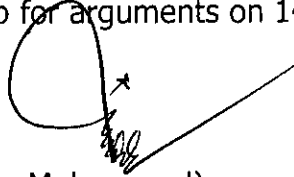


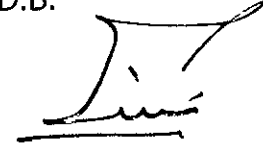
16.09.2022

Learned counsel for the appellant present. Mr. Ihsan Ullah, Law Officer alongwith Mr. Naseer-Ud-Din Shah, Assistant Advocate General for the respondents present.

Learned counsel for the appellant requested for adjournment on the ground that he has not made preparation for arguments. Adjourned. To come up for arguments on 14.11.2022 before the D.B.



(Mian Muhammad)
Member (E)



(Salah-Ud-Din)
Member (J)

14.11.2022

Counsel for the appellant present.

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

SCANNED
KPST
Peshawar

Learned Member (Judicial) is on leave, therefore, arguments could not be heard. Adjourned. To come up for arguments on 03.01.2023 before D.B

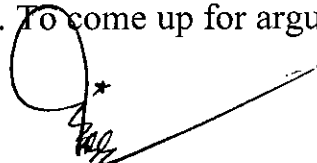


(Fareeha Paul)
Member (E)

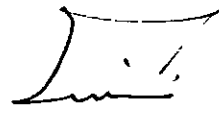
03.01.2023

Appellant alongwith his counsel present. Mr. Ihsanullah, Law Officer alongwith Mr. Asif Masood Ali Shah, Deputy District Attorney for the respondents present.

Due to paucity of time arguments could not be heard. Adjourned. To come up for arguments on 12.01.2023 before the D.B.



(Mian Muhammad)
Member (E)



(Salah-Ud-Din)
Member (J)

22.07.2022

Learned counsel for appellant present.

Muhammad Adeel Butt, learned Additional Advocate General for respondents present.

Copies of amended appeal not attached

Perusal of order sheet dated 30.05.2022 shows that learned counsel for appellant had submitted an application for amendment in the appeal by impugning the rejection order dated 17.03.2021 which application was allowed. Today, learned counsel for appellant submitted amended appeal which is placed on file. Notice of the same be issued to the respondents for submission of reply/comments and file to come up for reply/arguments on 22.08.2022 before D.B.



(Fareeha Paul)
Member(E)



(Rozina Rehman)
Member (J)

22.08.2022

Clerk of learned counsel for the appellant present. Mr. Asif Masood Ali Shah, Deputy District Attorney for the respondents present.

Clerk of learned counsel for appellant requested for adjournment on the ground that learned counsel for the appellant is out of station today. Adjourned. To come up for arguments on 16.09.2022 before the D.B.



(Rozina Rehman)
Member(J)





(Salah-Ud-Din)
Member(J)

26th May, 2022

Counsel for the appellant present. Mr. Kabirullah Khattak, Additional Advocate General for respondents present.

Learned counsel for the appellant seeks time to argue the case on the next date. Adjourned but as a last chance. To come up for arguments on 30.05.2022 before D.B. The operation of impugned order shall remain suspended to the extent as impugned in the heading of appeal, till disposal of the appeal, if the suspension order is not recalled earlier.


(Fareeha Paul)
Member(E)


(Kalim Arshad Khan)
Chairman

30.05.2022


Counsel for the appellant present.

Muhammad Riaz Khan Paindakheil learned Assistant Advocate General for respondents present.

An application for seeking permission to amend the instant appeal by impugning the rejection order dated 17.03.2021 has been submitted by the appellant. This application was not objected to, hence, allowed. Appellant is directed to submit amended memo of appeal on the next date.


Adjourned to 09.06.2022 before the D.B.


(Fareeha Paul)
Member(E)


(Rozina Rehman)
Member (J)

9.6.22

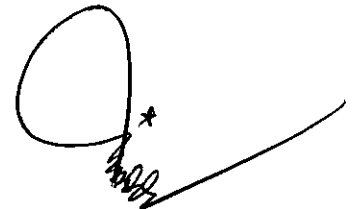
*proper D.B is on Test, therefore
The case is adjourned to 22.7.22 for
same as before.*



31.03.2022

Counsel for the appellant present. Mr. Muhammad Adeel Butt, Addl: AG alongwith Mr. Jehanzeb, Supdt for respondents No. 1 to 3 present.

