
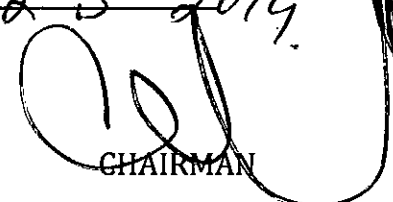


Form- A  
FORM OF ORDER SHEET

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

Case No. 461/2014

S.No.	Date of order Proceedings	Order or other proceedings with signature of judge or Magistrate
1	2	3
1	27/03/2014	<p>The appeal of Bibi Saddiqa resubmitted today by Mr. Saadullah Khan Marwat Advocate 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	31-3-2014	<p>This case is entrusted to Primary Bench for preliminary hearing to be put up there on <del>22-5-2014</del>.</p> <p style="text-align: right;"> CHAIRMAN</p>

2,

22.05.2014

Counsel for the appellant present. Preliminary arguments partly heard. Pre-admission notice be issued to the learned GP to assist the Tribunal. To come up for preliminary hearing on 19.06.2014.

  
Member



Appeal No. 461/2014  
Met. Bilei Fudvign.

19.06.2014

Counsel for the appellant and Mr. Ziaullah, GP for the respondents present. Preliminary arguments heard and case file perused. Counsel for the appellant contended that the appellant has not been treated in accordance with law/rules. Appellant was appointed on 28.01.2011 as PST in BPS-7. As such she took over charge on 31.01.2011 and since then she properly performing duty She filed departmental appeal on 20.11.2013 against the non receipt of salary which the Section-17 of the Khyber Pakhtunkhwa Civil Servant, Act 1973 provides that the Civil Servant appointed to a post shall be entitled, in accordance with the Rules to the pay sanctioned for such post. Hence non receipt of pay at the end of every month is a recurring loss to the appellant which could be treated as original order. The departmental appeal dated 20.11.2013 is not responded within the statutory period of 90 days, hence the present appeal on 06.03.2014.

The learned Government Pleader while assisting the court was of the view that there is not final order and no departmental appeal. He further relied on 2006 SCMR 1630 (a) that an appeal to the Tribunal shall always be against the final order, hence the appeal is not maintainable.

Points raised at the Bar need consideration. The appeal is admitted to regular hearing subject to all legal objections. The appellant is directed to deposit the security amount and process fee within 10 days. Thereafter, Notices be issued to the respondents. To come up for written reply/comments on 17.09.2014.

Member

19.06.2014

This case be put before the Final Bench for further proceedings.

Chairman

Appellant deposited  
Process fee & Security  
Rs. 3500/- Bank Receipt  
attached with file

5

17.09.2014

Counsel for the appellant, and Mr. Kabeerullah Khattak, Asstt. A.G with Sajjad Rashid, AD, Amanullah, Supdt. and Imdad Senior Auditor for respondents present and requested for further time. To come up for written reply on 04.12.2014.

  
MEMBER

4.12.2014

Appellant in person and Mr. Muhammad Jan, GP with representatives of the respondents present. The Tribunal is incomplete. To come up for the same on 15.1.2015.

  
READER

15.1.2015

Appellant in person and Mr. Muhammad Adeel Butt, AAG with Bahadar Khan, Senior Clerk and Mosam Khan, AD for the respondents present. Representatives of the respondents requested for further time for submission of written reply. To come up for the same on 13.3.2015.

  
MEMBER

13.03.2015

Counsel for the appellant, M/S Amanullah, Supdt. for respondent No. 1, Mosam Khan, AD for respondent No. 2 and Khurshid Khan, SO for respondent No. 3 alongwith Addl: A.G for respondents present. Rejoinder not submitted. Requested for adjournment which is granted. The appeal is assigned to D.B for rejoinder and final hearing for 12.10.2015.

