




Form- A  
FORM OF ORDER SHEET

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

Case No. 442/2016

S.No.	Date of order Proceedings	Order or other proceedings with signature of judge or Magistrate
1	2	3
1	26.04.2016	<p>The appeal of Mr. Dilawar Shah presented today by Mr. Muhammad Asif Yousafzai 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>
2	28-04-2016	<p>This case is entrusted to S. Bench for preliminary hearing to be put up thereon <u>S-S-2016</u></p> <p style="text-align: right;"> CHAIRMAN</p>
	5.5.2016	<p>Junior to counsel for the appellant present. Requested for adjournment. Adjourned for preliminary hearing to 11.5.2016 before S.B.</p> <p style="text-align: right;"> Member</p>

11.05.2016

Counsel for the appellant present. Learned counsel for the appellant argued that the appellant is serving as Senior Oral Master BPS-17 and on the strength of notification dated 13.11.2008 entitled to promotion as Principal having the required qualification and experience. That despite availability of vacancy and eligibility of appellant, respondents are bent upon to appoint person by initial recruitment in violation of the said notification constraining the appellant to prefer departmental appeal on 11.1.2016 which was not responded and hence the instant service appeal on 26.4.2016.

That the appellant is entitled to be considered for promotion as Principal fulfilling the pre-requisites and as such respondents are not authorized to seek appointment by initial recruitment against the said vacancy.

Points urged need consideration. Admit. Subject to deposit of security and process fee within 10 days, notices be issued to the respondents for written reply/comments for 08,09.2016 before S.B.

Appellant Deposited  
Security & Process Fee

  
Chairman


08.09.2016

Counsel for the appellant and Mr. Nabi Gul, Supdt. Alongwith Addl. AG for respondents present. Written reply not submitted. Requested for adjournment. To come up for written reply/comments on 06.10.2016 before S.B.

  
Member

06.10.2016

None present for the appellant. Mr. Nabi Gul, Supdt. and Shakeel ahmad, District Officer, alongwith Addl: AG for respondents present. Written reply not submitted. Requested for adjournment. Request accepted. To come up for written reply/comments on 21.11.2016 before S.B.

  
(Muhammad Aamir Nazir)  
(Member)

21.11.2016

Appellant with counsel and Additional AG for the respondents present. Written reply on behalf of the respondents not submitted. Learned Additional AG requested for further time. Last opportunity granted to the respondents for submission of written reply. To come up for written reply/comments on 21.12.2016 before S.B.

  
(MUHAMMAD AAMIR NAZIR)  
MEMBER


21.12.2016

Appellant in person and Mr. Salah-ud-Din, Assistant Director alongwith Addl. AG for respondents present. Written reply submitted. The appeal is assigned to D.B for rejoinder and final hearing on 14.02.2017.

  
(MUHAMMAD AAMIR NAZIR)  
MEMBER

14.02.2017

Counsel for the appellant and Mr. Nabi Gul, Supdt. alongwith Addl. AG for respondents present. Rejoinder submitted which is placed on file. To come up for arguments on 18.05.2017 before D.B.



(AHMAD HASSAN)  
MEMBER



(ASHFAQUE TAJ)  
MEMBER

18.05.2017

Counsel for the appellant and Mr. Kabir Ullah Khattak, Assistant AG for the respondents present. Counsel for the appellant requested for adjournment. Adjourned. To come up for arguments on 06.09.2017 before D.B.



(Muhammad Amin Khan Kundi)  
Member



(Gul Zeb Khan)  
Member

06.09.2017

Counsel for the appellant present. Mr. Muhammad Adeel Butt, Additional AG for respondent present. Arguments could not be heard due to incomplete bench. To come up for arguments on 10.11.2017 before D.B.



(Muhammad Hamid Mughal)  
Member

10.11.2017

Junior counsel for the appellant present. Mr. Ziaullah, Deputy District Attorney alongwith Mr. Nabi Gull, Superintendent for the respondents also present. Junior counsel for the appellant requested for adjournment on the ground that learned senior counsel for the appellant is not available today. Adjourned. To come up for arguments on 19.01.2018 before D.B.


