



09.11.2022


Since 9<sup>th</sup> November has been declared as Public holiday, case is adjourned to 9.12.2022 for the same as before.

  
Reader

09<sup>th</sup> Dec. 2022      Counsel for the appellant present. Mr. Muhammad Riaz Khan Paindakhel, Assistant Advocate General alongwith Sardar Ali Shah, Inspector for the respondents present.

Learned counsel for the appellant states that due to rush of work he could not prepare the brief and seeks adjournment of the matter to 27.02.2023. On the request of learned counsel for the appellant, the matter is adjourned to his desired 27.02.2023 for arguments before the D.B as last chance, failing which the matter will be decided on the basis of available record without the arguments.

  
**(Fareeha Paul)**  
Member (E)

  
**(Kalim Arshad Khan)**  
Chairman

27<sup>th</sup> May, 2022

Clerk of the counsel present. Mr. Muhammad Adil Butt, Addl. AG for respondents present.

Arguments could not be heard due to general strike of the bar. Adjourned. To come up for arguments on 01.07.2022 before D.B.



(Fareeha Paul)  
Member (E)



(Kalim Arshad Khan)  
Chairman

01.07.2022

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



Reader

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

Appellant present in person. Mr. Kabirullah Khattak, Addl. AG alongwith Shah Jehan S.I (Legal) 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 09.11.2022 before the D.B.



(Fareeha Paul)  
Member (E)



(Kalim Arshad Khan)  
Chairman

30-9-21


DB is on Tour case to come up  
for the same on Dated. 1-2-22

R. Rindoo

01.02.2022

Counsel for the appellant present. Mr. Muhammad  
Kiaz Khan 'Paindakhel,' Asstt. AG for the respondents  
present.

Due to paucity of time arguments could not be  
heard. To come up for arguments on 25.05.2022 before  
the D.B.


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

  
Chairman

25<sup>th</sup> May, 2022

Mr. Noman Ali Bukhari, Advocate junior to  
Muhammad Asif Yousafzai, Advocate present. Mr. Muhammad  
Asif Masood Ali Shah, DDA for respondents present.


Junior counsel for the appellant seeks adjournment.  
Being an old case of the year 2016, adjourned but as a last  
chance. To come up for arguments on 27.05.2022 before D.B.

  
(Fareeha Paul)  
Member(E)

  
(Kalim Arshad Khan)  
Chairman

08.12.2020 Counsel for the appellant and Addl: AG for the respondents present.

Once again a request for adjournment is made by learned counsel for the appellant. Record shows that on previous many occasions such request was made and hearing was adjourned. The request of learned counsel is accepted and hearing is adjourned to 25.02.2021, but as last chance.

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

  
Chairman

25.02.2021 Due to Pandemic of Covid-19, the case is adjourned to 03.06.2021 for the same.

  
Reader

03.06.2021 Junior to counsel for appellant present.

Muhammad Adeel Butt learned Additional Advocate General for respondents present.

Former made a request for adjournment as senior counsel is busy before Hon'ble Peshawar High Court, Peshawar; granted. To come up for arguments on 30.09.2021 before D.B.

  
(Rozina Rehman)  
Member (J)

  
Chairman

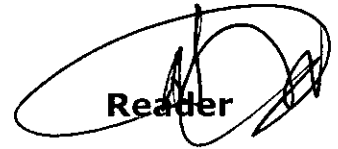
09.04.2020

Due to COVID-19, the case is adjourned to 10.07.2020  
for the same as before

  
Reader

10.07.2020

Due to COVID-19, the case is adjourned to 03.09.2020  
for the same.


  
Reader

03.09.2020

Appellant is present in person. Mr. Kabirullah Khattak, Additional  
Advocate General for the respondents is also present.


Appellant requested for adjournment on the ground that his  
counsel is not available today. Adjourned to 13.10.2020 on which to  
come up for arguments before D.B.

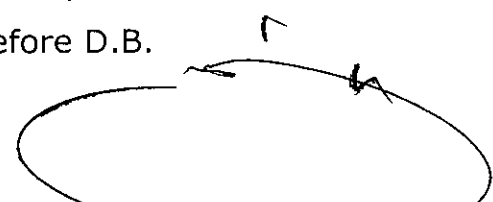
(Mian Muhammad)  
Member (Executive)

  
(Muhammad Jamal Khan)  
Member (Judicial)

13.10.2020

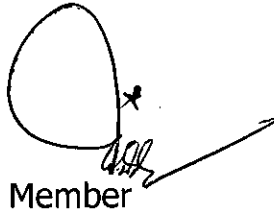
Neither appellant nor his counsel is present. Mr. Kabirullah  
Khattak, Additional Advocate General for the respondents is present.  
Notice be issued to appellant and his respective counsel for  
08.12.2020. File to come up for arguments before D.B.