  
Chairman

12.10.2015

Counsel for the appellant and Ms. Zahida, DEO alongwith Asst:AG for respondents present. Rejoinder on behalf of the appellant submitted which is placed on file, copy is handed over to the respondent-department. To come up for arguments on 4-4-16.



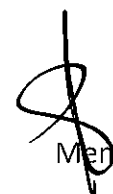
Member



Member

04.04.2016

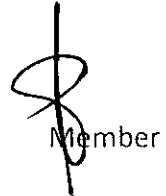
Counsel for the appellant, M/S Pir Iqbal, Supdt. And Muhammad Akram, Supdt. alongwith Addl: AG for respondents present. Learned Member (Executive) is on leave therefore, arguments could not be heard. To come up for arguments on 25.5.16 before D.B.

  
Member

25.05.2016

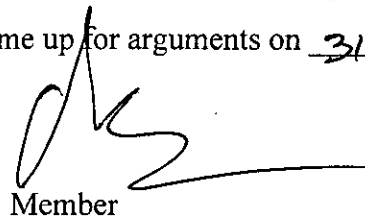
Appellant with counsel and Mr. Kabirullah Khan Khattak, Assistant AG for respondents present. It was brought into notice of Tribunal that identical appeals are fixed in the learned Bench-I of Worthy Chairman and that the same be also clubbed with those appeals. The appeal may be placed before the Worthy Chairman Bench for arguments on 19.08.2016 alongwith others appeals.

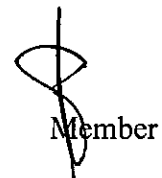
  
Member

  
Member

19.08.2016

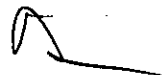
Counsel for the appellant and Mr. Muhammad Jan, GP for respondents present. Counsel for the appellant requested for adjournment. Request accepted. To come up for arguments on 31-10-16.

  
Member

  
Member

31.10.2016

Counsel for the appellant and Asst: AG alongwith Mr. Hameed Ur Rehman, AD and Mr. Dil Jan, Incharge Supdt for the respondents present. Learned Asstt: AG requested for adjournment. To come up for arguments on 24.01.2017.



(ABDUL LATIF)  
MEMBER

  
(PIR BAKHSH SHAH)  
MEMBER

24.01.2017

Agent to counsel for the appellant and Mr. Abdul Shakoor, Assistant Account Officer alongwith Addl: AG for respondents present. Agent to counsel for the appellant requested for adjournment as counsel for the appellant was busy before the Peshawar High Court, Peshawar. To come up for arguments on 20.06.2017 before D.B.

  
Member

  
Chairman

20.06.2017

Counsel for the appellant and Mr. Ziaullah, Deputy District Attorney for the respondents present. Counsel for the appellant requested for adjournment. Adjourned. To come up for arguments on 10.08.2017 before D.B.


  
(Gul Zeb Khan)  
Member

  
(Muhammad Amin Khan Kundi)  
Member

10.08.2017

Counsel for the appellant present. Mr. Kabirullah Khattak, Assistant AG for the respondents present. Learned counsel for the appellant seeks adjournment. Adjourned. To come up for arguments on 21.09.2017 before D.B.


  
(Muhammad Amin Khan Kundi)  
Member (J)

  
(Muhammad Hamid Mughal)  
Member (J)

21.09.2017


Junior to counsel for the appellant present. Kabir Ullah Khattak, Learned Assistant Advocate General for the respondents present. Junior to counsel for the appellant seeks adjournment. Adjourn. To come up for arguments on 16.10.2017 before D.B.

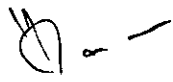
  
Member  
(Executive)

  
Member  
(Judicial)

16.10.2017

Counsel for the appellant present. Mr. Muhammad Jan Deputy District Attorney for the respondents present. To come up alongwith connected appeals for 21.12.2017 before D.B.

