





Form- A

FORM OF ORDER SHEET

Court of _____

Case No.- 626/2019

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	15/05/2019	<p>The appeal of Mr. Muhammad Arshad Mughal resubmitted today by Mr. Bilal Ahmad kakaizai 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 15/5/19</p>
2-	16/05/19	<p>This case is entrusted to S. Bench for preliminary hearing to be put up there on <u>25/06/19</u></p> <p style="text-align: right;"> CHAIRMAN</p>
	25.06.2019	<p>Appellant absent. Learned counsel for the appellant absent. Clerk to counsel for the appellant present and seeks adjournment as learned counsel for the appellant is not available. Adjourn. To come up for preliminary hearing on <u>07.08.2019</u> before S.B</p> <p style="text-align: right;"> Member</p>
<u>Post Script</u>	25.06.2019	<p>Later on learned counsel for the appellant put appearance and requested for a short date. Request acceded to. To come up for preliminary hearing on 04.07.2019 before S.B.</p> <p style="text-align: right;"> Member</p>

04.07.2019

Counsel for the appellant present. Preliminary arguments heard.

Learned counsel argued that the appellant was inducted as Manuscript Assistant in the Federal Government through order dated 03.09.1981. After 18th Constitutional Amendment his services were placed at the disposal of Provincial Government vide notification dated 05.04.2011. The appellant was the senior most Deputy Director in the Federal Government as well as in the Provincial Government, ~~He~~ he submitted an application for grant of promotion to BPS-19 but to no avail. Repeated applications were subsequently submitted by the appellant but without any response. Finally, his departmental appeal was turned down vide order dated 18.08.2017 communicated to him on 04.04.2019 followed by the present service appeal on 06.05.2019. On reaching the age of superannuation he stood retired from government service on 17.03.2016 notified on 14.03.2016. The plea of the appellant is for proforma ~~§~~ promotion from the date of availability of vacancy in BPS-19.

*Definitive
after correction*

Points raised need consideration. The appeal is admitted for regular hearing. The appellant is directed to deposit security and process fee within 10 days. Thereafter, notices be issued to the respondents. To come up for written reply/comments on 02.09.2019 before S.B.

Atyke.

Member

626/2019

04.07.2019

Counsel for the appellant present. Preliminary arguments heard.

Learned counsel argued that the appellant was inducted as Manuscript Assistant in the Federal Government through order dated 03.09.1981. After 18th Constitutional Amendment his services were placed at the disposal of Provincial Government vide notification dated 05.04.2011. The appellant was the senior most Deputy Director in the Federal Government as well as in the Provincial Government. He submitted an application for grant of promotion to BPS-19 but to no avail. Repeated applications were subsequently submitted by the appellant but without any response. Finally, his departmental appeal was turned down vide order dated 18.08.2017 communicated to him on 04.04.2019 followed by the present service appeal on 06.05.2019. On reaching the age of superannuation he stood retired from government service on 17.03.2016 notified on 14.03.2016. The plea of the appellant is for proforma promotion from the date of availability of vacancy in BPS-19.

Points raised need consideration. The appeal is admitted for regular hearing. The appellant is directed to deposit security and process fee within 10 days. Thereafter, notices be issued to the respondents. To come up for written reply/comments on 02.09.2019 before S.B.

Appellant Deposited
Security & Process Fee

4/7/19


Member

02.09.2019

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

No representative of the respondents is in attendance. Learned AAG is required to ensure attendance of representatives of the respondents and submission of written reply/comments on the next date.

Adjourned to 27.09.2019 before S.B.


Chairman

27.09.2019

Nemo for appellant. Addl. AG for the respondents present and requests for further time for submission of written reply/comments.

Adjourned to 23.10.2019 on which date the requisite reply shall positively be submitted..

Chairman 

23.10.2019

Learned counsel for the appellant present. Mr. Kabirullah Khattak learned Additional Advocate General alongwith Mazhar Abbas Senior Clerk for the respondents present.

Representative of respondents seeks time to furnish written reply/comments. Granted by way of last chance. To come up for written reply/comments on 27.11.2019 before S.B.


Chairman

626/2019

27.11.2019

Counsel for the appellant and Addl. AG alongwith Mazhar Abbas, Assistant for the respondents present.

Representative of respondents has furnished parawise reply/comments. Placed on record. The appeal is assigned to D.B for arguments on 29.01.2019. The appellant may submit rejoinder, within one month, if so advised.

