

15-5.2020

Due to COVID19, the case is adjourned to  
07/8/2020 for the same as before.

Reader

07.08.2020

Due to summer vacation case to come up for the same on  
08.10.2020 before D.B.

Reader

08.10.2020

Nemo for appellant.

Zara Tajwar, learned Deputy District Attorney along with  
Suleman Reader for respondents present.

Preceding two dates were adjourned on a Reader's note,  
therefore, notice be issued to appellant and his counsel for  
arguments, for 02.12.2020 before D.B.

(Atiq ur Rehman Wazir)  
Member (E)


(Rozina Rehman)  
Member (J)


02.12.2020

Junior to counsel for the appellant present.

Riaz Paindakhel learned Assistant Advocate General present..

Former requests for adjournment as senior counsel for the appellant is busy before the Hon'ble Peshawar High Court, Peshawar. Adjourned. To come up for arguments on 01.03.2021 before D.B

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

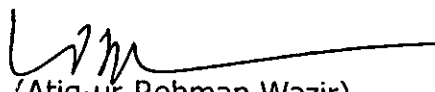
  
(Rozina Rehman)  
Member (J)

01.03.2021

Miss Rabia Muzaffar, Advocate on behalf of learned counsel for the appellant and Syed Asif Masood, DDA alongwith Suleman H.C for the respondents present.

Former once again requests for adjournment on account of engagement of learned senior counsel before the Hon'ble High Court today.

The record shows that on previous many occasions, instant matter was adjourned due to similar requests by/on behalf of appellant. In the circumstances, the request of learned counsel is allowed and the proceedings are adjourned to 02.06.2021, but as last chance.


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

  
Chairman

02.06.2021

Mr. Fazal Shah Mohmand, Advocate, for the appellant present. Mr. Suleman, Reader alongwith Mr. Kabirullah Khattak, Additional Advocate General for the respondents present.

Learned counsel for the appellant submitted an application seeking permission for filing of amended appeal. Copy of the same handed over to the learned Additional Advocate General. Adjourned. To come up for reply as well as arguments on application before the D.B on 13.09.2021.


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


  
(SALAH-UD-DIN)  
MEMBER (JUDICIAL)

13.09.2021

Counsel for the appellant present. Mr. Javed Ullah, Asst: AG alongwith Mr. Sohail Aziz, HC for respondents present.

Learned counsel for the appellant sought adjournment to submit amended appeal in the wake of decision of his departmental appeal. Adjourned. To come up for arguments on 20.12.2021 before the D.B.


  
(Mian Muhammad)  
Member(E)

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

20.12.2021

Appellant in person and Mr. Kabirullah Khattak, Addl. AG alongwith Muhammad Suleman, H.C for the respondents present.

Former seeks adjournment due to non-availability of learned counsel for the appellant. Request is accorded. To come up for arguments on 04.04.2022 before the D.B.

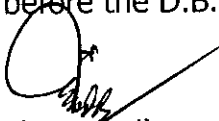
  
(Atiqur Rehman)  
Member(E)

  
Chairman

04.04.2022

Junior to counsel for the appellant present. Mr. Kabirullah Khattak, Addl. AG alongwith Suleman, Reader for the respondents present.

Former seeks adjournment due to non-availability of learned senior counsel for the appellant. Adjourned. Last opportunity is granted. To come up for arguments on 07.07.2022 before the D.B.

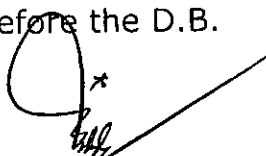
  
(Mian Muhammad)  
Member(E)


  
Chairman

07.07.2022

Clerk of learned counsel for the appellant present. Mr. Riaz Ahmad Paindakhel, Assistant Advocate General for the respondents present.

Clerk of learned counsel for the appellant requested for adjournment on the ground that learned counsel for the appellant is not available today due to strike of lawyers. Adjourned. To come up for arguments on 17.10.2022 before the D.B.

  
(Mian Muhammad)  
Member (E)

  
(Salah-ud-Din)  
Member (J)

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

Counsel for the appellant present. Mr. Kabirullah Khattak,  
Addl. A.G for the respondents present.

Learned counsel for the appellant requests for  
adjournment in order to further prepare the brief. Last opportunity  
is granted. To come up for arguments on 04.11.2022 before D.B.


  
(Fareeha Paul)  
Member(E)

  
(Kalim Arshad Khan)  
Chairman

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  
06.03.2023 before D.B. Office is directed to notify the next date  
on notice board as well as the website of the Tribunal.

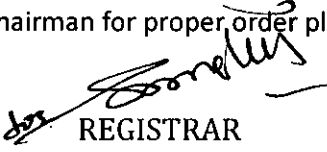

  
(Fareeha Paul)  
Member (E)

  
(Rozina Rehman)  
Member (J)

Form- A  
FORM OF ORDER SHEET

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


Case No. \_\_\_\_\_ 1320/2018 \_\_\_\_\_

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	18/10/2018	<p>The appeal of Mr. Nek Muhammad resubmitted today by Mr. Fazal Shah Mohmand Advocate may be entered in the Institution Register and put up to the Worthy Chairman for proper order please.</p> <p> REGISTRAR</p>
2-	17-11-2018	<p>This case is entrusted to S. Bench for preliminary hearing to be put up there on <u>23-11-18</u>.</p> <p> CHAIRMAN</p>

