

29.10.2019

None present on behalf of appellant. Mr. Kabir Ullah Khattak learned Additional Advocate General for official respondents present. Husbands of private respondents No.4 & 6, father of private respondent No.5 present. Written reply not submitted. No one present on behalf remaining respondents. Notice be issued to remaining respondents i.e. respondents No.1 to 3 and 7 for submission of written reply/comments. Adjourn. To come up for written reply/comments on 03.12.2019 before S.B

It was noted with concern that the appellant dragged private persons/ private respondents in the present service appeal but today no one appeared on her behalf, she be put to notice for the date fixed.


Member

03.12.2019

Junior to counsel for the appellant and Addl. AG alongwith Sher Azam, Assistant for official respondents present. Mr. Ibadur Rahman, Advocate on behalf of respondents No. 4 to 7 present and furnished Wakalatnama in his favour.

Respondents need further time to furnish the requisite reply/comments. Last opportunity is granted. To come up for written reply/comments on 15.01.2020 before S.B.

Chairman 

15.01.2020

Junior to counsel for the appellant and Addl. AG alongwith Sher Azam Khan, Assistant for the respondents present.

Despite last opportunity the respondents have not furnished the requisite reply/comments. The matter is, therefore, posted to D.B for arguments on 18.03.2020.


Chairman

18.03.2020

Counsel for the appellant present. Mr. Ziaullah, DDA alongwith Mr. Sher Azam, Assistant for respondents present. The case was fixed for arguments, however, learned DDA requested for submission of comments/written reply on behalf of respondents no. 1 to 3. Request accepted and the written reply/comments placed on file. Learned counsel for private respondents no. 4 to 7 also present. Adjourned. To come up for arguments on 15.05.2020 before D.B.


(MAIN MUHAMMAD)
MEMBER


(M.AMIN KHAN KUNDI)
MEMBER

15-5.2020

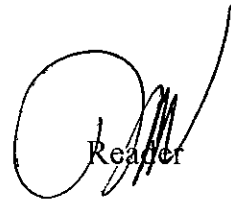
07/8

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


Reader

07.08.2020

Due to summer vacation case to come up for the same on
09.10.2020 before D.B.



Reader

09.10.2020

Appellant present through counsel.

Mr. Muhammad Jan learned Deputy District Attorney for
respondents present.

Former requests for adjournment; granted. To come up for
arguments on 04.12.2020 before D.B.


(Atiq ur Rehman Wazir)
Member (E)


(Rozina Rehman)
Member (J)

04.12.2020

Due to COVID-19 the case is adjourned for the same on
02.03.2021 before D.B.



READER

02.03.2021

Due to COVID-19, the case is adjourned for the
same on 31.05.2021 before D.B



READER

31.05.2021

Mr. Noor Muhammad Khattak, Advocate, for the appellant present. Mr. Sher Azam, Superintendent alongwith Mr. Muhammad Rasheed, Deputy District Attorney for official respondents No. 1 to 3 present. Mr. Muhammad Maaz Madni, Advocate, as proxy for learned counsel for private respondents No. 4 to 7 present and requested that he has been informed by the learned counsel that he is unable to attend the court today due to some domestic problems. Adjourned. To come up for arguments before the D.B on 06.09.2021.



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



(SALAH-UD-DIN)
MEMBER (JUDICIAL)

06.09.2021

Mr. Said Khan, junior of learned counsel for the appellant present. Mr. Muhammad Rasheed, Deputy District Attorney for official respondents No. 1 to 3 present. Mr. Imran Khan, Advocate, for private respondents No. 4 to 7 present,

Junior of learned counsel for the appellant stated at the bar that the appellant has died, therefore, time may be granted for submission of list of legal heirs of the appellant for their impleadment as appellants in the instant appeal. Adjourned. To come up for submission of list of legal heirs of the appellant as well as further proceedings before the D.B on 03.01.2022.



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


(SALAH-UD-DIN)
MEMBER (JUDICIAL)

03.01.2022

Counsel for the appellant and Mr. Noor Zaman Khattak, District Attorney for the official respondents and counsel for private respondents present.

Former submitted List of Legal Heirs of deceased appellant and requested for adjournment for arguments on the point of their impleadment. Request accorded. To come up for arguments on 12.04.2022 before the D.B.


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


Chairman

12.04.2022

Learned counsel for the appellant present. Mr. Kabirullah Khattak, learned Addl. AG for official respondents No. 1 to 3 and counsel for private respondents No. 4 to 7 present.

When confronting ^{ed} with the situation, that list of legal heirs of the deceased appellant ^{was} is incomplete, learned counsel for the appellant requests for some time to submit the complete list.

Learned counsel for private respondents No. 4 to 7 submitted that since the appellant had ^{claim of the appellant in the} died, therefore, the appeal would be limited to financial benefits only and there was no need of the private respondents to remain on the panel of respondents.

In view of the above situation, learned counsel for the appellant ^{of the private respondents} agreed to delete the name of private respondents from the panel of respondents. To come up for arguments before the D.B on 14.06.2022.

Order accordingly.

(Rozina Rehman)
Member (J)

Chairman

Correction made and re-printed on pre-page

12.04.2022

Learned counsel for the appellant present. Mr. Kabirullah Khattak, learned Addl. AG for official respondents No. 1 to 3 and counsel for private respondents No. 4 to 7 present.

