


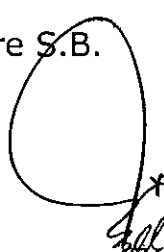


Form- A

FORM OF ORDER SHEET

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

Case No.- 1766 /2020

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	16/03/2020	<p>The appeal of Mr. Yadullah Khattak resubmitted today by Mr. Arbab Saiful Kamal Advocate may be entered in the Institution Register and put up to the Learned Member for proper order please.</p> <p> REGISTRAR 16/3/2020</p>
2-	19/03/20.	<p>This case is entrusted to S. Bench for preliminary hearing to be put up there on <u>29/04/2020</u>.</p> <p> MEMBER</p>
	29.04.2020	<p>Due to COVID-19, the case is adjourned to 04.08.2020 for the same, before S.B.</p> <p> Reader</p>
	04.08.2020	<p>Counsel for the appellant Mr. Arbab Saif-ul-Kamal is present and seeks adjournment. Adjourned to 27.10.2020. File to come up for preliminary hearing before S.B.</p> <p> (MIAN MUHAMMAD) MEMBER (E)</p>

27.10.2020

Appellant in person present.

Lawyers are on general strike, therefore, case is adjourned  
to 07.01.2021 for preliminary hearing, before S.B.



(Rozina Rehman)  
Member (J)

07.01.2021

Mr. Arbab Saif-ul-Kamal, Advocate, for appellant is present.

The learned counsel representing appellant submitted that in consequence of the production of the judgment of Hon'ble Peshawar High Court, Peshawar, he entered mutation No. 114190 which was got attested on 11.08.2016 as a result thereof disciplinary proceedings were initiated against him for attesting the referred to mutation without receiving government tax fee which have caused immense financial lost to the Government Treasury, inquiry was initiated against him on submission of inquiry report minor penalty of withholding of promotion for a period of three years was imposed, followed by departmental appeal which remained undecided necessitating filing of Service Appeal bearing No. 333/2018 in this Tribunal which was partially accepted on 19.02.2018 directing the respondents to conduct regular inquiry by providing appellant opportunity of cross examination, accordingly charge sheet, was issued alongwith statement of allegations by respondent No. 1 a questionre was served which was properly responded, inquiry report was submitted in the light of which minor penalty of withholding of one increment for a period of one year was imposed, again he filed departmental appeal to respondent No. 2 against the impugned order dated 04.01.2019 which was rejected, Service Appeal was preferred to this Tribunal whereby orders dated 04.01.2019 and 11.03.2019 were assailed and was decided on 16.10.2019 by remanding the appeal to respondents for making decision on the departmental appeal of appellant through a well reasoned and speaking order within a period of 60 days. After receiving judgment of the Tribunal respondent No. 1 passed order despite the facts that he was not the appellate authority in the matter and decided departmental appeal of the appellant on 05.12.2019 without assigning any valid reasons. On receipt of impugned order on 22.01.2020 the present appeal has been preferred.

The point so agitated at the bar needs consideration. The appeal is admitted for regular hearing subject to all just legal objections. The appellant is directed to deposit security and process fee within 10 days, thereafter, notices be issued to the respondents for written reply/comments for 29.03.2021 before S.B.

Appellant Deposited  
Security & Process Fee


07/01/21

(MUHAMMAD JAMAL KHAN)  
MEMBER (JUDICIAL)

29.03.2021

Learned counsel for the appellant present. Mr. Kabirullah Khattak learned Addl. AG for respondents present.

Reply/comments on behalf of respondents not submitted. Learned Additional Advocate General is required to contact the respondents and facilitate the submission of reply/comments. To come up for reply/comments on 01.07.2021 before S.B.

  
(Atiq Ur Rehman Wazir)  
Member (E)

01.07.2021

Junior to counsel for the appellant and Mr. Kabirullah Khattak, Addl. AG alongwith Qasim Khan, Superintendent for the respondents present.

Parawise comments on behalf of respondents have been submitted. The appeal is entrusted to D.B for arguments on 15.11.2021.

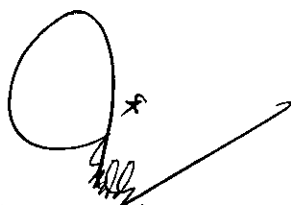
  
Chairman



15.11.2021

Messrs Mian Junaid Sardar, Salaa Khattak and Abdul Sattar, Advocates, for the appellant present and submitted three separate fresh Wakalat Namas in favour of the appellant, which are placed on file. Mr. Javed Ullah, Assistant Advocate General for the respondents present.

Newly engaged learned counsel for the appellant sought adjournment on the ground that they have not gone through the record. Adjourned. To come up for arguments before the D.B on 21.02.2022.



(Mian Muhammad)  
Member (E)



(Salah-Ud-Din)  
Member (J)

21.02.2022

Due to retirement of the Worthy Chairman, the Tribunal is defunct, therefore, case is adjourned to 30.05.2022 for the same as before.



Reader.

30.05.2022

Appellant in person present.

Muhammad Riaz Khan Paindakheil learned Assistant Advocate General alongwith Muhammad Ajmal Assitant Secretary for respondents present.

Former requested for adjournment as his counsel is busy before Hon'ble Peshawar High Court, Peshawar. Adjourned. To come up for arguments on 22.07.2022 before D.B.



(Fareeha Paul)  
Member(E)



(Rozina Rehman)  
Member (J)

22.07.2022

Nemo for appellant.

Muhammad Riaz Khan Paindakheil, learned Assistant Advocate General alongwith Qasim Khan Superintendent for respondents present.

Notice be issued to appellant/counsel for 28.09.2022 for arguments before D.B.

*Counsel was informed date fixed 28/09/22*

  
(Fareeha Paul)  
Member(E)

  
(Rozina Rehman)  
Member (J)

28.09.2022

Appellant present through counsel. Muhammad Jan, learned District Attorney alongwith Imran Akbar, Assistant for respondents present.

Former requested for adjournment as he has not prepared the brief. Adjourned. To come up for arguments on 12.12.2022 before D.B

12.12.2022

Counsel for the appellant present.  
(Fareeha Paul)  
Member (E)

  
(Rozina Rehman)  
Member (J)

Mr. Muhammad Jan, District Attorney alongwith Imran Akbar, Assistant for the respondents present.

Learned counsel for the appellant requested for adjournment in order to further prepare the brief. Last opportunity is granted. To come up for arguments on 09.02.2023 before the D.B.

  
(FAREEHA PAUL)  
Member(E)

  
(ROZINA REHMAN)  
Member (J)