  
(Gul Zeb Khan)  
Member

  
(Muhammad Amin Khan Kundi)  
Member

19.01.2018


Clerk to counsel for the appellant and Mr. Kabir Ullah Khattak, Learned Additional Advocate General for the respondents present. Clerk of the counsel seeks adjournment as counsel for the appellant is not available. Adjourned. To come up for arguments on 26.03.2018 before D.B

  
(Gul Zeb Khan)  
MEMBER

  
(Muhammad Hamid Mughal)  
MEMBER

26.03.2018

Junior to counsel for the appellant and Mr. Usman Ghani, learned District Attorney for the respondents present. Junior to counsel for the appellant seeks adjournment as senior counsel for the appellant is not available. Adjourn. To come up for arguments on 25.05.2018 before D:B

  
(Muhammad Amin Kundi)  
MEMBER

  
(Muhammad Hamid Mughal)  
MEMBER

25.05.2018 Junior counsel for appellant and Addl: AG for the respondents present. Arguments could not be heard due to incomplete bench. Adjourned. To come up for arguments on 03.08.2018 before D.B.




(Muhammad Amin Khan Kundi)  
Member

03.08.2018 Appellant absent. Learned counsel for the appellant present. Mr. Muhammad Jan, Deputy District Attorney alongwith Mr. Nabi Gul, Superintendent for the respondents present and requested for adjournment to furnish reply to the application submitted by the learned counsel for the appellant for impleadment of Director Social Welfare, Special Education & Women empowerment as respondent in the service appeal. Adjourned. To come up for reply and arguments on the said application and further proceedings on 18.09.2018 before D.B.



(Ahmad Hassan)  
Member (E)



(Muhammad Hamid Mughal)  
Member (J)

Service Appeal No. 442/2016

18.09.2018 Mr. Taimur Ali Khan, junior counsel for the appellant and Mr. Kabirullah Khattak, Additional AG for the respondents present. Representative of the department is not in attendance nor reply on impleadment application submitted therefore, notice be issued to the respondents with the direction to direct the representative to attend the court and submit reply on impleadment application. Adjourned. To come up for reply and arguments on impleadment application and further proceedings on 31.10.2018 before D.B.



(Hussain Shah)

Member



(M. Amin Khan Kundi)

Member

31.10.2018

Due to retirement of Hon'ble Chairman, the Tribunal is defunct. Therefore, the case is adjourned. To come up on 19.12.2018.



READER

19.12.2018

Junior to counsel for the petitioner and Mr. Riaz Paindakhel learned Assistant Advocate General for the respondents present. Junior to counsel for the appellant requested for adjournment as counsel for the appellant is not in attendance. Adjourned. To come up for arguments on 14.02.2019 before D.B.



(Hussain Shah)

Member



(Muhammad Amin Kundi)

Member

14.02.2019

Clerk of counsel for the appellant present. Mr. Ziaullah, Deputy District Attorney for the respondents present. Due to strike of Khyber Pakhtunkhwa Bar Council, learned counsel for the appellant is not available today. Adjourned to 25.03.2019 for arguments before D.B.



(HUSSAIN SHAH)  
MEMBER



(MUHAMMAD AMIN KHAN KUNDI)  
MEMBER

25.03.2019

Due to non available of D.B the case is adjourned for the same on 16.05.2019

16.05.2019

Counsel for the appellant and Mr. Ziaullah, DDA for respondents present. Counsel for the appellant seeks adjournment. Adjourned. Case to come up for arguments on 03.07.2019 before D.B.

(Ahmad Hassan)  
Member


(M. Amin Khan Kundi)  
Member

16.05.2019

Counsel for the appellant and Mr. Ziaullah, DDA for respondents present. Counsel for the appellant seeks adjournment. Adjourned. Case to come up for arguments on 03.07.2019 before D.B.



(Ahmad Hassan)  
Member



(M. Amin Khan Kundi)  
Member



03.07.2019

Appellant alongwith his counsel and Mr. Riaz Ahmad Paindakheil, Assistant AG alongwith Mr. Nabi Gul, Superintendent for the respondents present. Learned counsel for the appellant stated that so many posts of Principals (BPS-17) are lying vacant since 2006 with the respondent-department and the appellant alongwith others are eligible for such promotion but the respondent-department are not going to filled up the post of Principals through promotion therefore, concerned Director of the department is directed to appear in person alongwith the record to assist the court that why the posts of Principals are not filled up through promotion. To come up for arguments, record and attendance of Director of the respondents on 29.08.2019 before D.B.

  
(Hussain Shah)  
Member

  
(M. Amin Khan Kundi)  
Member

29.08.2019

Learned counsel for the appellant and Mr. Riaz Khan Paindakheil learned Assistant Advocate General alongwith M/S Nabi Gul Superintendent and Sajid Superintendent present. Learned counsel for the appellant seeks adjournment. Adjourn. To come up for arguments on 13.11.2019 before D.B

  
Member

  
Member

13.11.2019

Appellant present. Junior to counsel for the appellant present. Mr. Riaz Khan Paindakheil learned Assistant Advocate General alongwith Nabi Gul Superintendent present. Junior to counsel for the appellant submitted application for adjournment. Adjourn. To come up for arguments on 15.01.2020 before D.B.