Written reply/comments on behalf of respondents No. 1 to 3 submitted which is placed on file. A copy of the same is also handed over to the learned counsel for the appellant. None present on behalf of respondent No.4 nor his written reply/comments has been submitted, hence proceeded against ex-parte. Adjourned. To come up for rejoinder and arguments on 25.04.2022 before D.B. The operation of impugned order is suspended to the extent as impugned in the heading of appeal, till disposal of the appeal, if the suspension order is not recalled earlier.




(MIAN MUHAMMAD)
MEMBER(E)

25.04.2022

Counsel for the appellant present. Mr. Muhammad Adeel Butt, Addl: AG alongwith Mr. Jehanzeb, Supdt for respondents present.

As per order sheet dated 31.03.2022 the case was required to have been heard in DB today but inadvertently fixed before S.B. To come up for rejoinder as ^{well as} arguments before the D.B on 26.05.2022. ~~Consequent~~ The operation of impugned order *shall remain* suspended to the extent as impugned in the heading of appeal, till disposal of the appeal, if the suspension order is not recalled earlier.



(MIAN MUHAMMAD)
MEMBER(E)

13.12.2021

Counsel for the appellant present. Mr. Kabirullah Khattak, Addl. AG alongwith Mr. Jehanbaz, Supdt for respondents present.

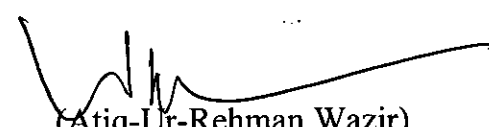
Representative of the respondents seeks time for submission of written reply/comments on amended appeal. Adjourned. To come up for written reply/comments on 04.01.2022 before S.B.


(MIAN MUHAMMAD)
MEMBER (E)

04.01.2022

Learned counsel for the appellant present. Mr. Kabirullah Khattak, Addl. AG alongwith Mr. Jehanzeb Superintendent for respondents present.

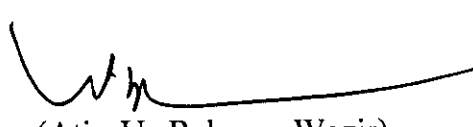
Representative of the respondents seeks further time for submission of written reply/comments on amended appeal. Adjourned. To come up for written reply/comments on 31.01.2022 before S.B.


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

31.01.2022

Learned counsel for the appellant present. Mr. Kabirullah Khattak, Addl. AG alongwith Mr. Jehanzeb Superintendent for respondents present.

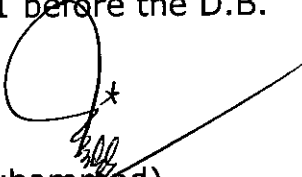
Reply/comments on behalf of respondents are still awaited. Representative of respondents sought time for submission of reply/comments. Granted by way of last chance.. To come up for reply/comments before the S.B on 31.03.2022.

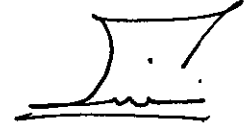

(Atiq-Ur-Rehman Wazir)
Member (E)

27.10.2021

Appellant alongwith his counsel Mr. Taimur Ali Khan, Advocate, present. Mr. Kabirullah Khattak, Additional Advocate General for the respondents present.


Learned counsel for the appellant submitted an application seeking amendment in the appeal. Copy of the same is handed over to learned Additional Advocate General, who sought time for submission of reply. Adjourned. To come up for submission of reply as well as arguments on the amendment application on 18.11.2021 before the D.B.


(Mian Muhammad)
Member (E)


(Salah-Ud-Din)
Member (J)

18.11.2021

Learned counsel for the appellant present. Mr. Jehanzeb, Superintendent alongwith Mr. Kabirullah Khattak, Additional Advocate General for the respondents present and requested for time for submission of reply on amendment application. Adjourned. To come up for submission of reply as well as arguments on amendment application on 13.12.2021 before the S.B.


(Salah-Ud-Din)
Member (J)

27.07.2021

Appellant in person present.

Mr. Muhammad Adeel Butt, learned Additional Advocate General for respondents present.

Appellant seeks adjournment as his learned counsel is not available today. Adjourned. To come up for arguments on 26.08.2021 before D.B. The operation of impugned order is suspended to the extent as impugned in the heading of appeal, till disposal of the appeal, if the suspension order is not recalled earlier.



