




11. 06.07.2017 Appellant in person present. Mr. Zia Ullah, Deputy District Attorney for the respondent present. Appellant stated at the bar that senior counsel was busy before Peshawar High Court, Peshawar. Requested for adjournment. Adjourned. To come up for arguments on 01.11.2017 before D.B.


  
(Gul Zeb Khan)  
Member

  
(Muhammad Hamid Mughal)  
Member

01.11.2017

Clerk to counsel for the appellant and Addl:AG alongwith Mr. Sajid Khan, Litigation Officer for respondents present. Arguments could not be heard due to general strike of the Bar. To come up for arguments on 09.01.2018 before D.B.


  
Member  
Executive

  
Member  
Judicial

09.01.2018


Counsel for the appellant present and Mr. Muhammad Jan, alongwith Hameed ur Rahman, AD (Lit) for the respondents present. Counsel for the appellant submitted an application for amendment in the appeal. To come up for replication and arguments on the application as well as arguments on the main appeal on 08.03.2018 before D.B.

  
Member

  
Chairman

08.07.2018

Junior to counsel for the appellant and Mr. Zia Ullah, learned DDA for the respondents present. Junior to counsel for the appellant seeks adjournment as senior counsel for the appellant is ill. Adjourned. To come up for arguments on 14.05.2018 before D.B

  
(M. Amin Khan Kundi)  
Member

  
(Muhammad Hamid Mughal)  
Member


14.05.2018

Due to retirement of the worthy Chairman, the Tribunal is incomplete, therefore the case is adjourned. To come up for the same on 30.07.2018.

  
Retired

30.07.2018

Appellant with counsel and Mr. Ziaullah, Deputy District Attorney for the respondents present. Arguments heard. To come up for order on 20.09.2018.

  
(Ahmad Hassan)  
Member (E)

  
(Muhammad Hamid Mughal)  
Member (J)

20.09.2018

Since 20 September 2018 has been declared as public holiday on account of Muharam Ul Haram. Therefore, the case is adjourned. To come up for the same on

2.11.18

  
Retired

02.11.2018

Neither appellant nor his counsel present. Mr. Kabirullah Khattak, Additional AG for the respondents present. Due to retirement of Hon'ble Chairman, the Tribunal is incomplete. Therefore, the case is adjourned. To come up for the same on 26.12.2018.

  
Reader

26.12.2018

Mr. Amin Khan, Advocate junior to Mr. Khalid Rahman, Advocate for appellant and Mr. Ziaullah, DDA for the respondents present.

On 30.07.2018 instant appeal was heard by a D.B comprising Hon'ble Members M/S Muhammad Hamid Mughal and Ahmad Hassan and the case was posted for order on 20.09.2018. Let the appeal be laid before the same Bench on 26.02.2019.

  
Chairman

26.02.2019

Nemo for appellant. Mr. Ziaullah, DDA for the respondents present.

To come up on 10.04.2019 before a Bench comprising of Honourable Members as noted in the previous order. The appellant/learned counsel shall be given notice for the next date.

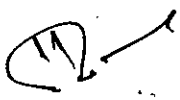
  
Member

  
Chairman

10.04.2019

Appellant in person present. Mr. Muhammad Jan, Deputy District Attorney for respondents present. Appellant seeks adjournment. Adjourned. Case to come up for arguments on 30.05.2019 before D.B.

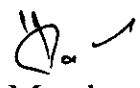
  
(Ahmad Hassan)  
Member

  
(M. Hamid Mughal)  
Member

30.05.2019

Junior to counsel for the appellant present. Mr. Muhammad Riaz Khan Paindakhel, Assistant A.G for respondents present. Junior to counsel for the appellant seeks adjournment as senior counsel is not available today. Adjourned but as a last chance. Case to come up for arguments on 19.07.2019 before D.B.

  
Member

  
Member

19.07.2019

Appellant alongwith his counsel Mr. Ayub Amin, Advocate present. Mr. Riaz Ahmad Paindakheil, Assistant AG alongwith Mr. Sajid, ADO (Litigation) for the respondents present. The appellant has challenged the promotion notification dated 18.04.2014 but the minutes of meeting of Department Promotion Committee on the basis of which the promotion order of the appellant was issued is not available on the record. Representative of the department namely Sajid is strictly directed to furnish the said record as well as minutes of meeting of Department Promotion Committee dated 28.05.2013 on the next date positively. Adjourned to 07.10.2019 for record and arguments before D.B.

  
(HUSSAIN SHAH)  
MEMBER

  
(M. AMIN KHAN KUNDI)  
MEMBER

7-10-2019

Due to tour of Honble Member  
to Camp Court Govt the case is  
adjourned to 2-11-2019

2-12-19

The Bench is incomplete  
Reader  
Therefore case is adjourned to  
29-01-2020

Reader

29.01.2020

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

Former requests for adjournment due to general strike  
of the Bar. Adjourned to 30.03.2020 for arguments before  
the D.B.


