminary hearing on 07.11.2014.



Member

20.

07.11.2014

Mr. Abdul Mateen, Attorney for the appellant and Miss. Samina Ghani, DEO (F), Peshawar (official respondent No.7) in person with Mr. Kabirullah Khattak, Asst: AG for the respondents present. To come up for preliminary hearing on 05.12.2014 as per order sheet dated 16.10.2014.



Member

Reader Note:

21.
05.12.2014

Clerk to counsel for the appellant and Mr. Kabirullah Khattak, Asst: Advocate General for the respondents present. Since the Tribunal is incomplete, therefore, case is adjourned to 29.12.2014 for the same.


Reader

Reader Note:

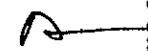
22
29.12.2014

Clerk of counsel for the appellant and Mr. Kabirullah Khattak, Asst: Advocate General for the respondents present. Since the Tribunal is incomplete, therefore, case is adjourned to 02.02.2015 for the same.


Reader

23
02.02.2015

Counsel for the appellant and Mr. Mosam Khan, AD with Mr. Kabirullah Khattak. Asst: Advocate General for the respondent present. Representative of the respondents submitted Seniority list of the appellant, copy whereof is handed over to the learned counsel for the appellant. To come up for further preliminary hearing on 24.02.2015.


Member

24.

24.02.2015

Clerk of counsel for the appellant and Asst: AG for the respondents present. Appellant sent a copy of departmental appeal as well as seniority list vide this office diary No. 75-A dated 13.02.2015 which is placed on file. Clerk of counsel for the appellant requested for adjournment. Request accepted. To come up for preliminary hearing on 19.03.2015.



Member

25.

19.03.2015

Assistant to counsel for the appellant with Asst: AG for the respondent present. Learned counsel for the appellant is stated busy before the august High Court, Peshawar. Requested for adjournment. Adjourned for preliminary hearing on 21.04.2015 before S.B.



Member

26.

21.04.2015

Counsel for the appellant and Asst: AG for the respondents present. Learned counsel for the appellant requested for adjournment. Adjourned for preliminary hearing to 20.05.2015 before S.B.



Member

20.05.2015

Clerk of counsel for the appellant and Asstt: AG for the respondents present. Clerk of counsel for the appellant submitted an application for adjournment. Adjourned to 12.06.2015 for preliminary hearing before S.B.



Member

12.06.2015

Counsel for the appellant and Assistant A.G for respondents present. Learned counsel for the appellant argued that the appellant is serving as SET (BPS-17). That she was initially appointed as SET (BPS-16) on 25.3.1996. That private respondent No. 5 in appeal No. 253/2015 was also appointed in a later selection on the same date and thus junior to appellant. That vide order dated 26.2.2013 the said private respondent was promoted while appellant ignored without any lawful justification and despite entitlement being senior to said private respondent. That the appellant preferred departmental appeal on 11.3.2013 which was rejected by the appellate authority vide order dated 5.4.2013 and hence the service appeal on 6.5.2013.

That the appellant is entitled to promotion in preference to private respondent No. 5 in the light of Rule 17 (a) of APT Rules, 1989.

Points urged need consideration. Admit. Subject to deposit of security and process fee within 10 days, notices be issued to the respondents for written reply for 22.9.2015 before S.B.


Chairman

22.09.2015

Counsel for the appellant, M/S Khurshid Khan, SO and Irshad Muhammad, SO alongwith Addl: A.G for respondents present. Requested for adjournment. To come up for written reply/comments on 30.11.2015 before S.B.


Chairman

30.11.2015

Counsel for the appellant, M/S Khurshid Khan, SO and Hameed-ur-Rehman, AD (lit.) alongwith Addl: A.G for respondents present. Written reply not submitted. Requested for further adjournment. Last opportunity granted. To come up for written reply/comments on 24.3.2016 before S.B.


