




Form-A
FORMOF ORDERSHEET

Court of _____

Case No. 749/2018

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1	29/05/2018	<p>The appeal of Mr. Sawab Khan 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 29/5/18 </p>
2-	30/05/18.	<p>This case is entrusted to S. Bench for preliminary hearing to be put up there on <u>08/06/18.</u></p> <p style="text-align: right;">  CHAIRMAN </p>
08.06.2018		<p>Counsel for the appellant present and seeks adjournment. Adjourned. To come up for preliminary hearing on 21.06.2018 before S.B.</p> <p style="text-align: right;">  (Ahmad Hassan) Member </p>

21.06.2018

Counsel for the appellant present. Preliminary arguments heard and case file perused. Learned counsel for the appellant argued that 730 days leave without pay was granted to him vide order dated 3.01.2008. It was further extended for a period of one year vide order dated 02.12.2009. That the appellant applied for further extension in leave which was sanctioned vide order dated 10.01.2011. Another extension in leave was granted to him for 180 days from 03.03.2012 to 29.08.2012. That the appellant again applied for extension in leave which was not acceded by the respondents. Vide impugned order dated 14.11.2012 major penalty of removal from service w.e.f 30.08.2012 was imposed on him. He preferred departmental appeal on 30.01.2018 which was not responded within the stipulated period, hence, the instant service appeal. As impugned order was passed with retrospective effect so the same was void ab-initio and no limitation runs against a void order. He has not been treated according to law and rules.

Appellant Deposited
Security & Process Fee

Points urged need consideration. Admit, subject to deposit of security and process fee within 10 days, thereafter, notices be issued to the respondents for written reply/comments for 16.08.2018 before S.B.


(AHMAD HASSAN)
MEMBER

16.08.2018

Clerk to counsel for the appellant present. Mr. Kabirullah Khattak, Addl: AG for respondents present. Written reply/comments not submitted. Learned AAG sought some time to submit the same. Case to come up for written reply/comments on 24.09.2018 before S.B.


Chairman


24.09.2018

Mr. Noor Muhammad Khattak, Advocate, counsel for the appellant present. Mr. Ubaidur Rahman, ADO alongwith Mr. Kabirullah Khattak, Addl. AG for the respondents present. Written reply submitted. The case pertains to territorial limits of Malakand Division. To come up for rejoinder, if any, and arguments on 07.11.2018 before S.B at camp court, Swat.


Chairman

07.11.2018


Due to retirement of the Hon'ble Chairman Service Tribunal is incomplete. Tour to Camp Court Swat has been cancelled. To come up for the same on 08.01.2019 at camp court Swat.


Reader

08.01.2019


Junior counsel for the appellant present. Mr. Obaid-ur-Rehman, Assistant alongwith Mr. Mian Ameer Qadir, District Attorney for the respondents present. Junior counsel for the appellant requested for adjournment on the ground that senior counsel for the appellant is not available today. Adjourned. To come up for arguments on 02.04.2019 before D.B at camp court Swat.



(Ahmad Hassan)
Member


(M. Amin Khan Kundi)
Member
Camp Court Swat

02.04.2019


Counsel for the appellant and Mr. Mian Ameer Qadir, District Attorney alongwith Mr. Obaid-ur-Rehman, Assistant for the respondents present. Learned counsel for the appellant seeks adjournment. Adjourn. To come up for arguments on 10.06.2019 before D.B at Camp Court Swat.



(M. Amin Khan Kundi)
Member
Camp Court Swat


(M. Hamid Mughal)
Member
Camp Court Swat

10.06.2019

Mr. Mir Zaman, junior counsel for the appellant and Mian Ameer Qadir learned District Attorney alongwith Mr. Obaid-ur-Rehman, Assistant for the respondents present. Junior counsel for the appellant seeks adjournment as senior counsel for the appellant is not available today. Adjourn. To come up for arguments on 02.09.2019 before D.B at Camp Court Swat.


(M. Amin Khan Kundi)
Member
Camp Court Swat


(M. Hamid Mughal)
Member
Camp Court Swat

02.09.2019

Counsel for the appellant present. Mian Amir Qadir, DDA for respondents present. Learned counsel for the appellant submitted an application for transfer of the present service appeal at principal seat Peshawar. Learned DDA showed his no objection if the present application is allowed. In the interest of justice the present appeal is transferred to principal seat at Peshawar. To come up for arguments on 14.11.2019 before D.B at Peshawar.


Member


Member
Camp Court Swat

14.11.2019

Counsel for the appellant present. Asst: AG alongwith Mr. Obaid Ur Rehman, ADEO for respondents present. Learned counsel for the appellant seeks adjournment. Adjourned. To come up for arguments on 14.01.2020 before D.B.


Member


Member

14.01.2020

Due to general strike on the call of Khyber Pakhtunkhwa Bar Council, learned counsel for the appellant is not available today. Mr. Ziaullah, Deputy District Attorney for the respondents present. Adjourned to 27.02.2020 for arguments before D.B.