23.11.2018

Counsel for the appellant Nek Muhammad present. Preliminary arguments heard. It was contended by learned counsel for the appellant that the appellant was serving in Police Department, he was compulsory retired from service with immediate effect vide order dated 15.04.2009 by the SP Administration Special Branch Khyber Pakhtunkhwa Peshawar. It was further contended that the appellant filed departmental appeal but the same was not responded hence, the present service appeal. It was further contended that there is some delay in filing of departmental appeal but the impugned order has been passed by SP Administration Special Branch Khyber Pakhtunkhwa Peshawar who is incompetent authority and the appellant has also filed application for condonation of delay. It was further contended that the appellant was only remained absent for one month therefore, the penalty awarded to the appellant is very harsh. It was further contended that in similar nature cases the department has also reinstated the other colleagues of the appellant, therefore, the impugned order is illegal and liable to be set-aside.

The contention raised by the learned counsel for the appellant needs consideration. The appeal is admitted for regular hearing subject to all legal objections. The appellant is directed to deposit security and process fee within 10 days, thereafter, notice be issued to the respondents for written reply/comments for 14.01.2019 before S.B.

  
Appellant Deposited  
Security & Process Fee

  
Muhammad Amin Khan Kundi  
Member

14.1.2019

Nemo for appellant. Addl. AG alongwith Muhammad Asif, DSP (Legal) for the respondents present.

The representative of the respondents states that notice for today was received late, therefore, requisite comments could not be prepared. Requests for time. Adjourned to 21.03.2019 for submission of written reply.

  
Chairman

21.03.2019

Nemo for the appellant. Mr. Kabirullah Khattak learned Addl: AG alongwith Mr. Suleman Reader for the respondents present. Written reply submitted on behalf of respondents No. 1 to 3. Written reply not submitted on behalf of respondent No. 4. Adjourn. To come up for written reply/comments on behalf of respondent No. 4 for 23.04.2019 before S.B.

  
Member

23.04.2019

Appellant in person present. Addl: AG alongwith Mr. Suleman, Legal Advisor for respondents present. Neither representative of respondent no.4 is present nor his written reply/comments submitted, hence, fresh notice be issued to him. Case to come up for written reply/comments on behalf of respondent no. 4 on 18.06.2019 before S.B.

  
(Ahmad Hassan)  
Member



18.06.2019

Counsel for the appellant and Mr. Suleman, Reader on behalf of respondents No. 1 to 3 alongwith Mr. Kabirullah Khattak, Additional AG present. Joint written reply on behalf of respondents No. 1 to 3 has already been submitted. None present on behalf of respondent No. 4 nor written reply on his behalf submitted therefore, notice be issued to respondent No. 4 with the direction to direct the representative to attend the court on and submit written reply on the next date by way of last chance. To come up for written reply/comments on behalf of respondent No. 4 on 11.07.2019 before S.B.



(Muhammad Amin Khan Kundi)  
Member

11.07.2019

Junior to counsel for the appellant and Addl. AG alongwith Muhammad Suleman HC for respondents No. 1 to 3 and Mr. Khawas Khan, S.I Legal for the respondent No. 4 present

Representative of the respondent No. 4 submitted parawise reply which is placed on record. The appeal is assigned to D.B for arguments on 12.09.2019. The appellant may submit rejoinder, within a fortnight, if so advised.



Chairman

Service Appeal No. 1320/2018

12.09.2019 Counsel for the appellant and Mr. Kabirullah Khattak, Additional AG alongwith Mr. Suleman, H.C for the respondents present. Learned counsel for the appellant submitted rejoinder and requested for adjournment for arguments. Adjourned to 29.10.2019 for arguments before D.B.

  
(Ahmad Hassan)  
Member

  
(M. Amin Khan Kundi)  
Member

29.10.2019 Clerk to counsel for the appellant present. Addl:AG for respondents present. Clerk to counsel for the appellant seeks adjournment due to general strike of the bar. Adjourned. Case to come up for arguments on 04.12.2019 before D.B.

  
(Ahmad Hassan)  
Member

  
(M. Amin Khan Kundi)  
Member

04.12.2019 Learned for the appellant present. Mr. Kabirullah Khattak learned Additional Advocate General for the respondents present. Learned counsel for the appellant seeks adjournment. Adjourned. To come up for arguments on 04.02.2020 before D.B.

  
(Hussain Shah)  
Member

  
(M. Amin Khan Kundi)  
Member

04.02.2020

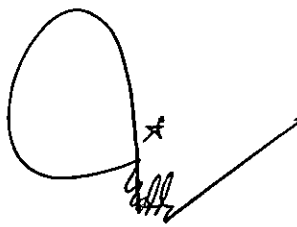
Due to general strike of Khyber Pakhtunkhwa Bar Council, learned counsel for the appellant is not available today. Mr. Kabirullah Khattak, Additional AG alongwith Mr. Suleman, Head Constable for the respondents present. Adjourned to 16.03.2020 for arguments before D.B.

  
(Ahmad Hassan)  
Member

  
(M. Amin Khan Kundi)  
Member

16.03.2020

Clerk to counsel for the appellant present. Addl: AG alongwith Mr. Suleman, H.C for respondents present. Due to general strike on the call of Peshawar Bar Council, the instant case is adjourned. To come up for arguments on 15.05.2020 before D.B.

  
(MAIN MUHAMMAD)  
MEMBER

  
(M.AMIN KHAN KUNDI)  
MEMBER