Chairman

24.03.2016

Counsel for the appellant, M/S Khurshid Khan, SO and Hameed-ur-Rehman, AD (lit.) alongwith Assistant AG for respondents present. Written reply not submitted despite last opportunity. Requested for further adjournment. Last opportunity is 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 and cost on 26.5.2016 before S.B.


Chairman


26.05.2016


Agent of counsel for the appellant and M/S. Khursheed Khan, SO, Hameedur Rahman, AD and Muhammad Irshad SO for the respondents present. Written reply submitted. Cost of Rs. 1000/- paid and receipt thereof obtained from the learned counsel for the appellant. The appeal is assigned to D.B for rejoinder and final hearing for 19.09.2016.


Chairman

19.09.2016

Counsel for the appellant and Mr. Muhammad Jan, GP for respondents present. Rejoinder not submitted. Counsel for the appellant requested for time to file rejoinder. Request accepted. To come up for rejoinder and arguments on ~~18-1-17~~.


Member


Member

18.01.2017


Counsel for appellant and Mr. Muhammad Adeel Butt, Additional AG for respondents present. Learned counsel for appellant submitted rejoinder and copy whereof handed over to learned Additional AG. To come up for arguments on 05.06.2017 before D.B.


(AHMAD HASSAN)
MEMBER


(ASHFAQUE TAJ)
MEMBER

05.06.2017


Clerk of the counsel for appellant present. Mr. Muhammad Adeel Butt, Additional AG for the respondents also present. Due to strike of the bar learned counsel for the appellant is not in attendance. Adjourned. To come up for arguments on 28.09.2017 before D.B.


(GUL ZEB KHAN)
MEMBER


(MUHAMMAD AMIN KHAN KUNDI)
MEMBER

28.09.2017

Junior to counsel for the appellant and Mr. Muhammad Jan, DDA for the respondents present. Seeks adjournment as learned counsel for the appellant is not in attendance. Adjourned. To come up for arguments 14.11.2017 before the D.B. Member Copy may also be provided before the date fixed.


Member


Chairman

14.11.2018

Junior to counsel for the appellant present. Mr. Zia Ullah, Deputy District Attorney for the respondents present. Junior to counsel for the appellant seeks adjournment. Adjourn. The appellant is also directed to submit spare copy of the instant appeal on or before the next date of hearing. To come up for arguments on 18.01.2018 before D.B.



(Gul Zeb Khan)
Member (E)


(Muhammad Hamid Mughal)
Member (J)

16.01.2018

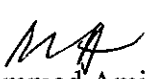
Appellant in person present. Mr. Muhammad Jan, DDA for the respondents present. Appellant seeks ^{adjournment} as his senior counsel is not in attendance. Adjourn. To come up for arguments on 14.03.2018 before D.B.



(Gul Zeb Khan)
Member (E)


(Muhammad Hamid Mughal)
Member (J)

14.03.2018

Appellant absent. Learned counsel for the appellant is also absent. However, junior to learned senior counsel for the appellant present and seeks adjournment. Mr. Muhammad Jan, Deputy District Attorney for the respondents present. Adjourned. To come up for arguments on 10.05.2018 before D.B.


(Muhammad Amin Khan Kundi)
Member


(Muhammad Hamid Mughal)
Member

10.05.2018

The Tribunal is defunct due to retirement of Hon'ble Chairman. Therefore, the case is adjourned. To come up on 25.07.2018.


READER

25.07.2018

Since 25.07.2018 has been declared as public holiday on account of General Election. Therefore, case is adjourned on 28.08.2018 before D.B


READER

28.08.2018


Counsel for the appellant and Mr. Riaz Ahmad Paindakheil, Assistant AG for the respondents present. Learned counsel for the appellant seeks adjournment. Adjourned. To come up for arguments on 08.10.2018 before D.B.



