

11<sup>th</sup> Oct., 2022

Appellant present in person. Mr. Kabirullah Khattak,  
Addl. AG for the respondents present.

Appellant seeks adjournment due to engagement of his  
learned counsel before Hon'ble Peshawar High Court.  
Adjourned. To come up for arguments on 10.11.2022 before  
the D.B.

  
(Fareeha Paul)  
Member (E)

  
(Kalim Arshad Khan)  
Chairman

9.11.2022

Since 9<sup>th</sup> November has been declared as public  
holiday, case is adjourned to 09.12.2022 for the same as  
before.

  
Reader

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

Nemo for the appellant. Mr. Naseerud Din Shah, Assistant  
Advocate General for official respondents and counsel for  
private respondents present.

Since 9<sup>th</sup> November 2022 was declared as public holiday and  
the date was changed on the note reader, therefore, it is deemed  
appropriate to issue notices to appellant and his learned counsel  
for the next date as last chance. Adjourned to 03.02.2023 for  
arguments before the D.B.

  
(Fareeha Paul)  
Member (E)

  
(Kalim Arshad Khan)  
Chairman

S.A No. 1116/2016  
20.10.2021

Junior to learned counsel for the appellant present. Mr. Muhammad Adeel Butt, Additional Advocate General for official respondents and Mr. Taimur Ali Khan, Advocate, for private respondents present.

Junior to learned counsel for the appellant seeks adjournment on the ground that learned senior counsel for the appellant is busy in the august Peshawar High Court, Peshawar. Case to come up for arguments on 23.02.2022 before the D.B.



(Salah-Ud-Din)  
Member (Judicial)



Chairman

23.02.2022

Due to retirement of the Worthy Chairman, the Tribunal is defunct, therefore, case is adjourned to 18.05.2022 for the same as before.



Reader

18.05.2022

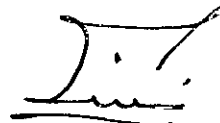
Nemo for the appellant. Mr. Shahab Khattak Coordinator alongwith Mr. Kabir Ullah Khattak learned Additional Advocate General for respondents present.

Previous date was changed on a Reader Note, therefore, notice for prosecution of the appeal be issued to appellant and his counsel through registered post. Adjourned. To come up for arguments on 01.07.2022 before D.B.

Noted  
7/8/22  
23/6/22



(Rozina Rehman)  
Member (J)



(Salah-Ud-Din)  
Member (J)

01.07.2022

Bench is not available, therefore, case is adjourned to 11.10.2022 for the same as before.



Reader

11.01.2021

Due to COVID-19, the case is adjourned for the same on 15.04.2021 before D.B.

  
READER

15.04.2021

Due to demise of the Worthy Chairman, the Tribunal is non-functional, therefore, case is adjourned to 09.08.2021 for the same as before.


  
Reader

09.08.2021

Nemo for appellant.

Asif Masood Ali Shah learned Deputy District Attorney alongwith Shahab Khattak Legal Advisor of respondent No.2 present. Counsel for private respondent present.

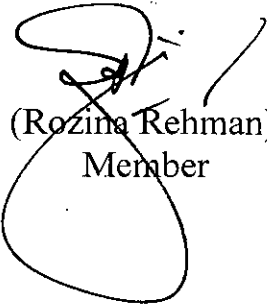
Preceding date was adjourned on a Reader's note, therefore, appellant/counsel be put on notice for 20.10.2021 for arguments, before D.B.

  
(Rozina Rehman)  
Member (J)

  
Chairman

16.06.2020

Learned counsel for the appellant present. Mr. Riaz Khan Paindakheil learned Assistant Advocate General for official respondents present. Learned counsel for private respondents present. Learned counsel for the appellant requested for adjournment. Official respondents are directed to direct the representative to attend the court. Adjourned. To come up for arguments on 26.08.2020 before D.B.

  
(Rozina Rehman)  
Member

  
(M. Amin Khan Kundi)  
Member

26.08.2020

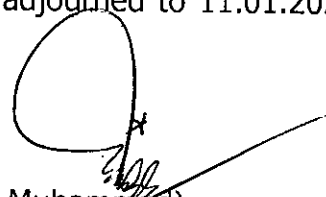
Due to summer vacation case to come up for the same on 02.11.2020 before D.B.

Reader

02.11.2020

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 11.01.2021 for hearing before the D.B.

