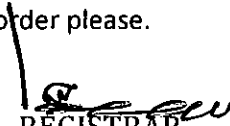



Form- A  
FORM OF ORDER SHEET

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

Case No. 534/2019

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	25/04/2019	<p style="text-align: center;">The appeal of Mr. Safer Ullah Khan resubmitted today by Mr. Inayatullah Khan 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 25/4/19</p>
2-	26/04/19	<p style="text-align: center;">This case is entrusted to S. Bench for preliminary hearing to be put up there on <u>30/05/19</u></p> <p style="text-align: right;"> CHAIRMAN</p>

30.05.2019

Counsel for the appellant present.

Contends that the appellant got retired from service on 07.09.2017, however, proceedings were taken against him under the Khyber Pakhtunkhwa Government Servants (E&D) Rules, 2011 and the impugned order was passed on 16.01.2019. In the order the appellant was shown to have been awarded punishment of recovery of Rs. 30,41,057/-. The proceedings against the appellant after retirement were in violation of the law. The respondents should have proceeded against the appellant for recovery of Government money, if any, under the West Pakistan Pension Rules, 1963 that too, within a period of one year of retirement of civil servant.

Instant appeal is admitted for regular hearing in view of the available record and averments of learned counsel. The appellant is directed to deposit security and process fee within 10 days. Thereafter, notices be issued to the respondents. To come up for written reply/comments on 23.07.2019 before S.B.

Appellant Deposited  
Security & Process Fee

  
Chairman

23.07.2019

Counsel for the appellant and Mr. Usman Ghani, District Attorney alongwith Wahdat Zeeshan SDFO for the respondents present.

Representative of the respondents seeks adjournment. To come up for written reply/comments on 11.09.2019 before S.B.

  
Chairman

11.09.2019

Junior to counsel for the appellant and Addl. AG alongwith Wahdat Zeeshan, SDFO for the respondents present.

Representative of the respondents requests for further time. Adjourned to 07.10.2019 on which date the requisite reply/comments shall positively be submitted before S.B.

Chairman



07.10.2019

Mr. Mohsin Khan son of appellant and Addl. AG alongwith Rafiullah Jan, SDFO for the respondents present.

Parawise comments on behalf of respondents No. 1 to 4 have been submitted. Placed on record. To come up for arguments on 06.12.2019 before the D.B. The appellant may submit rejoinder, within a fortnight, if so advised.


Chairman



06.12.2019

Due to general strike of Khyber Pakhtunkhwa Bar Council learned counsel for the appellant is not available today. Mr. Kabirullah Khattak, Additional AG alongwith Mr. Wahdat Zeeshan, SDFO for the respondents present. Adjourned to 04.02.2020 for rejoinder and arguments before D.B.

  
(Hussain Shah)  
Member

  
(M. Amin Khan Kundi)  
Member

04.02.2020

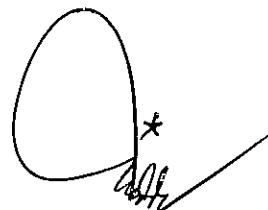
Clerk to counsel for the appellant and Mr. Kabirullah Khattak, Additional AG for the respondents present. Clerk to counsel for the appellant requested for adjournment on the ground that learned counsel for the appellant is not available today due to general strike of Khyber Pakhtunkhwa Bar Council. Adjourned to 19.03.2020 for rejoinder and arguments before D.B.

  
(Ahmad Hassan)  
Member

  
(M. Amin Khan Kundi)  
Member

19.03.2020

None for the appellant present. Addl: AG for respondents present. Due to general strike on the call of Peshawar Bar Council, the case is adjourned. To come up for arguments on 21.05.2020 before D.B.

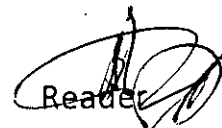
  
(MAIN MUHAMMAD)  
MEMBER

  
(M.AMIN KHAN KUNDI)  
MEMBER

\_\_\_\_\_ .2020

Due to COVID19, the case is adjourned to

13/8 /2020 for the same as before.

Reader 

13.08.2020

Due to summer vacations case to come up for the same on  
16.10.2020 before D.B.

Reader 

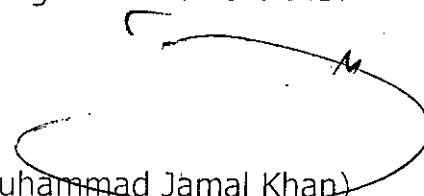
16.10.2020

Junior counsel for appellant present. Mr.  
Muhammad Jan learned Deputy District Attorney for  
respondents present.

Former requests for adjournment as senior counsel  
for appellant is busy before Hon'ble Peshawar High Court  
Peshawar.


