


11.09.2019

Learned counsel for the appellant and Mr. Zia Ullah learned Deputy District Attorney present. Learned counsel for the appellant seeks adjournment. Adjourn. Adjourn. To come up for arguments on 25.11.2019 before D.B.



Member



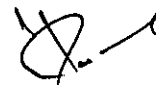
Member

25.11.2019

Due to general strike of the bar, the case is adjourned. To come up on 28.01.2020 before D.B.



Member



Member

28.01.2020

Appellant in person present. Mr. Muhammad Jan, DDA for respondents present. Due to General Strike of the bar on the call of Khyber Pakhtunkhwa Bar Council, the instant case is adjourned. To come up for further proceedings/arguments on 26.03.2020 before D.B.



Member



Member

26.03.2020

Due to public holidays on account of Covid-19, the case is adjourned. To come up for the same on 16.06.2020 before D.B.




Reader

16.06.2020

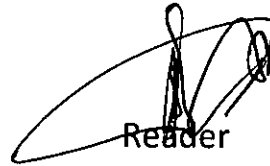
Learned counsel for the appellant present. Mr. Riaz Khan Paindakheil learned Assistant Advocate General for respondents present. Learned counsel for the appellant requested for adjournment. Adjourned. To come up for arguments on 27.08.2020 before D.B


(Rozina Rehman)
Member


(M.Amin Khan Kundi)
Member

27.08.2020

Due to summer vacation, the case is adjourned to 03.11.2020 for the same as before.


Reader

03.11.2020

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

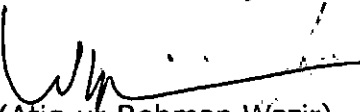
The Bar is observing general strike, therefore, the matter is adjourned to 13.01.2021 for hearing before the D.B.


(Mian Muhammad)
Member

Chairman

13.01.2021 Counsel for the appellant and Mr. Muhammad Rashid, DDA alongwith Saleem Javed, Litigation Officer for respondents No. 1 & 2 present. Nemo for respondents No. 4 & 5.

Notices be issued to respondents No. 4 & 5/counsel for next date of hearing. Adjourned to 22.02.2021 before the D.B. Arguments on the main case shall have to be addressed on the adjourned date.

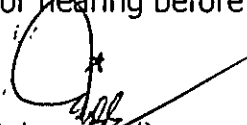

(Atiq-ur-Rehman Wazir)
Member(E)


Chairman

22.02.2021 Counsel for the appellant and Addl. AG alongwith Saleem Javed, Litigation Officer for respondents No. 1 & 2 present. Nemo on behalf of respondents NO. 4 & 5.

On the last date, notices were required to be issued to respondents No. 4 & 5. Record shows that the requisite notices were issued, however, despite service the said respondents are not represented today. Placed ex-parte.

Due to paucity of time, instant matter is adjourned to 12.05.2021 for hearing before the D.B.



(Mian Muhammad)
Member(E)


Chairman

12.05.2021 Due to demise of the Worthy Chairman, the Tribunal is non-functional, therefore, case is adjourned to 01.09.2021 for the same as before.


Reader

1-9-21

*Due to non availability of D.B
The case is adjourned to 13-4-22.*


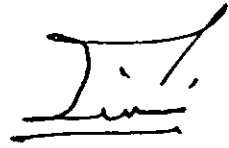
13.04.2022

Appellant in person present. Syed Naseer Ud Din Shah,
Asst: AG for respondents present.

Appellant requested for adjournment on the ground that his
counsel is indisposed. Adjourned. To come up for arguments before
the D.B on 08.06.2022.



(Mian Muhammad)
Member(E)



(Salah Ud Din)
Member(J)

8.6.22

*proper DB is available, therefore the
case is adjourned to 26-8-22 for hearing.*



26.08.2022

Junior of learned counsel for the appellant present. Mr. Naseer Ud Din Shah, Assistant Advocate General for respondents present.

Learned Member (Judicial) Mrs. Rozina Rehman is on leave, therefore, arguments could not be heard. Adjourned. To come up for arguments on 06.10.2022 before the D.B.

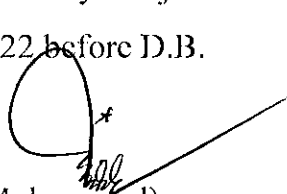


(Salah-Ud-Din)
Member(J)

06.10.2022

Clerk to counsel for the appellant present. Mr. Kabir Ullah Khattak, Additional Advocate General respondents for present.

Clerk to counsel for the appellant requested for adjournment on the ground that learned counsel is not available today. Adjourned. To come up for arguments on 07.12.2022 before D.B.