  
(Mian Muhammad)  
Member

  
Chairman

25.02.2020

Appellant absent. Junior to counsel for the appellant present. Mr. Riaz Khan Paindakheil learned Assistant Advocate General present. Shahab Khattak Legal Advisor of official respondents present. Request made for adjournment. Adjourn. To come up for further proceedings/arguments on 27.03.2020 before D.B. Appellant be put to notice for the date fixed.

  
Member


  
Member

27.03.2020

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

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Member

(Riaz Khan Paindakheil)  
Member

11.12.2019

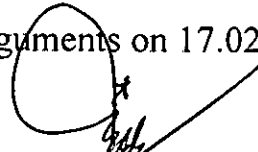
Lawyers are on strike on the call of Khyber Pakhtunkhwa Bar Council. Adjourn. To come up for further proceedings/arguments on 14.02.2020 before D.B.

  
Member

  
Member

14.02.2020

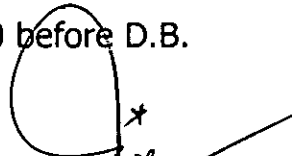
Learned counsel for the appellant present, Mr. Zia Ullah learned Deputy District Attorney present. Joint request made for adjournment. Adjourned To come up for arguments on 17.02.2020 before D.B.

  
Member

  
Member

17.02.2020

Junior to counsel for the appellant present. Mr. Ziaullah, DDA alongwith Mr. Shahab Khattak, Legal Advisor for official respondents and counsel for private respondent no. 6 and 7 present. Jointly requested for adjournment. Adjourned To come up for arguments on 25.02.2020 before D.B.

  
Member

  
Member

03.10.2019

Junior to counsel for the appellant and Mr. Riaz Khan Paindakheil learned Assistant Advocate General present. Junior to counsel for the appellant seeks adjournment as senior counsel for the appellant is not in attendance. Being an old case of the year 2014, adjourned by way of last chance. To come up for arguments on 15.10.2019 before D.B.

  
Member

  
Member

15.10.2019

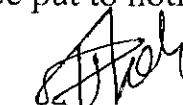
Appellant absent. Learned counsel for the appellant absent. Mr. Usman Ghani learned District Attorney present. Appellant be put to notice. Being an old case, another last opportunity is granted. Adjourn. To come up for arguments on 31.10.2019 before D.B.

  
Member

  
Member

31.10.2019


Appellant absent. Learned counsel for the appellant absent. Junior to counsel for the appellant present. Mr. Zia Ullah learned Deputy District Attorney for the official respondents and Mr. Taimour Ali Khan Advocate present on behalf of the private respondents. Junior to counsel for the appellant seeks adjournment. Again last opportunity is granted. Adjourn. To come up for arguments on 11.12.2019 before D.B. Appellant be put to notice for the date fixed.

  
Member

  
Member

14.05.2019 Counsel for the appellant and Addl: AG for respondents present. Arguments could not be heard due to complete breakdown of electricity. Adjourned to 03.07.2019 for arguments before D.B.

  
(Ahmad Hassan)  
Member


  
(M. Amin Khan Kundi)  
Member

03.07.2019 Junior counsel for the appellant and Mr. Ziaullah, Deputy District Attorney for official respondents No. 1 to 3 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 19.08.2019 for arguments before D.B.

  
(Hussain Shah)  
Member

  
(M. Amin Khan Kundi)  
Member

19.08.2019 Learned counsel for the appellant present. Mr. Zia Ullah learned Deputy District Attorney or the respondents present. Learned counsel for the appellant seeks adjournment. Adjourned. To come up for arguments on 08.10.2019 before D.B.

  
(Hussain Shah)  
Member

  
(M. Amin Khan Kundi)  
Member



14.11.2018

Due to retirement of Hon'ble Chairman, the Tribunal is defunct. Therefore, the case is adjourned. To come up on 02.01.2019.

  
Reader

02.01.2019

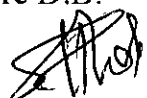
Learned counsel for the appellant present. Mr. Riaz Paindakheil learned Assistant Advocate General for official respondents present. Learned counsel for private respondents also present. Adjournment requested. Adjourn. To come up for arguments on 11.02.2019 before D.B.


  
Member

  
Member

11.02.2019

Counsel for the appellant present. Mr. Ziaullah, Deputy District Attorney for official respondents No. 1 to 5 and counsel for private respondents present. Learned counsel for the appellant requested for adjournment. Adjourned to 21.03.2019 for arguments before D.B.