  
(Ahmad Hassan)  
Member (E)

  
(Muhammad Hamid Mughal)  
Member (J)

21.12.2017

Due to Judicial Officer's Conference today, case is adjourned to 07.02.2018 for the same before the D.B.


  
Reader



7.2.2018

Counsel for the appellant and Addl. AG for the respondents present. Due to shortage of time, arguments could not be heard. To come up for arguments on 28.02.2018 before the D.B.



  
Member

  
Chairman

28.02.2018

Counsel for the appellant present. Mr. Kabirullah Khattak, Additional AG for the respondents present. Learned counsel for the appellant requested for adjournment. Adjourned. To come up for arguments on 11.04.2018 before D.B.

11.04.2018

  
Member (Executive)  
Learned counsel for the appellant and   
Member (Judicial), Mr. Kabir Ullah Khattak, learned Additional Advocate General alongwith Dil Jan Superintendent for the respondents present. Learned counsel for the appellant seeks adjournment. Adjourn. To come up for arguments on 22.06.2018 before D.B

  
(Ahmad Hassan)  
Member

  
(Muhammad Hamid Mughal)  
Member

22.06.2018

Counsel for the appellant present. Mr. Kabirullah Khattak, Additional AG for the respondents also present. Learned counsel for the appellant seeks adjournment. Adjourned. To come up for arguments on 13.08.2018 before D.B.

  
(Ahmad Hassan)  
Member

  
(Muhammad Amin Khan Kundi)  
Member

13.08.2018

Mr. Amjid Khan, Advocate counsel for the appellant present. Mr. Muhammad Riaz Paindakhel, Asst: AG for respondents present. Learned counsel for the appellant stated that other connected appeals are fixed on 04.10.2018, as such the appeal in hand is adjourned to the said date i.e 04.10.2018 for arguments before D.B.

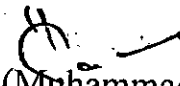
  
Member

  
Chairman

04.10.2018

Appellant absent. Learned counsel for appellant absent. Mr. Muhammad Jan learned Deputy District Attorney present. Adjourned. To come up for arguments on 18.10.2018 before D.B.


  
(Hussain Shah)  
Member

  
(Muhammad Hamid Mughal)  
Member

18.10.2018

Learned counsel for the appellant Mr. Zia Ullah learned Deputy District Attorney for the respondents present. Learned counsel for the appellant seeks adjournment. Adjourned. To come up for and arguments on 03.12.2018 before D.B.

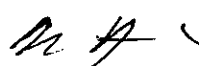
  
(Hussain Shah)  
Member

  
(Ahmed Hassan)  
Member

03.12.2018

Counsel for the appellant present. Mr. Kabirullah Khattak, Additional AG for the respondents present. Learned counsel for the appellant requested for adjournment. Adjourned. To come up for arguments on 23.01.2019 before D.B.

  
(Ahmad Hassan)  
Member

  
(Muhammad Amin Khan Kundi)  
Member

23.01.2019

Uzma Said, Junior counsel for the appellant present. Mr. Usman Ghani, District Attorney for the respondents present. Junior counsel for the appellant requested for adjournment on the ground that learned senior counsel for the appellant is busy before the Hon'ble Peshawar High Court, Peshawar and cannot attend the Tribunal today. Adjourned to 01.03.2019 for arguments before D.B.

  
(HUSSAIN SHAH)  
MEMBER

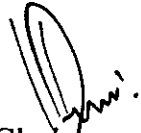
  
(MUHAMMAD AMIN KHAN KUNDI)  
MEMBER

01.03.2019

Appellant in person and Addl. AG for the respondents present.

Due to general strike on the call of Bar Association instant matter is adjourned to 26.04.2019 before the D.B.

  
Member

  
Chairman

26.04.2019

Due to general strike of the bar, the case is adjourned. To come up for arguments on 08.07.2019 before D.B.