(Mian Muhammad)
Member (I)



(Kalim Arshad Khan)
Chairman

07th Dec. 2022 Mr. Ashfaq Ahmad, Advocate is present on behalf of learned counsel for the appellant. Mr. Muhammad Riaz Khan Painsakhel, Assistant Advocate General for the respondents present.

This case pertains to 2017 and it is found that neither the appellant nor his learned counsel are putting appearance and today again neither appellant nor his learned counsel is present and Mr. Ashfaq Ahmad, Advocate is present on behalf of them. This being old case of 2017 let it be fixed for order which would be announced on 02.02.2023. Learned counsel for the appellant and the learned Law Officer may argue the matter anytime before announcement.





(Fareeha Paul)
Member (E)


(Kalim Arshad Khan)
Chairman

Form- A
FORM OF ORDER SHEET

Court of _____

Case No. 740/2017

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1	13/07/2017	<p>The appeal of Mr. Karim Khan resubmitted today by Mr. Abdur Rehman 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 13/7/17</p>
2-	18-7-2017	<p>This case is entrusted to S. Bench for preliminary hearing to be put up there on <u>25-7-2017</u></p> <p style="text-align: right;">CHAIRMAN </p>
25.07.2017		<p>Appellant alongwith counsel present. Preliminary arguments heard. The learned counsel for the appellant argued that against the impugned order dated 07.12.2016, the appellant preferred departmental appeal on 30.12.2016 while the departmental appellate authority issued the minutes of the meeting on 02.06.2017 but the present appeal has been filed on 12.07.2017 after 40 days. But the learned counsel for the appellant submitted that the appellant had given notice to the appellate authority for providing detail decision of the appellate authority which was not done. According to the learned counsel for the appellant on this count the appeal is within time. Pre-admission notice be issued to the respondents. To come up for preliminary hearing on 16.08.2017 before S.B.</p> <p style="text-align: right;"> Chairman</p>

0-----04 16.08.2017

Learned counsel for the appellant present. Learned Assitant Advocate General for official respondents No. 1 to 3 present. Learned counsel for respondent No. 4 & 5 present and submitted application for rejection of present appeal. Learned Assistant Advocate General stated that the appellant is not^a civil servant rather an institutional employee. Learned counsel for the appellant seeks adjournment being not prepared for arguments. Adjourned. To come up for argument on maintainability of the present appeal on 21.09.2017 before S.B.



(Muhammad Hamid Mughal)
Member

21.09.2017

Counsel for the appellant present and seeks adjournment. Adjourned. To come up for preliminary hearing on 18.10.2017 before S.B



(Ahmad Hassan)
Member

18/10/2017

Counsel for the appellant and Mr. Kabirullah Khattak, AAG for official respondents No. 1 to 3 and counsel for private respondents No. 4 & 5 also present. Counsel for the appellant submitted reply of application which is placed on file. To come up for argument on maintainability of the present appeal on 9/11/2017 before SB.



(GUL ZEB KHAN)
MEMBER


09.11.2017

Appellant in person and Mr. Ziaullah, DDA alongwith Mr. Mastan Ali Shah, Junior Clerk for respondents present. Appellant seeks adjournment. Adjourned. To come up for preliminary hearing on the point of maintainability on 06.12.2017 before S.B.


(AHMAD HASSAN)
MEMBER


06.12.2017

Appellant alongwith his counsel present. Mr. Riaz Painsa Khel, Assist. AG for the respondents also present. Learned counsel for the appellant stated that the case was argued and pre-admission notice was issued of the respondent vide order sheet dated 25.07.2017. Learned counsel for the official respondents at Sr. No. 3 (EDO) Health, Peshawar submitted an application for deletion from the list of respondents on the ground that the grievance of the petitioner pertains to the administration of KTH, which is directly under the administrative control of the Board of Governors. Learned counsel for the appellant agreed to it deleted. Learned counsel for the appellant seeks adjournment for submitting certain additional information regarding other colleagues of the appellant, who were treated as a Civil Servants. Adjourned. To come up for preliminary hearing on the point of maintainability on 28.12.2017 before S.B.


(Gul Zeb Khan)
Member (E)

28.12.2017

Appellant in person present and requested for adjournment due to non availability of his counsel. Adjourned. To come up for preliminary hearing on 18.01.2018 before S.B.


(Gul Zeb Khan)
Member (E)

18.01.2018

Appellant with counsel present. Mr. Kabirullah Khattak, Additional AG for respondents No. 1 & 2 and Mr. Subhanullah, Litigation Officer for respondents No. 4 & 5 also present. Learned counsel for the appellant requested for adjournment. Adjourned. To come up for preliminary hearing on 15.02.2018 before S.B.


