

~~MEMO~~

Reply/comments on 17-09-2020 before S.B.

~~For written reply/comments. For come up for written  
fee within 10 days. Thereafter, notice be issued to respond  
hearing. The appellants directed to deposit security and proceed  
exceptions. As such the instant appeal stands admitted to regular  
already been admitted to regular hearing subject to all legal  
points raised need consistent. Similar appeal No. 1528 has~~

~~then overrule~~

~~to the rank of ASI. Respondents are not willing to implement  
the appellant was stated to have been entitled for promotion  
a decision dated 15/11/2019 was held in abeyance and as per  
Standing Order but later on the order of the Tribunal  
was set aside and the Tribunal  
was set aside under Standing Order No. 1528 and 1529. The  
Standing Order No. 2005. The appellant being in top 05, was  
1-01-1987 which were later on validated through P.M. Order  
of Inspectors Order Standing Order No. 1528  
and various incentives were given to different~~

1528

1528

P

02/01/2020

507200

~~Counsel for the appellant, per signature, the~~

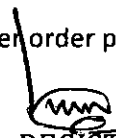


## FORM OF ORDER SHEET

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

Case No.- \_\_\_\_\_

1282

/2020

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	02/03/2020	<p>The appeal of Mr. Abidullah Khan presented today by Mr. Noor Muhammad Khattak Advocate may be entered in the Institution Register and put up to the Learned Member for proper order please.</p> <p style="text-align: right;"> REGISTRAR 2/3/2020</p>
2-	06/03/20	<p>This case is entrusted to S. Bench for preliminary hearing to be put up there on <u>17/04/2020</u></p> <p style="text-align: right;"> MEMBER</p>
17.04.2020		<p>Due to public holiday on account of COVID-19, the case is adjourned to 15.07.2020 for the same. To come up for the same as before S.B.</p> <p style="text-align: right;"> Reader</p>

15.07.2020

Counsel for the appellant present. Arguments heard and record perused.

Contends that various incentives were given to different categories of Instructors vide Standing Order No.11 dated 17.01.1987 which were later on validated through K.P Validation of Standing Order Act, 2005. The appellant being in top-05, was transferred under Standing Orders 11/1987 and 07/2003. He was promoted to the rank of ASI but the respondent No.1 issued the impugned notification on 10.01.2019 and ordered the withdrawal of Standing Order but later on vide order dated 17.01.2019, the notification dated 10.01.2019 was held in abeyance and as such the appellant was stated to have become entitled for confirmation to the rank of ASI, but respondents are not willing to implement their own order.

Points raised need consideration. Similar appeal No.1528 has already been admitted to regular hearing. As such the instant appeal stands admitted to regular hearing subject to all legal exceptions. The appellant is directed to deposit security and process fee within 10 days. Thereafter, notices be issued to respondents for written reply/comments. To come up for written reply/comments on 17.09.2020 before S.B.

Appellant Deposited  
Security & Process Fee

15/7/20

Member (J)

17.09.2020

Junior to counsel for the appellant and Addl. AG alongwith Tariq Umar, Inspector for the respondents present.

Representative of the respondents has furnished reply of the respondents which is made part of the record. Learned counsel states that Service Appeal No. 1525/2019 having similar proposition has been fixed for 09.11.2020. He requests that instant matter may also be clubbed with said appeal. To come up for arguments on 09.11.2020 alongwith appeal No. 1525/2019 before the D.B. The appellant may furnish rejoinder, within a fortnight, if so advised.

Chairman




09.11.2020

Junior to counsel for the appellant present. Mr. Kabirullah Khattak learned Additional Advocate General alongwith Fazal Mabood Inspector for respondents present.

The Bar is observing general strike, therefore, the matter is adjourned to 26.01.2021 for hearing before the D.B.

Chairman



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

26.01.2021

Due to pandemic of Covid-19, the case is adjourned to  
13.04.2021 for the same.

  
Reader

13.04.2021


Due to demise of the Worthy Chairman the Tribunal is  
defunct, therefore, case is adjourned to 29.07.2021 for the  
same as before.

  
READER

29.07.2021

Mr. Noor Muhammad Khattak, Advocate, for the appellant  
present. Mr. Javed Ullah, Assistant Advocate General for the  
respondents present.

Learned counsel for the appellant sought adjournment on  
the ground that he has not prepared the brief of the instant  
appeal. Adjourned. To come up for arguments before the D.B on  
21.09.2021.

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

  
(SALAH-UD-DIN)  
MEMBER (JUDICIAL)

21.09.2021

Junior to counsel and Mr. Muhammad Riaz Khanm Paindakhel, Asstt. AG alongwith Fazle Mabood, Inspector (Legal) for the respondents present.

Learned counsel for the appellant is not in attendance due to indisposition and request for adjournment is made on his behalf. Request accorded. To come up for arguments on 23.11.2021 before the D.B.




(Rozina Rehman)  
Member(Judicial)



Chairman

23.11.2021 Proper D.B is not available, therefore, case is adjourned to 2 / 3 / 2022 for the same as before.

  
Reader

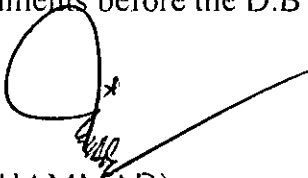
2-3-22


*Due to retirement of the Honble Chairman the case is adjourned to come up for the same as before on 16-6-22*

*Salah*  
Reader

16.06.2022 Learned counsel for the appellant present. Mr. Naseer-ud-Din Shah, Assistant Advocate General for the respondents present.

Learned counsel for the appellant requested for adjournment on the ground that he has not made preparation for arguments. Adjourned. To come up for arguments before the D.B on 01.08.2022.

  
(MIAN MUHAMMAD)  
MEMBER (EXECUTIVE)

  
(SALAH-UD-DIN)  
MEMBER (JUDICIAL)

1-8-2022

*Proper DB not available the case is adjourned to 1-11-2022*


*S*  
Reader

1st Nov., 2022

Counsel for the appellant present. Mr. Muhammad Riaz Khan Paindakhel, Assistant Advocate General for the respondents present.

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

  
(Fareeha Paul)  
Member (E)

  
(Kalim Arshad Khan)  
Chairman

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

Appellant present in person. Mr. Naseerud Din Shah, Assistant Advocate General alongwith Fazle Mabood, Inspector (Legal) 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)