(Ahmad Hassan)
Member


(Muhammad Amin Khan Kundi)
Member

08.10.2018

Learned counsel for appellant and Mr. Zia Ullah learned Deputy District Attorney present. Learned counsel for appellant seeks adjournment. Adjourn. To come up for arguments on 20.11.2018 before D.B


(Hussain Shah)
Member


(Muhammad Hamid Mughal)
Member

20.11.2018

Junior counsel for the appellant present. Mr. Muhammad Riaz Khan Paindakhel, Asst: AG for respondents present. Junior to counsel for the appellant requests for adjournment on the ground that learned senior counsel for the appellant is in appearance before Daar Ul Qaza at Swat today. Adjourned to 14.01.2019 for arguments before D.B.


Member


Chairman

14.01.2019

Junior to counsel for the appellant present. Mr. Muhammad Jan, DDA for respondents present. Junior to counsel for the appellant seeks adjournment on the ground that senior counsel for the appellant is not available today. To come up for arguments on 04.02.2019 before D.B.


(Ahmad Hassan)
Member


(M. Amin Khan Kundi)
Member

04.02.2019

Junior to counsel for the appellant and Mr. Muhammad Jan learned Deputy District Attorney for official respondents present. Learned counsel for private respondent also 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 06.03.2019 before D.B.


Member


Member

06.03.2019

Junior counsel for the appellant and Mr. Ziaullah, Deputy District Attorney for the respondent present. Junior counsel for the appellant seeks adjournment on the ground that learned senior counsel for the appellant is busy before the Hon'ble Peshawar High Court. Adjourn. To come up for arguments on 05.04.2019 before D.B.


(M. HAMID MUGHAL)
MEMBER


(M. AMIN KHAN KUNDI)
MEMBER

05.04.2019

Mr. Mir Zaman Advocate for the appellant and Mr. Muhammad Jan learned Deputy District Attorney for the respondents present.

A request for adjournment is made due to indisposition of learned senior counsel for the appellant. Adjourned to 29.04.2019 before D.B.


Member


Chairman

29.04.2019

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. Adjourn. To come up for arguments on 28.05.2019 before D.B.


Member


Member

28.05.2019

Counsel for the appellant and Mr. Riaz Ahmad Paindakheil, Assistant AG for the respondents present. Learned counsel for the appellant requested for adjournment. Adjourned to 05.07.2019 for arguments before D.B.


(HUSSAIN SHAH)
MEMBER


(M. AMIN KHAN KUNDI)
MEMBER

05.07.2019

Junior to counsel for the appellant present. Mr. Kabir Ullah Khattak learned Additional Advocate General for respondents 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 13.09.2019 before D.B.


Member


Member

13.09.2019

Learned counsel for the appellant and Mr. Zia Ullah learned Deputy District Attorney alongwith Irfan Assistant for respondents present. Adjournment requested. Adjourn. To come up alongwith connected service appeal filed by the appellant, on 30.09.2019 before D.B.


Member


Member

30.09.2019

Due to general strike of the bar, the case is adjourned to 30.10.2019 before D.B.


Member


Member

30.10.2019

Learned counsel for the appellant present. 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 09.12.2019 before D.B.


Member


Member

09.12.2019

Lawyers are on strike on the call of Khyber Pakhtunkhwa Bar Council. Adjourn. To come up for further proceedings/arguments on 17.01.2020 before D.B.


Member


Member

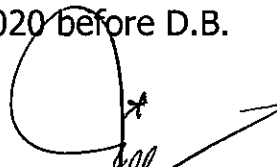
17.01.2020

Abdul Mateen attorney of the appellant on behalf appellant present. Lawyers community is on strike on the call of Khyber Pakhtunkhwa Bar Council. Learned Member (Executive) is not available. Adjourned for 17.02.2020 before D.B.


Member

17.02.2020

Counsel for the appellant present. Asst: AG for respondents present. Learned counsel for the appellant seeks adjournment. Adjourned To come up for arguments on 10.03.2020 before D.B.


Member


Member

10.03.2020

Junior to counsel for the appellant present. Mr. Usman Ghani learned District Attorney for the respondents present. Junior to counsel for the appellant requested for adjournment on the ground that senior counsel for the appellant is not available today. Adjourn. To come up for arguments 23.04.2020 before D.B.