  
Member

  
Member

08.07.2019

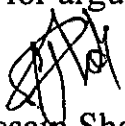
Counsel for the appellant and Addl: AG for respondents present. Learned counsel for the appellant seeks adjournment as he has not prepared the case. The case pertains to the year 2014, therefore, last opportunity granted for arguments. Case to come up for arguments on 24.09.2019 before D.B.

  
Member

  
Member

24.09.2019

Counsel for the appellant and Mr. Usman Ghani, District Attorney alongwith Mr. Muhammad Nazir, ADO for the respondents present. Learned counsel for the appellant seeks adjournment. Adjourned to 28.11.2019 for arguments before D.B.


  
(Hussam Shah)  
Member

  
(M. Amin Khan Kundi)  
Member

28.11.2019


Due to general strike of the Pakistan Bar Council, the case is adjourned. To come up on 24.01.2020 before D.B. Muhammad Nazeer ADEO representative of the respondent department present.

  
Member

  
Member

24.01.2020

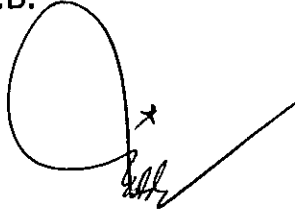
Due to general strike on the call of Khyber Pakhtunkhwa Bar Council learned counsel for the appellant is not available today. Mr. Kabirullah Khattak learned Additional Advocate General for the respondents present. Adjourned to 13.03.2020 for further proceedings/arguments before D.B.

  
(M. Amin Khan Kundi)  
Member

  
(Hussain Shah)  
Member

13.03.2020

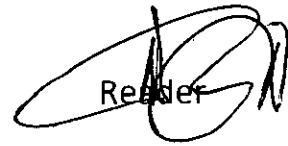
Counsel for the appellant present. Mr. Muhammad Jan, DDA for respondents present. Learned counsel for the appellant seeks adjournment. Adjourned. To come up for arguments on 28.04.2020 before D.B.

  
Member

  
Member

28.12.2020

Due to COVID19, the case is adjourned to  
8-17/2020 for the same as before.

  
Reader

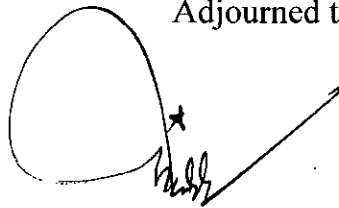
10.07.2020

Junior to counsel for the appellant present.

Addl: AG for respondents present.

Junior to counsel for the appellant seeks adjournment  
as senior counsel is not available today.

Adjourned to 27.08.2020 for arguments before D.B.



(Mian Muhammad)  
Member(E)



(Rozina Rehman)  
Member(J)

27.08.2020

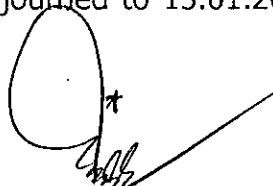
Due to summer vacation, the case is adjourned to  
03.11.2020 for the same as before.

  
Reader

03.11.2020

Junior to counsel for the appellant and Addl. AG 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

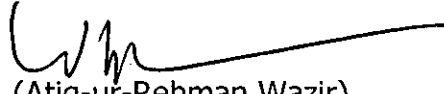


Chairman

13.01.2021

Counsel for the appellant and Addl. AG for the respondents present.

Former requests for adjournment as he is engaged before the High Court in various cases today. Adjourned to 19.02.2021 for hearing before the D.B.

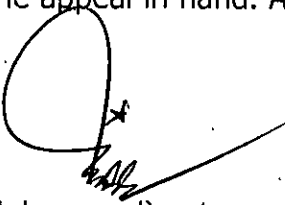
  
(Atiq-ur-Rehman Wazir)  
Member(E)

  
Chairman

19.02.2021

Counsel for the appellant and Addl. AG alongwith Muhammad Nazir, AD and Muhammad Saggad, Litigation Officer for the respondents present.