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

  
(Muhammad Jamal Khan)  
Member (Judicial)

10.03.2020

Counsel for the appellant present. Addl: AG  
alongwith Mr. Sheheryar Khan, ASI for respondents  
present. Learned counsel for the appellant seeks  
adjournment. Adjourned. To come up for arguments on  
10.04.2020 before D.B.



Member




Member

30.10.2019

Mr. Taimur Ali Khan, junior counsel for the appellant and Mr. Kabirullah Khattak, Additional AG alongwith Mr. Shah Jehan, S.I for the respondents present. Junior counsel for the appellant requested for adjournment on the ground that learned senior counsel for the appellant has gone to august Supreme Court of Pakistan at Islamabad. Adjourned to 21.11.2019 for arguments before D.B.

  
(Ahmad Hassan)  
Member

  
(M. Amin Khan Kundi)  
Member

21.11.2019

Learned counsel for the appellant present. Mr. Kabirullah Khattak learned Additional Advocate General alongwith Mr. Shah Jehan ASI for the respondents present. Learned counsel for the appellant seeks adjournment. Adjourned. To come up for arguments on 03.01.2020 before D.B.

  
(Hussain Shah)  
Member

  
(M. Amin Khan Kundi)  
Member

03.01.2020

Learned counsel for the appellant present. Mr. Kabirullah Khattak Additional Advocate<sup>General</sup> for the respondents present. Learned counsel for the appellant seeks adjournment. Adjourned. To come up for arguments on 10.03.2020 before D.B.

  
(Hussain Shah)  
Member

  
(M. Amin Khan Kundi)  
Member

02.05.2019

Counsel for the appellant and Addl: AG for respondents present. Arguments could not be heard due to Learned Member (Executive) is on leave. Adjourned to 30.05.2019 before D.B.

  
(M. Amin Khan Kundi)  
Member

30.05.2019

Appellant in person and Mr. Shah Jehan, S.I (Legal) alongwith Mr. Kabirullah Khattak, Additional AG for the respondents present. Appellant requested for adjournment on the ground that his counsel is not available today. Adjourned to 17.07.2019 for arguments before D.B.

  
(HUSSAIN SHAH)  
MEMBER

  
(M. AMIN KHAN KUNDI)  
MEMBER

17.07.2019

Counsel for the appellant and Mr. Riaz Ahmad Paindakheil, Assistant AG alongwith Mr. Shah Jehan, S.I (Legal) for the respondents present. Learned counsel for the appellant requested for adjournment. Adjourned to 17.09.2019 for arguments before D.B.

  
(HUSSAIN SHAH)  
MEMBER

  
(M. AMIN KHAN KUNDI)  
MEMBER

17.09.2019

Appellant absent. Learned counsel for the appellant absent. Mr. Kabirullah Khattak learned AAG alongwith Shah Jehan SI present. Representative of the respondent department stated that the appellant is not interested in the present service appeal. Asad Mehmood Advocate Junior to counsel for the appellant present and seeks adjournment. Adjourned by way of last chance. To come up for arguments on 30.10.2019 before D.B. Appellant be put to notice for the date fixed.

  
Member

  
Member



19.12.2018

Junior to counsel for the appellant and Mr. Kabirullah Khattak learned Additional Advocate General along with Attorney Rehman S.I for the respondents present. Junior to counsel for the appellant requested for adjournment that as senior counsel for the appellant is not in attendance. Adjourned. To come up for arguments on 12.02.2019 before D.B.


  
(Hussain Shah)  
Member

  
(Muhammad Amin Kundi)  
Member

12.02.2019

Appellant absent. Learned counsel for the appellant present. Mr. Kabirullah Khattak, Additional AG alongwith Mr. Shah Jehan, S.I (Legal) for the respondents present. Learned counsel for the appellant seeks adjournment. Adjourn. To come up for arguments on 15.03.2019 before D.B.

  
(M. Amin Khan Kundi)  
Member

  
(Muhammad Hamid Mughal)  
Member

15.03.2019

Junior to counsel for the appellant and Mr. Riaz Khan Paindakheil learned Assistant Advocate General alongwith Shah Jehan SI present. Junior to counsel for the appellant seeks adjournment as senior counsel for the appellant is not in attendance. Adjourn. To come up for arguments on 02.05.2019 before D.B

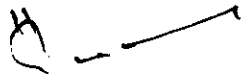
  
Member

  
Member

03.08.2018

Appellant absent. Learned counsel for the appellant and Mr. Muhammad Jan, Deputy District Attorney alongwith Mr. Shah Jehan, S.I (legal) for the respondents present. Learned counsel for the appellant seeks adjournment. Adjourned. To come up for arguments on 18.09.2018 before D.B.


  
(Ahmad Hassan)  
Member (E)

  
(Muhammad Hamid Mughal)  
Member (J)

18.09.2018

Mr. Taimur Ali Khan, junior counsel for the appellant and Mr. Kabirullah Khattak, Additional AG alongwith Mr. Shah Jehan, S.I (Legal) for the respondents present. Junior counsel for the appellant requested for adjournment on the ground that learned senior counsel for the appellant is stated busy before the Hon'ble Peshawar High Court. Adjourned. To come up for arguments 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.