  
Member

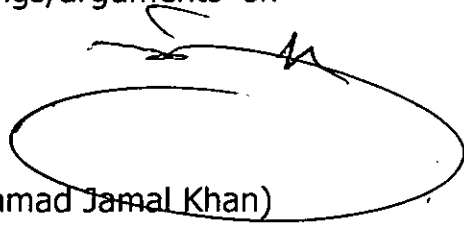
  
Member

14.10.2020

Muhammad Ghazanfar, Advocate for appellant present. Mr. Muhammad Jan learned Deputy District Attorney alongwith Sajid ADO for respondents present.

Learned junior to senior requested for adjournment as learned senior counsel is engaged in the Hon'ble Peshawar High Court, Peshawar and cannot attend the Tribunal, however, he is directed to furnish the copies of Writ Petition and CPLA pending for adjudication in the august forum for perusal and appropriate order. Time was sought for its production too. He is directed to ensure compliance to the order within 03 days positively. File to come up for further proceedings/arguments on 01.12.2020 before D.B.

  
(Atiq-Ur-Rehman Wazir)  
Member


  
(Muhammad Jamal Khan)  
Member

01.12.2020

Appellant with counsel present.

Riaz Paindakhel learned Assistant Advocate General present.


Former requests for adjournment; granted. To come up for arguments on 10.02.2021 before D.B

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

  
(Rozina Rehman)  
Member (J)

10.02.2021

Due to Pandemic of Covid-19, the case is adjourned to 08.04.2021 for the same.

  
Reader

8.4.21 Due to demise of the learned Chairman the Tribunal is defunct, therefore, case is adjourned to 27.7.21 for the same as before

  
Reader.

27.07.2021

Clerk of counsel for the appellant present. Mr. Kabirullah Khattak, Additional Advocate General for the respondents present.

Clerk of 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 before the D.B on 01.11.2021.

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

  
(SALAH-UD-DIN)  
MEMBER (JUDICIAL)

01.11.2021

Junior to counsel for appellant present.

Muhammad Rasheed, learned Deputy District Attorney for respondents present.

The learned Member (Judicial) is on leave, therefore, case is adjourned. To come up for arguments on 03.12.2021 before D.B.

  
Chairman

3.12.21

*propter D.B and Trial, therefore case is adjourned to 16.2.22 for same.*

*Jan*  
Reader

*due to Retirement of the Hon.ble Chairman the case is adjourned to come up for the same as before on 10-5-22*

*Muhammad*  
Reader

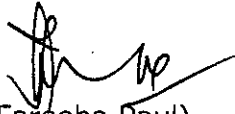
16-2-22



10:5.2022

None present on behalf of the appellant.. Mr. Naseer-ud-din Shah, Assistant Advocate General for the respondents present.

This case pertains to the year 2015, it seems that none of the parties is interested in disposal of this case, therefore, case to come up for order before the D.B on 31.05.2022. Parties may argue the case before the announcement. Notice be issued to the parties in this regard.


  
(Fareeha Paul)  
Member (E)


  
Chairman

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

Counsel for the appellant present. Mr. Muhammad Rashid, DDA for respondents present.

Arguments heard. To come up for order before the D.B on 22.06.2022.

  
(Mian Muhammad)  
Member(E)


  
(Kalim Arshad Khan)  
Chairman

22<sup>nd</sup> June, 2022

Junior to counsel for the appellant present. Mr. Muhammad Riaz Khan Paindakhel, Asstt. AG for the respondents present.

Because of the Departmental Selection Committee proceedings, we could not record the judgment. To come up on 21.07.2022 for order.

  
(Fareeha Paul)  
Member(E)

  
(Kalim Arshad Khan)  
Chairman

15.07.2022

Nemo for appellant.

Mr. Kabir Ullah Khattak, Additional Advocate General for the respondents present.

While recording the judgment a confusion arose whether the appellant was seeking ante-dated promotion or up-gradation, as the appellant and his counsel are not present before the Tribunal, therefore, notices be issued to them to clarify the situation. To come up on ~~12.09~~ 2022 before D.B.



(Fareeha Paul)  
Member (E)



(Kalim Arshad Khan)  
Chairman

12.09.2022

Appellant alongwith his counsel present.

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

Before opening the case, learned AAG invited the attention of this Bench to the order sheet dated 07.09.2020 vide which case was fixed for arguments on the question of jurisdiction and the learned AAG had been directed to produce attested copies of writ petition and CPLA for perusal and appropriate orders. Learned AAG when confronted with the order sheet was unable to produce relevant record, therefore, he is warned to be careful in future and to submit the attested copies of writ petition and CPLA for perusal and proper disposal of the appeal in hand. To come up for arguments on 30.09.2022 before D.B.



(Fareeha Paul)  
Member(E)



(Rozina Rehman)  
Member(J)

30.09.2022

Appellant present through counsel.

Riaz Khan Paindakhel, learned Assistant Advocate General for respondents present.