Former requests for adjournment as the appellant could not turned up before the Tribunal today and submit the documents relevant to the appeal in hand. Adjourned to 23.04.2021 before the D.B.

  
(Mian Muhammad)  
Member(E)

  
Chairman

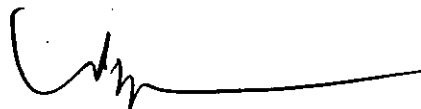
27.05.2021

Appellant present through counsel.

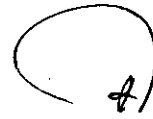
Muhammad Adeel Butt Additional Advocate General alongwith Muhammad Nazeer ADO for respondents present.

Relevant record in respect of adjustment of the appellant in the light of inquiry report is not available, therefore, representative of the respondents is directed to make sure the production of relevant record before date.

Adjourned to 13.09.2021 for arguments before D.B



(Atiq ur Rehman Wazir)  
Member (E)



(Rozina Rehman)  
Member (J)

13.09.2021

Appellant present through counsel.

Asif Masood Ali Shah learned D.D.A alongwith Nazeer Ahmad ADEO for respondents present.

Request for adjournment was made on behalf of appellant; granted. To come up for arguments on 29.12.2021 before D.B.



(Rozina Rehman)  
Member (J)



Chairman

29/12/2021.

Due to winter vacations the case is adjourned to 18/3/2022 for the same as before.





18.03.2022

Due to retirement of the Worthy Chairman, the Tribunal is defunct, therefore, case is adjourned to 09.06.2022 for the same as before.

  
Reader.

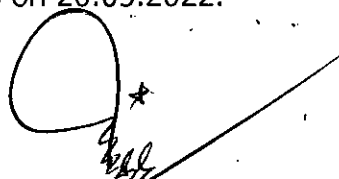
15.04.2022

As per directions of the worthy Chairman the instant case be refixed on 09.05.2022 instead of 09.06.2022. Notices of prosecution of appeal be issued to the parties for the date fixed.

  
Reader

09.05.2022 Learned counsel for the appellant present. Mr. Muhammad Riaz Khan Paindakhel, Assistant Advocate General for respondents present.

Learned counsel for the appellant again requested for adjournment on the ground that he has not made preparation for arguments. The appeal in hand pertaining to the year 2014, therefore, last opportunity granted. To come up for arguments before the D.B on 20.05.2022.

  
(Mian Muhammad)  
Member(E)

  
(Salah Ud Din)  
Member(J)


20.05.2022

Counsel for the appellant present.

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

Due to paucity of time, arguments could not be heard. Therefore, case is adjourned. To come up for arguments on 19.07.2022 before the D.B.

  
(Rozina Rehman)  
Member (J)

  
(Salah-Ud-Din)  
Member (J)

19.07.2022

Appellant present through counsel.

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

File to come up alongwith connected Service Appeal Nno773/2014 titled Jamshid Bibi Vs. Government of Khyber Pakhtunkhwa on 19.09.2022 before D.B.

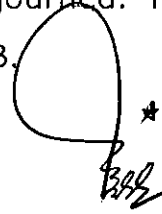
  
(Fareeha Paul)  
Member(E)

  
(Rozina Rehman)  
Member (J)

19.09.2022

Learned counsel for the appellant present. Mr. Muhammad Nazir, ADEO (Litigation) alongwith Mr. Muhammad Adeel Butt, Additional Advocate General for the respondents present.


Learned Member (Judicial) Mr. Salah-ud-Din is on leave, therefore, arguments could not be heard. Adjourned. To come up for arguments on 04.11.2022 before the D.B.

  
(Mian Muhammad)  
Member (Executive)

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

Lawyers are on strike today.


To come up for arguments on 14.12.2022 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**

14<sup>th</sup> Dec. 2022

Due to strike of the Bar and Mrs. Rozina Rehman, learned Member (J) being on leave, this matter is adjourned to 21.02.2023 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)**