Adjourned to 10.12.2020 for arguments before D.B.

  
(Atiq-Ur-Rehman Wazir)  
Member

  
(Muhammad Jamal Khan)  
Member

10.12.2020 Counsel for the appellant and Zara Tajwar, DDA for the respondents present.

Requests for time to submit rejoinder to the reply of respondents. The record shows that the appellant was allowed atleast two opportunities for the purpose on previous dates. The proceedings are adjourned to 08.03.2021 for arguments on the appeal. The appellant may furnish rejoinder well before the next date of hearing.

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

  
Chairman

08.03.2021

<sup>appelt</sup>  
Counsel for the and Assistant A.G for the respondents present.

Former furnished rejoinder on behalf of appellant with regard to the parawise comments of respondents. Placed on file. ~~To come up for arguments on Former requests for adjournment as learned senior counsel for the appellant is attending his ailing father today. Adjourned to 15.06.2021 for~~ ~~arguments hearing~~ before the D.B.

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

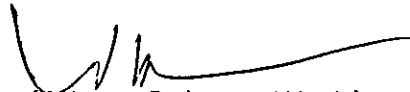
Chairman

*Reprinted on Pre page  
after requisite correction*

08.03.2021

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

Former furnished rejoinder on behalf of appellant with regard to the parawise comments of respondents. Placed on file. Adjourned to 15.06.2021 for arguments before the D.B.

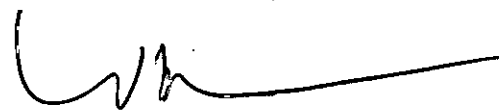
  
(Atiq-ur-Rehman Wazir)  
Member(E)

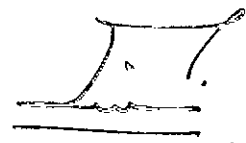
  
Chairman

15.06.2021

Appellant in person present. Mr. Kabirullah Khattak, Additional Advocate General for the respondents present.

Appellant sought adjournment on the ground that his counsel is not available today due to strike of Lawyers. Adjourned. To come up for arguments before the D.B on 11.10.2021.


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

  
(SALAH-UD-DIN)  
MEMBER (JUDICIAL)

11.10.2021

Clerk to counsel for the appellant present. Mr. Riaz Khan Paindakheil, Assistant Advocate General for respondents present.

Learned Members of the DBA are observing Sogh over the demise of Dr. Abdul Qadeer Khan (Scientist) and in this regard request for adjournment was made; allowed. To come up for arguments on 20.12.2021 before D.B.

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

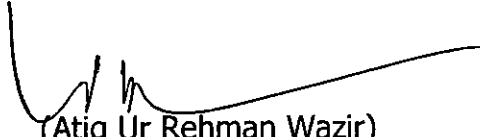
  
(Rozina Rehman)  
Member (J)

20.12.2021

Nemo for the parties.

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

Both the parties be put on notice for 04.04.2022 for arguments before D.B.

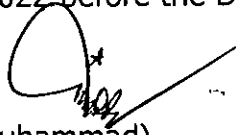
  
(Atiq Ur Rehman Wazir)  
Member (E)

  
Chairman

04.04.2022

Neither appellant nor his counsel is present. Clerk of counsel for the appellant present and seeks adjournment. Mr. Kabirullah Khattak, Addl. AG for the respondents present.

Former seeks adjournment due to engagement of learned senior counsel in Hon'ble High Court. Last opportunity is granted. To come up for arguments on 07.07.2022 before the D.B.

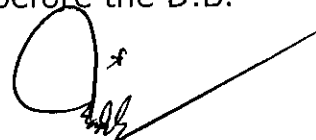
  
(Mian Muhammad)  
Member(E)

  
Chairman

07.07.2022

Clerk of learned counsel for the appellant present. Mr. Kabirullah Khattak, Additional Advocate General for the respondents present.

Clerk of learned counsel for the appellant requested for adjournment on the ground that learned counsel for the appellant is not available today due to strike of lawyers. Adjourned. To come up for arguments on 17.10.2022 before the D.B.

  
(Mian Muhammad)  
Member (E)

  
(Salah-ud-Din)  
Member (J)



17<sup>th</sup> Oct., 2022

Junior to counsel for the appellant present. Mr. Muhammad Riaz Khan, Asstt. AG for the respondents present.

Request for adjournment was made due to engagement of learned counsel for the appellant in the Hon'ble Peshawar High Court today. Last opportunity is granted. To come up for arguments on 04.11.2022 before D.B.

  
(Fareeha Paul)  
Member(E)

  
(Kalim Arshad Khan)  
Chairman

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 02.03.2023 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)**