Member


Member

23.04.2020

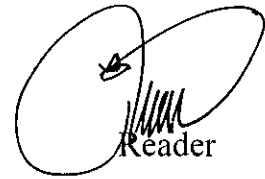
Due to public holidays on account of Covid-19, the case is adjourned. To come up for the same on 04.08.2020 before D.B.



Reader

04.08.2020

Due to summer vacation case to come up for the same on 15.10.2020 before D.B.



Reader

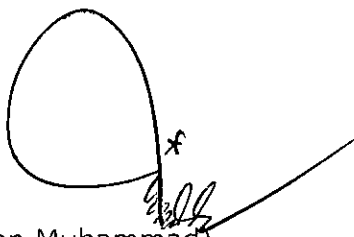
15.10.2020

Appellant present though counsel.


Kabir Ullah Khattak learned Additional Advocate General present.

To come alongwith connected appeal on 23.11.2020 before

D.B.



(Mian Muhammad)
Member (E)



(Rozina Rehman)
Member (J)

23.11.2020

Counsel for the appellant, Asstt. A.G. alongwith
for official respondents and counsel for private
respondent No. 5 present.

To come up for hearing before the D.B on
07.01.2021 alongwith Service Appeal No. 253/2015.

(Mian Muhammad)
Member

Chairman

(Mian Muhammad)
Member

Chairman

861/2013

23.11.2020

Counsel for the appellant, Asstt. A.G for respondents present.

To come up for hearing before the D.B on 07.01.2021 alongwith Service Appeal No. 253/2015.



(Mian Muhammad)
Member


Chairman

07.01.2021

Junior to counsel for the appellant and Assistant A.G for the respondents present.

To come up for hearing on 24.02.2021 before D.B alongwith Service Appeal No. 253/2015.

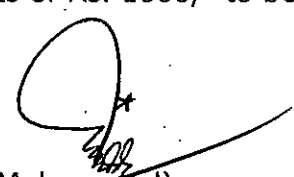

(Atiq-ur-Rehman Wazir)
Member(E)


Chairman

24.02.2021

Junior to counsel for the appellant and Addl. AG for the respondents present.

Former requests for adjournment as learned senior counsel for the appellant is engaged before the Darul Qaza Bench of Peshawar High Court at Swat. Adjourned to 10.05.2021 but against costs of Rs. 1000/- to be paid by the appellant.


(Mian Muhammad)
Member(E)


Chairman

10.05.2021

Due to demise of the Worthy Chairman, the Tribunal is non-functional, therefore, case is adjourned to 30.08.2021 for the same as before.


Reader

30.08.2021

Due to summer vacations, the case is adjourned to 12.11.2021 for the same as before.



READER

12.11.2021

Junior of learned counsel for the appellant present.

Kabirullah Khattak, Adll: AG for respondents present.

Former requests for adjournment on the ground that learned senior counsel (Noor Muhammad Khattak) is indisposed today. Adjourned. To come up for arguments on 28.02.2022 before D.B.



(Mian Muhammad)
Member (E)



(Rozina Rehman)
Member (J)

28.02.2022

Due to retirement of the Worthy Chairman, the Tribunal is defunct, therefore, case is adjourned to 26.05.2022 for the same as before.



Reader

26th May, 2022

Counsel for the appellant present. Mr. Muhammad Rasheed, Deputy District Attorney for respondents present.

Learned counsel for the appellant seeks time to further prepare the brief. Adjourned. To come up for arguments on 09.06.2022 before D.B.



(Fareeha Paul)
Member(E)



(Kalim Arshad Khan)
Chairman

9.6.22

Proper D.B is an Tawar, therefore the case is adjourned to 29.8.22 for hearing.



29.08.2022

Clerk of learned counsel for the appellant present. Mr. Muhammad Adeel Butt, Additional Advocate General for the respondents present.