  
M. AMIN KHAN KUNDI

04.12.2017


Counsel for the appellant and Mr. Muhammad Jan, DDA for respondents present. Counsel for the appellant seeks adjournment. Adjourned. To come up for arguments on 29.01.2018 before D.B.


  
Member  
(Executive)

  
Member  
(Judicial)

29.01.2018


Junior to counsel for the appellant and Mr. Zia Ullah, Learned Deputy District Attorney for the respondents present. Junior to counsel for the appellant seeks adjournment on the ground of non availability of learned counsel for the appellant. Adjourned. To come up for arguments on 28.03.2018 before D.B

  
(Muhammad Amin Kundi)  
MEMBER

  
(Muhammad Hamid Mughal)  
MEMBER

28.03.2018


Junior to counsel for the appellant and Mr. Kabir Ullah Khattak, learned Additional Advocate General present. Junior to counsel for the appellant seeks adjournment as senior counsel is not available. Adjourn. To come up for arguments on 28.05.2018 before D.B

  
(Muhammad Amin Kundi)  
Member

  
(Muhammad Hamid Mughal)  
Member

28.05.2018

Counsel for the appellant and Addl: AG alongwith Mr. Shah Jehan, SI for respondents present. Arguments could not be heard due to incomplete bench. Adjourned. To come up for arguments on 03.07.2018 before D.B.

  
(Muhammad Hamid Mughal)  
Member

30.03.2017

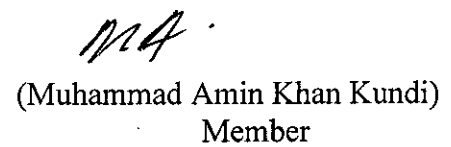
Counsel for the appellant and Mr. Shah Jehan (ASI) alongwith Addl: AG for the respondents present. Written reply submitted. The appeal is assigned to D.B for rejoinder and final hearing for 18.05.2017.

  
Chairman

18.05.2017

Counsel for the appellant and Mr. Muhammad Adeel Butt Additional AG for the respondents present. Learned counsel for the appellant submitted rejoinder which is placed on file. To come up for arguments on 12.09.2017 before D.B.

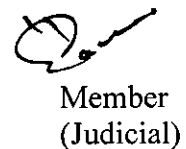
  
(Gul Zeb Khan)  
Member

  
(Muhammad Amin Khan Kundi)  
Member

12.09.2017

Counsel for the appellant and Addl: AG for the respondents present. Learned Counsel for the appellant seeks adjournment. Adjourned. To come up for arguments on 04.12.2017 before D.B.

  
Member  
(Executive)

  
Member  
(Judicial)

1184/2016

26.01.2017

Learned counsel for the appellant argued that the appellant was serving as Constable when dismissed from service vide impugned order dated 05.06.2009 on the basis of involvement in criminal case vide FIR No. 1276 dated 26.09.2008 P.S Charsadda U/Ss 324/24 PPC. That after acquittal on 26.5.2015 he preferred departmental appeal which was partially allowed and ktho appellant reinstated in service by treating his absence period as leave without pay vide impugned order dated 26.5.2015 and hence the instant service appeal on 19.10.2016.

That in view of acquittal of the appellant read with F.R 54 the appellant is entitled to pay for the period w.o.f. the date of dismissal upto that of reinstatement in service.


Points urged need consideration. Admit. Subject to deposit of security and process fee within 10 days notices be issued to the respondents. To come up for written reply/comments on 01.3.2017 before S.B.

Appellant Deposited  
Security & Process Fee

  
Chairman

01.03.2017

Counsel for the appellant and Addl: AG for the respondents present. Written reply not submitted. Requested for adjournment. To come up for written reply/comments on 30.03.2017 before S.B.

  
(MUIHAMMAD AMIR NAZIR)  
MEMBER

07.12.2016

Counsel for the appellant present. Learned counsel for the appellant requested for adjournment for preparation. Request accepted. To come up for preliminary hearing on 16.01.2017 before S.B.

  
(ASHFAQUE TAJ)  
MEMBER

16.01.2017

Counsel for the appellant present. Requested for adjournment. Request accepted. To come up for preliminary hearing on 26.01.2017 before S.B.

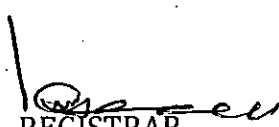

  
(AHMAD HASSAN)  
MEMBER



Form- A  
FORM OF ORDER SHEET

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

Case No. 1184/2016

S.No.	Date of order proceedings	Order or other proceedings with signature of judge or Magistrate
1	2	3
1	30/11/2016	<p>The appeal of Mr. Asfandiyar resubmitted 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-	1/12/2016	<p>This case is entrusted to S. Bench for preliminary hearing to be put up there on <u>07-12-2016</u>.</p> <p style="text-align: right;"> CHAIRMAN</p> 