Chairman



29.01.2020

Junior to counsel for appellant and Addl. AG alongwith Shareek Computer Operator 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.



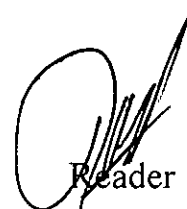
Member



Member

30.03.2020

Due to public holidays on account of Covid-19, the case is adjourned. To come up for the same on 18.06.2020 before D.B.



Reader

18.06.2020

Due to Covid-19, the case is adjourned. To come up for the same on 08.09.2020 before D.B



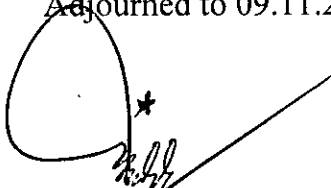
Reader

08.09.2020

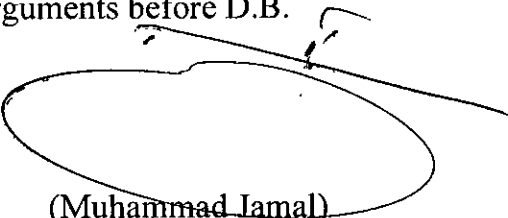
Mr. Bilal Ahmad Kakazai, Advocate for the appellant is present. Mr. Usman Ghani, District Attorney for respondents present.

Formal requests for adjournment due to infection in the eyes of learned counsel, he could not prepared the appeal.

Adjourned to 09.11.2020 for arguments before D.B.



(Mian Muhammad)
Member (E)



(Muhammad Jamal)
Member(J)


09.11.2020

Junior to counsel for the appellant present. Mr. Muhammad Jan learned Deputy District Attorney for respondents present.

The Bar is observing general strike, therefore, the matter is adjourned to 26.01.2021 for hearing before the D.B.




Chairman



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

.26.01.2021 Due to pandemic of Covid-19, the case is adjourned to
13.04.2021 for the same.


Reader


11.03.2021 Due to non availability of Bench, the case is
adjourned to 15.06.2021 for arguments before D.B


READER

15.06.2021 Clerk of counsel for the appellant present. Mr. Muhammad
Adeel Butt, Additional Advocate General for the respondents
present.

Clerk of counsel for the appellant stated that learned
counsel for the appellant is unable to attend the Tribunal today
due to strike of Lawyers. Adjourned. To come up for arguments
before the D.B on 04.10.2021.


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


(SALAH-UD-DIN)
MEMBER (JUDICIAL)

23.09.2021

Counsel for the appellant and Mr. Kabirullah Khattak, Addl. AG alongwith Bilal Ahmad, Librarian for the respondents present.

Learned counsel for the appellant requested for adjournment for preparation and assistance. Case to come up for arguments on 05.11.2021 before the D.B.



(Rozina Rehman)
Member(Judicial)



Chairman

05.11.2021


Appellant present through counsel.

Noor Zaman Khan Khattak, learned District Attorney alongwith Bilal Ahmad Librarian for respondents present.

Former made a request for adjournment. Request is accorded. To come up for arguments on 09.02.2022 before D.B.



(Rozina Rehman)
Member (J)



Chairman

9-2-2022

Due to retirement of the Hon'ble Chairman case is adjourned to 02-06-2022 for the same as before.





02.06.2022

Appellant present through representative.

Kabir Ullah Khattak learned Additional Advocate General for respondents present.

Due to general strike of the bar, case is adjourned to 10.08.2022 for arguments before D.B.


(Fareeha Paul)
Member(E)


(Rozina Rehman)
Member (J)

8.10.2022


Proper DB not available the case is adjourned to 2-11-2022


Reader

2nd Nov., 2022

Learned counsel for the appellant present. Mr. Muhammad Riaz Khan Paindakhel, Assistant Advocate General for the respondents present.

Learned counsel for the appellant seeks adjournment in order to further prepare the brief. Last opportunity is granted. To come up for arguments on 13.12.2022 before the D.B.


(Fareeha Paul)
Member (E)


(Kalim Arshad Khan)
Chairman

13.12.2022

Junior to learned counsel for the appellant present.

Mr. Muhammad Jan, District Attorney for the respondents present.

Former requested for adjournment 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 10.02.2023 before the D.B.


(FAREEHA PAUL)
Member(E)


(ROZINA REHMAN)
Member (J)