When confronted with the situation, that list of legal heirs of the deceased appellant was incomplete, learned counsel for the appellant requests for some time to submit the complete list. Learned counsel for private respondents No. 4 to 7 submitted that since the appellant had died, therefore, the claim of the appellant in the appeal would be limited to financial benefits only and there was no need of the private respondents to remain on the panel of respondents.

In view of the above situation, learned counsel for the appellant and of the private respondents agreed to delete the name of private respondents from the panel of respondents. Order accordingly. To come up for arguments before the D.B on 14.06.2022.



(Rozina Rehman)
Member (J)


Chairman

13.06.2022

Clerk of counsel for the appellant present. Mr. Kabirullah Khattak, Additional Advocate General for official respondents No. 1 to 3 present. Clerk of counsel for private respondents No. 4 to 7 present.

Clerk of 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 16.08.2022.


(MIAN MUHAMMAD)
MEMBER (EXECUTIVE)


(SALAH-UD-DIN)
MEMBER (JUDICIAL)

16-8-22 . due to business vacation the case is adjourned to 3.11.22 for the same.

3rd Nov. 2022

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

Learned counsel for the appellant seeks adjournment in order to further prepare the brief. Last opportunity granted. To come up for arguments on 16.12.2022 before the D.B.


(Fareeha Paul)
Member (E)


(Kalim Arshad Khan)
Chairman

16th Dec. 2022

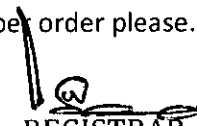

Counsel for the appellant present. Mr. Naseerud Din Shah, Assistant Advocate General for the respondents present. Mrs. Rozina Rehman, learned Member (J) is on leave, therefore, D.B is incomplete. The case is adjourned to 09.03.2023 for arguments before the D.B.


(Fareeha Paul)
Member(E)

Form- A
FORM OF ORDER SHEET

Court of _____

Case No.- 728/2019

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	12/06/2019	<p style="text-align: center;">The appeal of Mst. Naseem Bibi 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 12/16/19</p>
2-	13/06/19	<p style="text-align: center;">This case is entrusted to S. Bench for preliminary hearing to be put up there on <u>04/07/19</u></p> <p style="text-align: right;"> CHAIRMAN</p>

04.07.2019

Counsel for the appellant present. Preliminary arguments heard.

Learned counsel argued that the appellant was appointed as Arabic Teacher BPS-15 vide order dated 30.08.1995 and performed duty to the entire satisfaction of the respondents. That vide impugned notification dated 26.02.2016 juniors to the appellant (private respondents No. 4 to 7) were promoted to the post of Senior Arabic teacher, while the appellant has been ignored without any cogent reason/justification. Feeling aggrieved, she filed departmental appeal on 28.02.2018 followed by the present service appeal on 12.06.2019. In support of his arguments learned counsel for the appellant invited attention to the seniority list placed at page 32 of the present service appeal, wherein ^{her} name of the appellant is appearing at S.No. 11, while ^{that of} private respondents were placed at S.No. 17, 22, 23 and 26. The appellant has not been treated in accordance with law and rules.

Deposited
connection

Points raised need consideration. The 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. To come up for written reply/comments on 02.09.2019 before S.B.

Netyhe

Member

728/2019

04.07.2019

Counsel for the appellant present. Preliminary arguments heard.

Learned counsel argued that the appellant was appointed as Arabic Teacher BPS-15 vide order dated 30.08.1995 and performed duty to the entire satisfaction of the respondents. That vide impugned notification dated 26.02.2016 juniors to the appellant (private respondents No. 4 to 7) were promoted to the post of Senior Arabic teacher, while the appellant has been ignored without any cogent reason/justification. Feeling aggrieved, she filed departmental appeal on 28.02.2018 followed by the present service appeal on 12.06.2019. In support of his arguments learned counsel for the appellant invited attention to the seniority list placed at page 32 of the present service appeal, wherein her name is appearing at S.No. 11, while that of private respondents at S.No. 17, 22, 23 and 26. The appellant has not been treated in accordance with law and rules.

Points raised need consideration. The 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. To come up for written reply/comments on 02.09.2019 before S.B.

Appellant Deposited
Security Access Fee
9/7/19

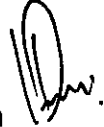

Member

02.09.2019

Appellant in person and Asstt. AG alongwith Sher Azam Khan, Assistant on behalf of official respondents and Special Attorney for respondents No. 4, 6 and 7 present.

Representatives of the said respondents request for time to furnish written reply/comments. Fresh notice be issued to respondent No. 5. Adjourned to 02.10.2019 on which date the respondents shall positively submit their respective written reply/comments.

Chairman



02.10.2019

Junior to counsel for the appellant present. Addl: AG alongwith Mr. Sher Azam, Assistant for official respondents and husband of private respondent no.6 present.

Representative of the said respondents request for further time to furnish written reply/comments. Fresh notice be issued to respondents no. 4,5 and 7. Adjourned to 29.10.2019 on which date the respondents shall positively submit their respective written reply/comments before S.B.

Chairman

