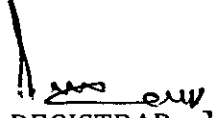



Form-A
FORM OF ORDER SHEET

Court of _____

Case No. 5812 /2021

S.No.	Date of order Proceedings	Order or other proceedings with signature of judge
1	2	3
1	07/06/2021	<p>The present appellant initially went in Writ Petition before the Hon'ble Peshawar High Court and the Hon'ble High Court vide its order dated 28.05.2021 treated the Writ Petition into an appeal and sent the same to this Tribunal for decision in accordance with law. The same may be entered in the Institution Register and put up to the worthy Chairman for further order please.</p> <p style="text-align: right;"> REGISTRAR</p>
2-	09/06/21	<p>This case is entrusted to S. Bench for preliminary hearing to be put up there on 16/06/21</p> <p style="text-align: right;"> CHAIRMAN</p>

Service Appeal No. 5812/2021

16.06.2021 Counsel for the appellant present. Preliminary arguments heard.

The appellant had approached the Hon'ble Peshawar High Court Peshawar through Writ Petition No. 2043-P/2021 and when the said Writ Petition came up for hearing before the said court, it was diverted to this Tribunal vide order dated 28.05.2021, after its conversion to Service Appeal. In compliance with the said order, Deputy Registrar (Judicial) of the Peshawar High Court Peshawar sent the file of the Writ Petition here vide his office letter No. 37063/1557/2021/WP-MN, dated 05.06.2021; and accordingly, the same was registered as Service Appeal No. 5812/2021. The appellant is directed to file the proper memorandum of appeal before the next date. However, the Writ Petition already treated as service appeal is admitted for regular hearing. The appellant is directed to deposit security and process fee within 10 days. Thereafter, notices be issued to the respondents for submission of written reply/comments in office within 10 days after receipt of notices, positively. If the written reply/comments are not submitted within the stipulated time, the office shall submit the file with a report of non-compliance. File to come up for arguments on 14.07.2021 before the D.B.

Appellant Deposited
Security & Process Fee

14/7/21

An application has been submitted by the appellant today for suspension of impugned order dated 11.02.2021. Let notice of the application be given to the respondents for the date already fixed. Status quo be maintained till next date, subject to notice to the respondents.


Chairman

14.07.2021

Appellant present through counsel.

Muhammad Adeel Butt learned Additional A.G for respondents present.

The respondents were required to submit the requisite comments within 10 days but they so far have not submitted the written reply/comments. An application was filed for suspension of the impugned order dated 11.02.2021 and notice of the application was also given to the respondents with direction to maintain status-quo till next subject to notice to the respondents. Today, learned counsel for appellant alongwith an application has furnished copy of office order dated 05.05.2021, whereby the appellant has been directed to immediately report for duty inn D.H.Q Hospital Battagram, failing which, she will be proceeded under the rules. It has been stated at the bar that the appellant has not relinquished the charge of the post at Category-D Hospital Barikot, Swat. Copy of the order dated 05.05.2021 was endorsed to D.H.O Swat with the request to relieve the Charge Nurse concerned from duty at Category-D Hospital Barikot Swat and stop her salary with direction to her to report for duty at DH.Q Hospital Battagram. The said endorsement in the order of respondent No.2 supports the contention of counsel for the appellant that the appellant has so far not relinquished the charge of the post at Barikot Swat. With regard to peculiar position of the case, operation of impugned order is suspended till final disposal of this appeal if not earlier withdrawn. To come up on 13.08.2021 before D.B



(Rozina Rehman)
Member (J)


Chairman

13.08.2021

Appellant present through counsel.

Mr. Kabir Ullah Khattak learned Additional Advocate General alongwith Usman J.C for respondents present.

Reply of the respondents is yet to be submitted and learned A.A.G seeks time for submission before next date in office. To come up for arguments on 18.11.2021 before D.B.



(Rozina Rehman)
Member (J)

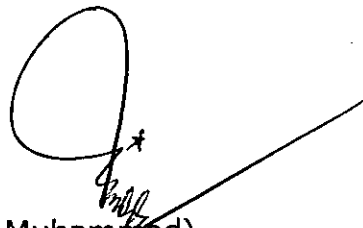


Chairman

18.11.2021

Husband of the appellant present. Mr. Asif Masood, Deputy District Attorney alongwith Mr. Jafar Ali, Assistant for respondents present.

Representative of the respondents submitted written reply/parawise comments which is placed on file. A copy of the same is handed over to the husband of the appellant. Adjourned. To come up for arguments on 14.12.2021 before the D.B.



(Mian Muhammad)
Member(E)



(Salah-Ud-Din)
Member(J)

14-12-21

D.B is on Toud case to come up?
For the same on Dated. 17-1-22.


Reides

5812/2021

17.01.2022

Junior to counsel for the appellant present. Mr. Muhammad Adeel Butt, Addl. AG for the respondents present.

Former states that learned senior counsel was in attendance but later-on left the Tribunal due to indisposition. Last chance is given. To come up for arguments on 24.02.2022 before the D.B.


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


Chairman

24-2-22

*Due to indisposition of worthy chairman,
The case is adjourned to 30-3-22 for
the same.*

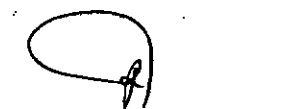



30.03.2022

Husband of appellant on behalf of appellant present

Mr. Muhammad Adeel Butt, Additional Advocate General for the respondents present.

Husband of appellant requested for adjournment on the ground that learned counsel for the appellant is indisposed. Adjourned. To come up for arguments before the D.B on 12.05.2022.


(Rozina Rehman)
Member (J)


(Salah-Ud-Din)
Member (J)


12-5-22

Proper DB not available the case is
adjourned on 27-7-22

Mian
Redden

27th July 2022 Learned counsel for the appellant present. Mr. Naseer-ud-Din Shah, Assistant Advocate General for respondents present.

Learned counsel for the appellant seeks adjournment on the ground that he has not prepared the brief of the instant appeal. Adjourned. To come up for arguments on 23.09.2022 before the D.B.



(Salah-Ud-Din)
Member (J)

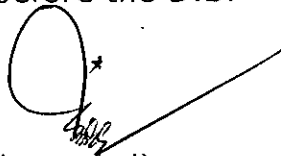


(Kalim Arshad Khan)
Chairman

23.09.2022

Learned counsel for the appellant present. Syed Naseer-ud-Din Shah, Assistant Advocate General for the respondents present.

Both the parties sought time for preparation for arguments. Adjourned. To come up for arguments on 13.12.2022 before the D.B.



(Mian Muhammad)
Member (Executive)



(Salah-Ud-Din)
Member (Judicial)


13.12.2022

Junior to counsel for the appellant present.

Muhammad Riaz Khan Paindakhel learned Assistant Advocate General alongwith Muhammad Tufail S.O for the respondents present.

Former requested for adjournment on the ground that senior counsel is busy in Hon'ble Peshawar High Court, Peshawar. Last chance is given, failing which appeal would be decided on the available record without the arguments. To come for arguments on 09.01.2023 before D.B.


(Fareeha Paul)
Member (E)


(Rozina Rehman)
Member (J)