  
(Hussain Shah)  
Member

  
(M. Amin Khan Kundi)  
Member

21.03.2019

Nemo for appellant. Addl. AG for the respondents present.

Due to second day of the strike on the call of Bar Council, instant matter is adjourned to 14.05.2019 before the D.B.

  
Member

  
Chairman

24.04.2018

Counsel for the appellant and Addl:AG for respondents present. Counsel for the appellant seeks adjournment. Adjourned. To come up for arguments on 21.06.2018 before D.B.

  
(Ahmad Hassan)  
Member

  
(M. Hamid Mughal)  
Member

21.06.2018

Counsel for the appellant and Adll: AG for respondents present. Counsel for the appellant seeks adjournment. Adjourned. To come up for arguments on 07.08 .2018 before D.B.

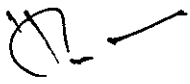
  
(Ahmad Hassan)  
Member

  
(M. Amin Khan Kundi)  
Member

07.08.2018

Junior to counsel for the appellant and Mr. Muhammad Jan learned Deputy District Attorney present. Junior to counsel for the appellant requested for adjournment as senior counsel is not in attendance. Adjourned. To come up for arguments on 02.10.2018 before D.B

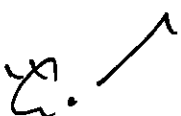
  
(Muhammad Amin Kundi)  
Member

  
(Muhammad Hamid Mughal)  
Member

02.10.2018

Clerk to counsel for appellant and Mr. Kabirullah Khattak learned Additional Advocate General present. Clerk to counsel for appellant seeks adjournment as learned counsel for appellant is not in attendance. Adjourn. To come up for arguments on 14.11.2018 before D.B


  
(Hussain Shah)  
Member

  
(Muhammad Hamid Mughal)  
Member

17.10.2017


Clerk to counsel for the appellant, Addl: AG for official respondents and counsel for private respondents present. Clerk to counsel for the appellant seeks adjournment as counsel for the appellant is not in attendance. Adjourned. To come up for such arguments on 26.12.2017 before D.B.


  
(AHMAD HASSAN)  
MEMBER

  
(M. Hamid Mughal)  
MEMBER

26.12.2017

Counsel for the appellant and Mr. Muhammad Jan, Deputy District Attorney for the respondents present. Counsel for the appellant seeks adjournment. Granted. To come up for arguments on 16.02.2018 before the D.B.

  
Member

  
Chairman

16.02.2018

Counsel for the appellant and Ziaullah, DDA for the respondents present. Counsel for the appellant seeks adjournment. To come up for arguments on 24.4.2018 before the D.B.

  
Member

  
Chairman

01.03.2017

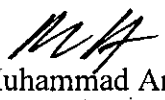
Clerk to counsel for the appellant and Addl; AG for official respondents and counsel for private respondents No. 6 and 7 present. Written reply submitted. To come up for rejoinder and arguments on 11.04.2017 before D.B.

  
(MUHAMMAD AAMIR NAZIR)  
MEMBER

11.04.2017

Counsel for the appellant present. Mr. Muhammad Adeel Butt, Additional AG for official respondents No. 1 to 5 and counsel for private respondents No. 6 & 7 also present. Rejoinder not submitted. Learned counsel for the appellant requested for time for filing of rejoinder. To come up for rejoinder and arguments on 03.07.2017 before D.B.

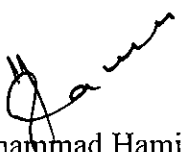
  
(Ahmad Hassan)  
Member

  
(Muhammad Amin Khan Kundi)  
Member

03.07.2017

Clerk of the counsel for appellant and Mr. Kabir Ullah Khattak, Assistant AG for the respondents present. Clerk of the counsel for appellant submitted rejoinder which is placed on file. To come up for arguments on 17.10.2017 before D.B.

  
(Gul Zeb Khan)  
Member

  
(Muhammad Hamid Mughal)  
Member

24.10.2016

Clerk to counsel for the appellant and Addl. AG for respondents present. Written reply not submitted. Requested for adjournment. To come up for written reply/comments on 15.12.2016 before S.B.

  
Chairman

15.12.2016

Mr. Taimur Khan, Advocate for appellant present. Fresh Wakalatnama submitted. Addl. AG for the respondents present. Written reply not submitted. Requested for further adjournment. Last opportunity granted. To come up for written reply/comments on 25.01.2017 before S.B.