(Ahmad Hassan)
Member


(M. Amin Khan Kundi)
Member

27-2-20

The learned Member is on tour therefore case is adjourned to 9-4-2020


Reedh

09-4.2020

Due to COVID19, the case is adjourned to
07/07/2020 for the same as before.

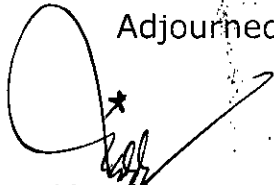

Reader


07.07.2020

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

On the last date the matter ^{was} adjourned through
a reader's note, therefore, notice be issued to the
appellant/counsel.

Adjourned to 02.09.2020 before D.B.


Member


Chairman

Notice
M-1


02.09.2020


Counsel for appellant present.

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

Learned counsel for appellant seeks adjournment as
issue involved in the present case is pending before
Larger Bench of this Tribunal.

Adjourned to 23.11.2020 for arguments, before D.B.


(Attiq ur Rehman)
Member (E)


(Rozina Rehman)
Member (J)

23.11.2020

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

As the proposition has not been settled by the Larger Bench in other cases, instant matter is, therefore, adjourned to 12.02.2021 for hearing before the D.B.



(Mian Muhammad)
Member


Chairman

12.02.2021

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

Due to general strike on the call of Khyber Pakhtunkhwa Bar Council, instant matter is adjourned to 26.05.2021 for hearing before the D.B.

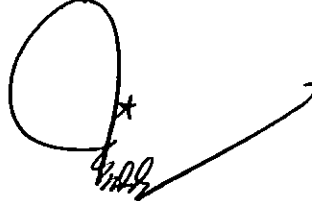

(Atiq-ur-Rehman Wazir)
Member(E)


Chairman

26.05.2021

Mr. Afrasyab Khan Wazir, junior ^{of learned} counsel for the appellant present. Mr. Kabirullah Khattak, Additional Advocate General for respondents present.

Former sought adjournment on the ground that the issue involved in the present appeal is pending adjudication before Larger Bench of this Tribunal in other appeals. Adjourned. To come up for arguments before D.B on 14.09.2021.



(Mian Muhammad)
Member (E)



(Salah Ud Din)
Member(J)

14.09.2021

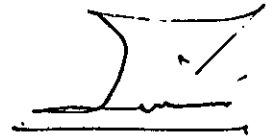
Mr. Kamran Khan, junior of learned counsel for the appellant present. Mr. Javed Ullah, Assistant Advocate General for the respondents present.

Junior of learned counsel for the appellant requested for adjournment on the ground that learned counsel for the appellant is busy in the august Peshawar High Court, Peshawar. Adjourned. To come up for arguments before the D.B on 21.12.2021.

D



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

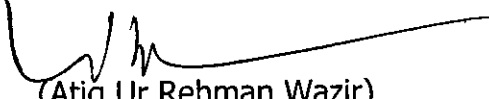


(SALAH-UD-DIN)
MEMBER (JUDICIAL)

21.12.2021

Clerk of learned counsel for the appellant present. Mr. Kabirullah Khattak, Additional Advocate General alongwith Mr. Obaid-Ur-Rehman ADO for respondents present.

Clerk of learned counsel for the appellant stated that learned counsel for the appellant is unable to attend the Tribunal today due to strike of lawyers. Adjourned. To come up for arguments before the D.B on 05.04.2022.

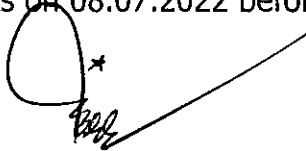

(Atiq Ur Rehman Wazir)
Member (E)


Chairman

05.04.2022

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

Former seeks adjournment to properly assist the court. Adjourned. Last opportunity is granted. To come up for arguments on 08.07.2022 before the D.B.


(Mian Muhammad)
Member(E)


Chairman

8-7-2022

Due to Holidays of Eid Ul Azha
the case is adjourned to 25-10-2022


Reader

25.10.2022

Appellant alongwith his counsel present. Mr. Muhammad Riaz Khan Paindakhel, Assistant Advocate General for the respondents present.

Learned counsel for the appellant requested for adjournment on the ground that he has not prepared the brief of the instant appeal. Adjourned. To come up for arguments on 12.12.2022 before the D.B.



(Mian Muhammad)
Member (E)



(Salah-Ud-Din)
Member (J)

12.12.2022

Appellant present through counsel.

Muhammad Adeel Butt learned Additional Advocate General Iftikhar Ghani DEO Buner for the respondents present.

Former made a request for adjournment in order to further prepare the brief. Last chance is given. To come up for arguments on 03.02.2023 before D.B.



(Fareeha Paul)
Member (E)



(Rozina Rehman)
Member (J)