Request for adjournment was made on behalf of appellant in order to prepare the brief. Adjourned. To come up for arguments on 04.11.2022 before D.B.



(Fareeha Paul)  
Member (E)



(Rozina Rehman)  
Member (J)

4<sup>th</sup> Nov. 2022

Lawyers are on strike today.

To come up for arguments on 15.12.2022 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

15.12.2022

Due to general strike of the Bar, case is adjourned to 31.01.2023 before D.B. Office is directed to notify the next date on notice board as well as the website of the Tribunal.



(Fareeha Paul)  
Member (E)

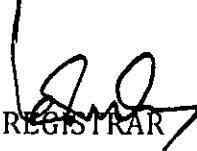



(Rozina Rehman)  
Member (J)

Form- A  
FORM OF ORDER SHEET

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

Case No. 256/2015

S.No.	Date of order Proceedings	Order or other proceedings with signature of judge or Magistrate
1	2	3
1	31.03.2015	<p>The appeal of Mr. Hameed-ur-Rehman presented today by Mr. Khaled Rehman Advocate may be entered in the Institution register and put up to the Worthy Chairman for proper order.</p> <p> REGISTRAR</p>
2	3-4-15	<p>This case is entrusted to Bench <u>I</u> for preliminary hearing to be put up thereon <u>14-4-15</u>.</p> <p> CHAIRMAN</p>

14.04.2015

Agent of counsel the appellant present. Requested for adjournment as counsel for the appellant is stated busy at Dar-ul-Qaza Swat. To come up for preliminary hearing on 28.4.2015 before S.B.

  
Chairman

28.04.2015

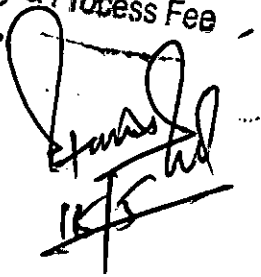
Agent of counsel for the appellant present. Counsel for the appellant is stated busy before Federal Shariat Court. Adjourned for preliminary hearing to 11.5.2015 before S.B.

  
Chairman

11.05.2015

Counsel for the appellant present. Learned counsel for the appellant argued that the appellant was serving as TT in BPS-15 and his name was reflecting at S.No. 98 in the seniority list while the name of one Zawar Hussain reflecting in the seniority list at S.No.124 was promoted in preference to the appellant despite the fact that he was junior to appellant. That the appellant preferred service appeal No. 1487/2013 and that during the pendency of the same he was promoted as STT (BPS-16) on 18.04.2014 communicated to the appellant on 08.08.2014. That the appellant preferred departmental appeal on 11.11.2014 for effecting promotion from the date of his entitlement which was not responded and hence the instant service appeal on 31.03.2015.

Appellant Deposited  
Security & Process Fee

  
KTS

That the appellant has withdrawn the earlier service appeal and is entitled to promotion w.e.f. 28.05.2013 the date on which junior to appellant Zawar Hussain was promoted.

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 31.07.2015 before S.B.

  
Chairman

31.07.2015

Appellant in person, M/S Khurshid Khan, SO and Javed Ahmed Supdt. alongwith Addl: A.G for respondents present. Requested for adjournment. To come up for written reply/comments on 28.10.2015 before S.B.

  
Chairman

28.10.2015

Appellant in person, M/S Khurshid Khan, SO, Hameed-ur-Rehman, AD (lit.) ~~and~~ Muhammad Haroon, Litigation Officer alongwith Addl: A.G for respondents present. Written reply not submitted. Requested for further adjournment. Last opportunity granted. To come up for written reply/comments on 24.02.2016 before S.B.

  
Chairman

24.02.2016

Agent of counsel for the appellant, M/S Khurshid Khan, SO, Hameed-ur-Rehman, AD (lit.) and Javed Shah, Legal Advisor alongwith Addl: A.G for respondents present. Para-wise comments by respondents No. 1 and 2 submitted. The learned Addl: AG relies on the same on behalf of respondent No. 3. The appeal is assigned to D.B for rejoinder and final hearing for 13.6.2016.

  
Member

13.6.2016

Clerk to counsel for the appellant and Mr. Muhammad Jan, GP for respondents present. Rejoinder submitted which is placed on file. To come up for arguments on 14.11.2016.

  
Member

  
Member

14.11.2016

Counsel for the appellant and Mr. Hameedur Rahman, AD alongwith Assistant AG for the respondents present. Mr. Muhammad Aamir Nazir, learned Member (Judicial) is on leave therefore arguments could not be heard. To come up for final hearing on 07.3.2017 before D.B.

  
Chairman

07.03.2017

Counsel for the appellant and Mr. Usman Ghani, Sr.GP for respondents present. Counsel for the appellant requested for adjournment. To come up for arguments on 06.07.2017 before D.B.

  
(ASHFAQUE TAJ)  
MEMBER

  
(MUHAMMAD AAMIR NAZIR)  
MEMBER