  
Chairman

25.01.2017

Clerk to counsel for the appellant and Addl. AG for official respondents and counsel for private respondents No. 6 and 7 present. Written reply submitted by private respondents 6 and 7. Remaining respondents requested for adjournment. Request accepted. Another last opportunity granted. To come up for written reply/comments on 01.03.2017 before S.B.

  
(MUHAMMAD AAMIR NAZIR)  
MEMBER

1116/14

12.04.2016

Counsel for the appellant, Addl. AG for the official respondents and counsel for private respondents No. 3 and 4 present. Reply to application for impleadment of KP Technical Education & Vocational Training Authority, submitted. Arguments on application heard and record perused.

It is an admitted fact that Technical Education Department has been established and re-named as KP Technical Education & Vocational Training Authority as such the application is accepted and Managing Director of the said authority is directed to be implemented as respondent in the penal of respondents. To come up for amended appeal on 02.06.2016.

  
Chairman

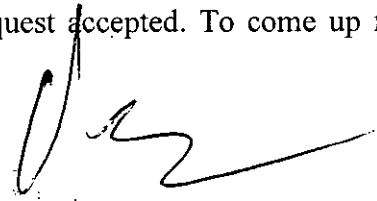
02.06.2016

Counsel for the appellant, Addl. AG for the official respondents and Uzma Syed, Advocate for respondents No. 4 & 5 present. Wakalatnama submitted. Amended memo. of appeal submitted. Notice of amended appeal be issued to the respondents. To come up for written reply/comments before S.B on 11.08.2016.

  
Chairman

11.08.2016

Clerk to counsel for the appellant and Addl. AG for respondents present. Written reply not submitted. Requested for adjournment. Request accepted. To come up for written reply on 24.10.2016.

  
Member

09.06.2015

Agent of counsel for the appellant, Addl: A.G for official respondents No. 1 to 3 and private respondent No. 4 in person present. Requested for adjournment. To come up for written reply on 25.8.2015 before S.B.

  
Chairman

25.08.2015

Counsel for the appellant, Addl: A.G for official respondents and private respondent No. 5 in person present. Written reply not submitted. Requested for further adjournment. Last opportunity granted. To come up for written reply/comments on 12.11.2015 before S.B.

  
Chairman

12.11.2015

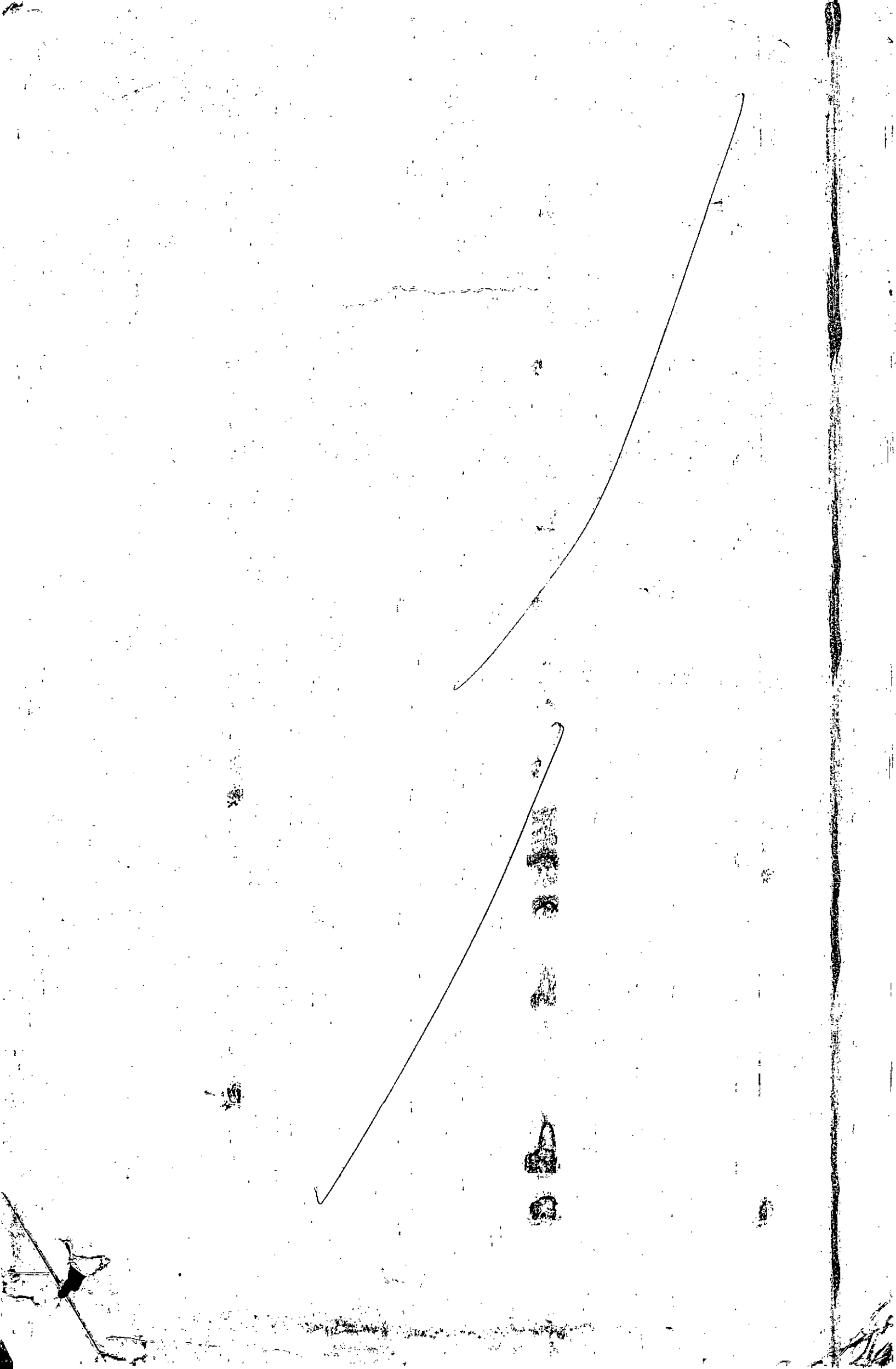
Counsel for the appellant, Mr. Muhammad Rasool, AD alongwith Addl: A.G for official respondents No. 1 and 2 and private respondents No. 3 and 4 with counsel present. Application for impleadment of necessary party and deleting the unnecessary party submitted, copy whereof supplied to the learned counsel for the appellant. To come up for reply and arguments on the said application on 9.2.2016 before S.B.

