



Form- A

FORM OF ORDER SHEET

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

Case No.- 7428 /2021

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	20/09/2021	<p>The appeal of Mr. Iqbal Hussain resubmitted today by Mr. Adnan Aman 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> <p>This case is entrusted to S. Bench for preliminary hearing to be put up there on <u>04/10/21</u>.</p> <p style="text-align: right;"> CHAIRMAN</p>

04.10.2021

Mr. Adnan Aman, Advocate, for the appellant present.  
Preliminary arguments heard.

Learned counsel for the appellant has argued that the appellant was properly inducted in Khasadar Force vide order dated 16.12.2009, where-after he performing his duty regularly. He further contended that after the merger of FATA into Khyber Pakhtunkhwa Province, the Khyber Pakhtunkhwa Khasadar Force Act, 2019 was promulgated, whereby Khasadars were to be absorbed in the Khyber Pakhtunkhwa Police Force. He next contended that the appellant was legally entitled to be absorbed in the Khyber Pakhtunkhwa Police Force, however upon the recommendation of Malik Abdul Majeed, the name of respondent No. 5 was forwarded for absorption, which is against law and norms of natural justice. He further contended that the departmental appeal was filed but the appellate Authority did not pay any heed to the grievance of the appellant within the statutory period, therefore, the appellant filed the instant service appeal for redressal of his grievance.

Points raised need consideration, hence the appeal is admitted to regular hearing subject to all legal and valid objections. The appellant is directed to deposit security and process fee within 10 days, where-after notices be issued to the respondents for submission of written reply/comments in office within 10 days after receipt of notices, positively. If the written reply/comments are not submitted within the stipulated time, the office shall submit the file with a report of non-compliance.

Appellant Deposited  
Security & Process Fee

File to come up for arguments before the D.B on 11.01.2022.

The appeal is also accompanied by an application for restraining the respondents not to absorb the services of respondent No. 5 into Khyber Pakhtunkhwa Police Force till the final decision of instant appeal. Notice of the application also issued to the respondents for the date fixed.



(SALAH-UD-DIN)  
MEMBER (JUDICIAL)

11.01.2022

Junior to counsel for the appellant present. Mr. Kabirullah Khattak, Addl. AG alongwith Mr. Abdul Khaliq Focal Person for respondents present.

Reply/comments on behalf of respondents are still awaited. Representative of respondents sought time for submission of reply/comments. Last opportunity is granted to respondents to furnish reply/comments on or before next date, failing which their right to submit reply/comments shall be deemed as struck off by virtue of this order. To come up for arguments before the D.B on 28.04.2022.

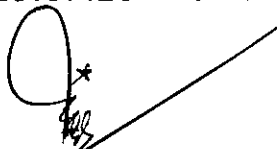


(Atiq-Ur-Rehman Wazir)  
Member (E)

28.04.2022

Mr. Maaz Madni, Advocate, as proxy on behalf of learned counsel for the appellant present. Mr. Abdul Khaliq, Focal Person as representative on behalf of respondents No. 2, 3 & 4 alongwith Mr. Riaz Ahmed Paindakhel, Assistant Advocate General present and submitted para-wise comments, which are placed on file. None present on behalf of private respondent No. 5, hence he is proceeded ex-parte.

Mr. Maaz Madni stated that he has been telephonically informed by learned counsel for the appellant that he would be unable to appear before the Tribunal today, due to some domestic engagement, therefore, adjournment may be granted. Adjourned. To come up for rejoinder, if any, as well as arguments on 19.07.2022 before the D.B.



(Mian Muhammad)  
Member (E)



(Salah-ud-Din)  
Member (J)

19.07.2022


Proper Bench is not available, therefore, case is adjourned to 20.10.2022 for the same as before.

  
Reader

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

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

Request for adjournment was made due to engagement of learned senior counsel before the Hon'ble High Court today. Adjourned. To come up for arguments on 19.12.2022 before D.B.


  
(Fareeha Paul)  
Member (E)


  
(Kalim Arshad Khan)  
Chairman

19.12.2022

Junior to counsel for the appellant present. Naseer Ud Din Shah learned Assistant Advocate General for respondents present.

Former made a request for adjournment on the ground that senior counsel for the appellant is busy in Hon'ble Peshawar High Court, Peshawar. Last chance is given. To come up for arguments on 20.03.2023 before D.B.

  
(Fareeha Paul)  
Member (E)

  
(Rozina Rehman)  
Member (J)