(Muhammad Amin Khan Kundi)
Member

15.02.2018

Appellant in person present. Mr. Usman Ghani, District Attorney for respondents No. 1 & 2 and counsel for respondents No. 4 & 5 also present. Appellant requested for adjournment on the ground that his counsel is not available today. Adjourned. To come up for preliminary hearing on 09.03.2018 before S.B.


(Muhammad Amin Khan Kundi)
Member (J)

09.03.2018

Learned counsel for the appellant present.
Mr.Zia Ullah, learned DDA for the respondents present.

The present appeal is lingering on at the stage of pre-admission notice for sufficient time. Hence in the interest of justice and to avoid further delay the present appeal is admitted to regular hearing subject to all legal/just objections including the issue of limitation and jurisdiction of this Tribunal.

The appellant is directed to deposit security and process fees within 10 days thereafter, notices be issued to respondents for written reply/comments. To come up for written reply/comments on 23.04.2018 before S.B


(Muhammad Hamid Mughal)
Member

23.04.2018 Counsel for the appellant and Addl. AG for respondents present.
Security and process fee not deposited. Appellant is directed to deposit security and process fee within seven(7) days, thereafter notices be issued to the respondents for written reply/comments on 11.06.2018 before S.B.


Member

11.06.2018

Appellant Deposited
Security & Process Fee

Counsel for the appellant present. Security and process fee have not been deposited. Counsel for the appellant is directed to deposit the same within three days, thereafter, notice be issued to the respondents for written reply/comments for ~~24.08~~⁷2018 before S.B.

MA

(Muhammad Amin Khan Kundi)
Member

07.08.2018

Neither the appellant nor his counsel present. Mr. Hazrat Shah, Supdt alongwith Mr. Kabirullah Khattak, Addl: AG for respondents present and made a request for adjournment. Granted. To come up for written reply on 27.09.2018 before S.B.

C

Chairman

27.09.2018

Appellant Karim Khan in person present. Mr. Kabirullah Khattak, Addl. AG for the respondents present. Written reply ^{not} submitted. To come up for ~~written reply/comments on~~ 15.11.2018 before the S.B.

Chairman

15.11.2018

Due to retirement of Hon'ble Chairman, the Tribunal is defunct. Therefore, the case is adjourned. To come up on 03.01.2019. Written reply not received. Mr. Jafar Ali Assistant representative of respondents absent.


Reader

03.01.2019

Counsel for the appellant present. Mr. Kabirullah Khattak, Additional AG alongwith Mr. Jaffar Ali, Assistant for the respondents present. Written reply not submitted. Learned Additional AG requested for further adjournment. Adjourned. To come up for written reply/comments on 12.03.2019 before S.B.


Muhammad Amin Khan Kundi
Member

12.03.2019

None present on behalf of the appellant. Mr. Kabirullah Khattak, Additional AG alongwith Mr. Subhanullah, Assistant for respondents No. 4 & 5 present and submitted written reply on their behalf. Neither representative of respondents No. 1 & 2 present nor written reply submitted therefore, notice be issued to respondents No. 1 & 2 with the direction to direct the representative to attend the court and submit written reply on the next date positively. Adjourned. To come up for written reply/comments on behalf of respondents No. 1 & 2 on 16.04.2019 before S.B.


(MUHAMMAD AMIN KHAN KUNDI)
MEMBER

16.04.2019 Clerk to counsel for the appellant present. Written reply on behalf of respondents No.1 & 2 is still awaited. Hazrat Shah representative of respondent No.1 and Jafar Ali Assistant representative of respondent No.2 absent. They be summoned with direction to furnish written reply/comments. Adjourn. To come up for written reply/comments on 31.05.2019 before S.B.

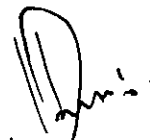


Member

31.05.2019 Counsel for the appellant and addl. AG for the respondents present.

Learned AAG requests for further time for submission of reply/comments by respondents No. 1 and 2.

Adjourned to 08.07.2019 but as a last chance for submission of requisite reply.



Chairman

08.07.2019 Appellant in person and Addl. AG alongwith M/S Hazrat Shah, Superintendent and Jaffar Ali, Asstt. for the respondents No. 1 & 2 present.

Representatives of respondents No. 1 & 2 state that they rely on the written reply already submitted by other respondents. To come up for arguments on 11.09.2019 before the D.B. The appellant may submit rejoinder, within a fortnight, is so advised.

Chairman