  
Chairman

09.02.2016

Agent of counsel for the appellant and Addl: A.G for official respondents present. Requested for adjournment. To come up for reply and arguments on application for impleading petitioner as party on 12.4.2016 before S.B.

  
Chairman





3.  
Reader Note:

26.11.2014 Clerk of counsel for the appellant present. Since the Tribunal is incomplete, therefore, case is adjourned to 01.01.2015 for the same.

  
Reader

4.  
Reader Note:

01.01.2015 Appellant in person present. Since the Tribunal is incomplete, therefore, case is adjourned 27.02.2015 for the same.


  
Reader

27.02.2015

Counsel for the appellant present. Learned counsel for the appellant argued that the appellant stands senior to Mr. Bashir Ahmad and Mr. Bakhtiar Ali, respondents' No. 4 and 5. That the appellant has already preferred service appeal No. 492/2014 in respect of his claim of seniority which has been admitted to regular hearing and fixed for 09.06.2015. That despite the said dispute of seniority respondents No. 1 to 3 have promoted the respondents No. 4 & 5 though junior to appellant. That the impugned order dated 19.02.2014 was challenged in the departmental appeal on 14.03.2014 which was not responded within the statutory period and hence the instant service appeal on 12.08.2014. In respect of point of limitation he argued that the appellant has got a substance cause of action. Also placed reliance on case-law reported as 2002 PLC (C.S)1388.

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 09.06.2015 before S.B.


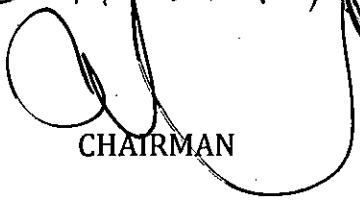
  
Chairman

*Appellant admitted process for a security fee.*  


Form- A  
FORM OF ORDER SHEET

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

Case No. 1116/2014

S.No.	Date of order Proceedings	Order or other proceedings with signature of judge or Magistrate
1	2	3
1	08/09/2014	<p>The appeal of Mr. Zahoor-ud-Din resubmitted today by Mr. Khaled Rehman Advocate may be entered in the Institution register and put up to the Worthy Chairman for preliminary hearing.</p> <p style="text-align: right;"> REGISTRAR</p>
2	9-9-2014	<p>This case is entrusted to Primary Bench for preliminary hearing to be put up there on <u>26-11-2014</u></p> <p style="text-align: right;"> CHAIRMAN</p>