



Form- A

FORM OF ORDER SHEET

Court of _____

Case No.- 8718 /2020

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	28/07/2020	<p>The appeal of Mr. Rafiullah presented today by Mr. Lajbar Khan Khalil 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</p> <p>This case is entrusted to S. Bench for preliminary hearing to be put up there on <u>18/09/2020</u></p> <p style="text-align: right;"> CHAIRMAN</p>
2-		

18.09.2020

Counsel for the appellant present.

Contends that the appellant was appointed on contract as Dark Room Assistant on 30.09.1996 in the respondent department. He continued to serve as such till 16.02.1999, when his service was regularized but with immediate effect. As the contact service of appellant was not being reckoned for the purpose of pay protection and pension the appellant preferred Writ Petition No.5236-P/2019 before the Honourable Peshawar High Court which was pleased to dispose of the same on 16.11.2019. The Writ Petition was sent to the departmental appellate authority for considering and deciding the same as a departmental appeal. Despite, initiation of Contempt of Court proceedings, the respondents have still remained at loss in deciding the matter. The inaction on the part of respondents has jeopardized the valuable service rights of the appellant, it was added.

Subject to all just exceptions, instant appeal is admitted to 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 16.11.2020 before S.B.

Appellant Deposited
Security & Process Fee
25/9/20


Chairman

16.11.2020

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

Representative of the respondents seeks time to furnish reply/comments. Adjourned to 05.01.2021 on which date the requisite reply/comments shall positively be furnished.


Chairman

8718/2020

05.01.2021

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

Learned AAG is required to contact the respondents and furnish reply/comments on next date positively.

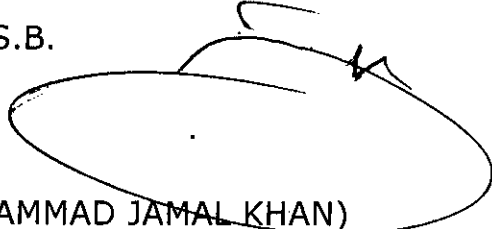
Adjourned to 17.02.2021 before S.B.


Chairman

10.02.2021

Junior to senior counsel for appellant is present. Mr. Kabirullah Khattak, Additional Advocate General, for the respondents is also present.

Learned counsel for the appellant submitted application seeking amendment in appeal, the copy of application be handed over to the learned Additional Advocate General and file to come up for reply. The learned Additional Advocate General is required to have a contact with respondents for submission of their reply/comments on 08.04.2021 before S.B.


(MUHAMMAD JAMAL KHAN)
MEMBER (JUDICIAL)

08.04.2021

Due to demise of the Worthy Chairman the Tribunal is defunct, therefore, case is adjourned to 06.07.2021 for the same as before.


READER

- 06.07.2021

Appellant in person and Mr. Jafar Ali, Assistant and Naseeb Khan, S.O for respondents No. 2 to 4 alongwith Mr. Kabirullah Khattak, Addl. AG for respondents present.

Respondents No. 2 to 4 have furnished reply/comments. Learned AAG seeks further time on behalf of respondent No. 1, 5 and 6. Learned AAG is required to contact the said to submit reply/comments within 10 days in office, positively. In case the requisite reply is not submitted within the stipulated time, office shall put up the appeal with a report of non-compliance. To come up for arguments before the D.B on 17.11.2021.

Stipulated time passed and reply has not been submitted.


Chairman

P.S

28.07.2021

Learned Addl. A.G be reminded about the omission and for submission of Reply/comments within extended time of 10 days.


Chairman

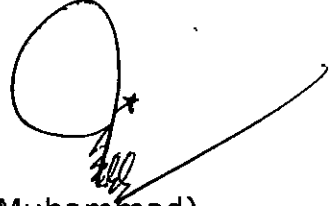


S.A No. 8718/2020

17.11.2021

Learned counsel for the appellant present. Mr. Usman, Assistant alongwith Mr. Noor Zaman Khattak, District Attorney for the respondents present.

The learned Member (Judicial) Mr. Salah-ud-Din is on leave, therefore, arguments could not be heard. Adjourned. To come up for arguments before the D.B on 04.02.2022.



(Mian Muhammad)
Member (E)

04.02.2022

Due to retirement of the Worthy Chairman, the Tribunal is defunct, therefore, case is adjourned to 16.05.2022 for the same as before.



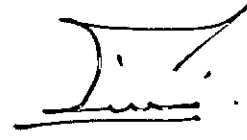
Reader

16.05.2022

Counsel for the appellant present. Mr. Muhammad Adeel Butt, learned Additional Advocate General for respondents No.1 to 4 present. Mr. Usman Assistant, representative of respondents No.5 & 6 present and submitted application seeking deletion of their names from the panel of respondents. To come up for reply as well as arguments on the said application as well as arguments on the main appeal on 30.06.2022 before the D.B.



(Rozina Rehman)
Member (J)



(Salah-Ud-Din)
Member (J)

30.06.2022

Learned counsel for the appellant present. Mr. Asif Masood Ali Shah, Deputy District Attorney for respondents present.

Learned counsel for the appellant requested for adjournment in order to prepare the brief of the case. Adjourned. To come up for arguments on 11.08.2022 before the D.B.




(Rozina Rehman)
Member (J)



(Salah Ud Din)
Member (J)

11.8.2022

Proper DB not available the case is
adjourned to 3.11.2022


Reader

8718/20

3rd Nov. 2022

Counsel for the appellant present. Mr. Kabirullah Khattak, Additional Advocate General for the respondents present.

Learned counsel for the appellant seeks adjournment in order to further prepare the brief. Adjourned. 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)