  
Member

  
Member

15.01.2020

Appellant absent. Learned counsel for the appellant absent. Sajid Superintendent representative of the respondents present. Due to general strike of the Bar on the call of Khyber Pakhtunkhwa Bar Council, the case is adjourned. To come up for arguments on 09.03.2020 before D.B. Appellant be put to notice for the date fixed.

  
Member

  
Member

09.03.2020

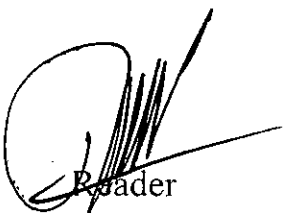
Junior to counsel for the appellant and Mr. Zia Ullah learned Deputy District Attorney present. Junior to counsel for the appellant seeks adjournment as senior learned counsel for the appellant is not available. Adjourn. To come up for arguments on 13.05.2020 before D.B.

  
Member

  
Member

13.05.2020

Due to public holidays on account of Covid-19, the case is adjourned. To come up for the same on 17.08.2020 before D.B.

  
Reader

17.08.2020

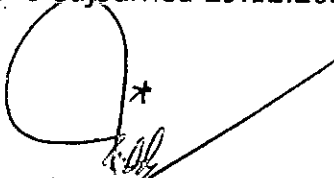
Due to summer vacations, the case is adjourned to 19.10.2020 for the same.

  
Reader

19.10.2020

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


The Bar is observing general strike today, therefore, the matter is adjourned <sup>to</sup> 29.12.2020 for hearing before the D.B.

  
(Mian Muhammad)  
Member

  
Chairman

29.12.2020

Due to summer vacation, case is adjourned to 31.03.2021 for the same as before.


  
Reader

31.03.2021

Appellant in person present.

Mr. Kabirullah Khattak, Addl. A.G for respondents present.

Due to general strike on the call of Khyber Pakhtunkhwa Bar Council, case is adjourned to 15.07.2021 for arguments before the D.B.

  
(Atiqur Rehman Wazir)  
Member(E)


  
(Rozina Rehman)  
Member(J)

15.07.2021

Mr. Taimur Ali Khan, Advocate, for the appellant present.  
Mr. Muhammad Adeel Butt, Additional Advocate General for the respondents present.

Learned counsel for the appellant stated that an application was submitted for impleadment of Director Social Welfare, Special Education and Women Empowerment as respondent in the instant appeal, however the same is still pending adjudication.

Learned Additional Advocate General requested that time may be granted to him for reply of the application. Adjourned. To come up for reply and arguments on the application on 20.10.2021.

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


  
(SALAH-UD-DIN)  
MEMBER (JUDICIAL)

20.10.2021

Counsel for appellant present.

Muhammad Rasheed learned D.D.A for respondents present.

Joint request for adjournment was made. Request is accorded with direction to learned A.A.G to submit reply/comments. To come up for arguments on 01.12.2021 before D.B.

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

  
(Rozina Rehman)  
Member (J)

01.12.2021 Due to non-availability of DB, the case is adjourned to 14-03-2022.

  
Reader


14-3-22

*Due to Retirement of the Hon,ble  
Chairman the case is adjourned to come  
up for the same as before on 16-6-22*

*Asif Masood  
Reader*

16.06.2022 Clerk of learned counsel for the appellant present. Mr. Asif Masood Ali Shah, Deputy District Attorney for the respondents present.

Clerk of learned counsel for the appellant requested for adjournment on the ground that learned counsel for the appellant is busy in the august Peshawar High Court, Peshawar. Adjourned. To come up for arguments on 07.07.2022 before the D.B.



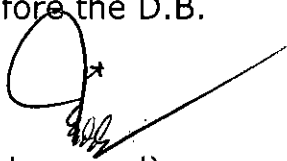
(MIAN MUHAMMAD)  
MEMBER (EXECUTIVE)



(SALAH-UD-DIN)  
MEMBER (JUDICIAL)

07.07.2022 Clerk of learned counsel for the appellant present. Mr. Riaz Ahmad Paindakhel, Assistant 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. Kabirullah Khattak, Addl. AG for the respondents present.

Request for adjournment was made due to engagement of learned senior 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 16.12.2022 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

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

Counsel for the appellant present. Mr. Muhammad Jan, District Attorney for the respondents present. Mrs. Rozina Rehman, learned Member (J) is on leave, therefore, the case is adjourned to 08.03.2023 for arguments before the D.B.

  
(Fareeha Paul)  
Member(E)