




Form- A
FORM OF ORDER SHEET

Court of _____

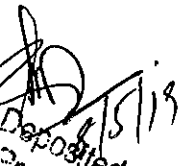
Case No. _____ 370/2019 _____

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	15/03/2019	<p>The appeal of Mr. Samar Naseem presented today by him 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 15/3/19,</p>
2-	18/03/19	<p>This case is entrusted to S. Bench for preliminary hearing to be put up there on <u>05/04/19.</u></p> <p style="text-align: right;"> CHAIRMAN</p>
	08.04.2019	<p>Mr. Abdul Mateen present submitted Power of Attorney on behalf of the appellant and seeks adjournment as he has not prepared the case. Adjourned to 08.05.2019 for preliminary hearing before S.B.</p> <p style="text-align: right;"> (Ahmad Hassan) Member</p>

08.05.2019

Appellant Samar Naseem in person present. Preliminary arguments heard. It was contended by the appellant that he was initially appointed as Electrician in Project of Fishery Department vide order dated 18.04.1992, later on he was regularized vide order dated 17.10.1992. It was further contended that he was terminated by the department vide order dated 09.06.1996. It was further contended that he was again fresh appointed as Electrician in Fishery Department vide order dated 13.11.2000. It was further contended that he submitted application to the respondent-department to count his earlier service period with effect from 18.04.1992 to 30.06.1996 towards qualifying service for the purpose of pensionary benefits and condoning the intervening period with effect from 01.07.1996 to 12.11.2000 but his application was rejected by the respondent-department and in this respect passed an order dated 22.02.2019. It was further contended there are judgment of superior court that the respondent-department was required to count the period of earlier service and condone the period with effect from termination to fresh appointment but the respondent-department has illegally passed the impugned order dated 22.02.2019 therefore, the said order is illegal and liable to be set-aside.

The contention raised by the the appellant needs consideration. The appeal is admitted for regular hearing subject to all legal objections. The appellant is directed to deposit security and process fee within 10 days, thereafter, notice be issued to the respondents for written reply/comments for 16.07.2019 before S.B.


Appellant Deposited
Security & Process Fee

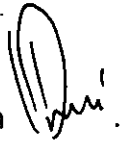

(Muhammad Amin Khan Kundi)
Member

16.07.2019

Mr. Abdul Mateen, Special Attorney for appellant and Asstt. AG alongwith Gulzar Mahmood AD for the respondents present.

Parawise reply/comments/written statement on behalf of respondents submitted which are placed on record. The appeal is assigned to D.B for arguments on 02.10.2019. The appellant may submit rejoinder, if any, within a fortnight.

Chairman



02.10.2019

Noor Muhammad Advocate present and submitted wakalat nama in favor of the appellant. Mr. Usman Ghani learned District Attorney for the respondents present. Learned counsel for the appellant submitted rejoinder which is placed on file and seeks adjournment being freshly engaged. Adjourn. To come up for arguments on 10.12.2019 before D.B.



Member



Member

10.12.2019

Lawyers are on strike on the call of Khyber Pakhtunkhwa Bar Council. Adjourn. To come up for further proceedings/arguments on 13.02.2020 before D.B.




Member




Member

13.02.2020

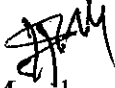
Learned counsel for the appellant and Mr. Riaz Khan Paindakheil learned Assistant Advocate General present. Learned counsel for the appellant seeks adjournment. Adjourned To come up for arguments on 13.03.2020 before D.B.



Member


Member

13.03.2020

None present on behalf of appellant. Mr. Zia Ullah learned Deputy District Attorney present. Adjourn. To come up for arguments on 15.05.2020 before D.B. Appellant be put to notice for the date fixed.


Member


Member

15.05.2020

Due to public holidays on account of Covid-19, the case is adjourned. To come up for the same on 18.08.2020 before D.B.


Reader

18.08.2020

Due to summer vacations, the case is adjourned to 20.10.2020 for the same.


Reader

20.10.2020

Junior to counsel for the appellant and Mr. Muhammad Jan, DDA alongwith Muhammad Faizan, Junior Clerk for the respondents present.

The Bar is observing general strike today, therefore, the matter is adjourned to 21.12.2020 for hearing before the D.B.


(Mian Muhammad)
Member


Chairman

21.12.2020

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


Due to pandemic of Covid-19, the case is adjourned to 22.03.2021 for the same.


Reader

22.03.2021

Junior to counsel for the appellant and Asif Masood, DDA for the respondents present.

Former requests for adjournment as learned senior counsel for the appellant is suffering from Pandemic of COVID, 19. Adjourned to 21.06.2021 for hearing before the D.B.


(Atiq-ur-Rehman)
Member(E)


Chairman

21.06.2021

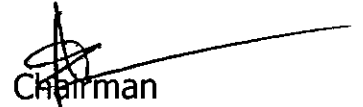
Appellant present through counsel.

Mr. Kabir Ullah Khattak learned Additional Advocate General for respondents present.

Former made a request for adjournment. Adjourned. To come up for arguments on 20.10.2021 before D.B.



(Rozina Rehman)
Member(J)

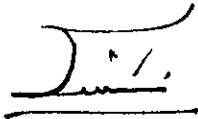


Chairman

20.10.2021

Junior to learned counsel for the appellant present. Mr. Muhammad Adeel Butt, Additional Advocate General for the respondents present.

Former requests for adjournment as learned senior counsel for the appellant is busy before the Hon'ble Peshawar High Court. Request is accorded. Case to come up for arguments on 21.02.2022 before D.B.



(Salah-Ud-Din)
Member (Judicial)



Chairman

21.02.2022

Due to retirement of the Worthy Chairman, the Tribunal is defunct, therefore, case is adjourned to 31.05.2022 for the same as before.



Reater

31.05.2022

Junior to counsel for appellant present.

Naseer Ud Din Shah learned Assistant Advocate General for respondents present.

Former made a request for adjournment as senior counsel for appellant is busy in august Supreme Court of Pakistan. Adjourned. To come up for arguments on 10 / 08 / 2022 before D.B.



(Fareeha Paul)
Member(E)



(Rozina Rehman)
Member (J)

10-8-2022

Due Proper DB not available the case is adjourned to 2-11-2022


Reader

2nd Nov., 2022

Learned counsel for the appellant present. Mr.

Naseerud Din Shah, Assistant Advocate General for the respondents present.

Learned counsel for the appellant seeks 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

16th Dec. 2022

Junior to counsel for the appellant present. Mr. Naseerud Din Shah, Assistant Advocate General alongwith Rasheed Hussain, Deputy Director 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)