The Lawyers are on strike and Learned Member (Judicial) Ms. Rozina Rehman is also on leave, therefore, arguments could not be heard. Adjourned. To come up arguments on 27.09.2022 before the D.B.



(Salah-Ud-Din)
Member (Judicial)

27.09.2022

Junior to counsel for appellant present.

Muhammad Jan, learned District Attorney for respondents present.

Due to general strike of the bar, case is adjourned to 04.11.2022 for hearing before D.B.



(Fareeha Paul)
Member (E)



(Rozina Rehman)
Member (J)

4th Nov. 2022

Lawyers are on strike today.

To come up for arguments on 12.12.2022 before the D.B. Office is directed to notify the next date on the notice board as well as the website of the Tribunal.


(Fareeha Paul)
Member(E)


(Kalim Arshad Khan)
Chairman

12.12.2022

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 in order to further prepare the brief. Adjourned but as last chance.

To come up for arguments on 02.02.2023 before the D.B.

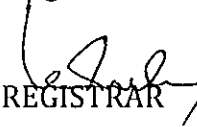
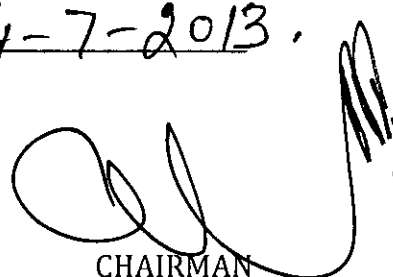

(FAREEHA PAUL)
Member(E)


(ROZINA REHMAN)
Member (J)

Form- A
FORM OF ORDER SHEET

Court of _____

Case No. 861/2013

S.No.	Date of order Proceedings	Order or other proceedings with signature of judge or Magistrate
1	2	3
1	08/05/2013	<p>The appeal of Mst. Farzana Bano resubmitted today by her may be entered in the Institution Register and put up to the Worthy Chairman for preliminary hearing.</p> <p style="text-align: right;"> REGISTRAR</p>
2	14-5-2013	<p>This case is entrusted to Primary Bench for preliminary hearing to be put up there on <u>4-7-2013</u>.</p> <p style="text-align: right;"> CHAIRMAN</p>

04.07.2013

Attorney of the appellant present. In pursuance of the Khyber Pakhtunkhwa Service Tribunals (Amendment) Ordinance, 2013, (Khyber Pakhtunkhwa ord. II of 2013), the case is adjourned on note Reader for proceedings as before on 28.08.2013.

Handwritten signature
Reader

27.08.2013

Attorney for the appellant present. He is not a legal practitioner. He wants to argue the case himself. Therefore, Pre-admission notice be issued to the Sr.GP/GP for preliminary arguments on 27.9.2013.

who is not legal practitioner

4.

28.08.2013

Attorney for the appellant present. He wants to argue the case himself. Therefore, Pre-admission notice be issued to the Sr.GP/GP for preliminary arguments on 27.9.2013 *to assist the tribunal*

Handwritten signature
Member

Pre-admission!

27.09.2013

Attorney who is not legal practitioner for the appellant present and requested for adjournment. To come up for preliminary arguments per order sheet dated 28.08.2013 on 04.11.2013.

Handwritten signature
Member


6.
4.11.2013

Mr. Abdul Mateen, attorney for the appellant present. In order to verify the power of attorney, the appellant be summoned to attend the Tribunal personally. To come up for preliminary hearing on 26.11.2013.


MEMBER

7.
26.11.2013

Appellant with Mr. Abdul Mateen, Attorney for the appellant and Mr. Zia Ullah, GP for the respondents present. Appellant stated at the Bar that Mr. Abdul Mateen, is their attorney for which proper Power of Attorney written and submitted before the Tribunal so far as the question of Power of attorney is concerned it has become settled but now the question is as to whether the attorney can argue the case before the Tribunal or otherwise. To come up for clarification and further preliminary hearing on 09.12.2013.


Member