(Rozina Rehman)
Member(J)

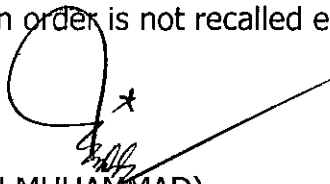


Chairman

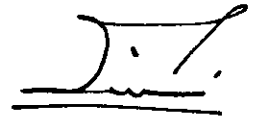
26.08.2021

Appellant in person present. Mr. Muhammad Adeel Butt, Additional Advocate General for respondents present.

Appellant requested for adjournment on the ground that his counsel is busy in Peshawar High Court, Peshawar. Adjourned. To come up for arguments before the D.B on 28.09.2021. The operation of impugned order is suspended to the extent as impugned in the heading of appeal, till disposal of the appeal, if the suspension order is not recalled earlier.



(MIAN MUHAMMAD)
MEMBER (EXECUTIVE)



(SALAH-UD-DIN)
MEMBER (JUDICIAL)

28-9-21

DB is on Tour case to come up
For the same on Dated. 27-10-21

Reader

S.A No. 3865/2021

24.06.2021

Counsel for the appellant present. Preliminary arguments heard.

**SCANNED
KPST
Peshawar**

In the light of the date of impugned order, departmental appeal, and service appeal, question of limitation is not arising. The appellant through instant appeal seeks relief for setting aside of impugned transfer notification dated 22.12.2020 to his extent and the private respondent No. 4; and further seeks directions to the respondents not to transfer the appellant in violation of posting/transfer instructions. According to copies of the record available on file, the appellant while serving as Librarian BPS-18 in GDC Mathra Peshawar was transferred to GDC S.K Bala Bannu against vacant post and respondent No. 4 was posted in GDC Mathra Peshawar vice the appellant. The learned counsel for the appellant referred to letter No. 22847-50/AD (Lib)DHE/College Grievances, dated 03.12.2020 addressed to four Librarians alongwith respondent No. 4, whereby they were asked to perform their duties at different colleges on temporary basis and the respondent No. 4 was given such duty at GDC Sabir Abad Karak. According to the note in heading of the said letter, they were repatriated from Directorate of Archives and Libraries. The respondents on notice has to respond as to what public interest was served by transfer of the appellant against the vacant post in Bannu

while adjustment of respondent No. 4 to the said vacancy was also possible by relieving him from his temporary assignment. Let the respondents be put on notice. The appeal is admitted to regular hearing, The appellant is directed to deposit security and process fee within 10 days. Thereafter, notices be issued to the respondents for submission of written reply/comments in office within 10 days of the 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. File to come up for arguments on 27.07.2021 before the D.B.

Appellant Deposited
Security & Process Fee

30/7/21

An application for suspension of impugned order has also been filed alongwith the appeal. As respondent No. 4 who was transferred vice appellant was on assignment of duty temporarily at GDC Sabir Abad, Karak and the letter of said assignment seems to have not been withdrawn; while on the other hand, the immediate relieving of appellant is likely to disturb the balance of convenience in his case; so, the operation of impugned order is suspended to the extent as impugned in the heading of appeal, till disposal of the appeal, if the suspension order is not recalled earlier.


Chairman

07.05.2021

Due to demise of the Worthy Chairman the Tribunal is
defunct, therefore, case is adjourned to 25.08.2021 for the same
as before.

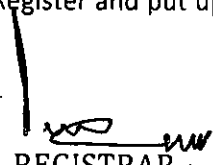



*early hearing application
is accepted and fixed
for 24/06/2021.*


Reader

FORM OF ORDER SHEET

Court of _____

Case No.- 3865 /2021

| S.No. | Date of order proceedings | Order or other proceedings with signature of judge |
|-------|---------------------------|--|
| 1 | 2 | 3 |
| 1- | 26/03/2021 | <p>The appeal of Mr. Hidayatullah presented today by Mr. Taimur Ali Khan 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>05/04/21</u></p> <p style="text-align: right;"> CHAIRMAN</p> <p>05.04.2021</p> <p>Junior to counsel for appellant present.</p> <p>Lawyers are on general strike, therefore, case is adjourned. To come up for preliminary hearing on <u>08/04/2021</u> before S.B.</p> <p style="text-align: right;"> (Rozina Rehman) Member (J)</p> <p>08.04.2021</p> <p>Due to demise of the Worthy Chairman the Tribunal is defunct. therefore, the case is adjourned to 7/5/2021 for the as before</p> <p style="text-align: right;"> Reader</p> |

SCANNED
 BY
 KTS
 Peshawar