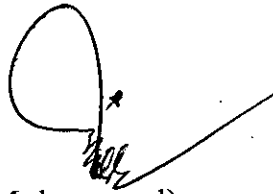


03.01.2023

Junior of learned counsel for the appellant present. Mr. Naseer-ud-Din Shah, Assistant Advocate General for the respondents present.

Junior of learned counsel for the appellant requested for adjournment on the ground that learned counsel for the appellant is not available today. Adjourned. To come up for arguments on 11.04.2023 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. Muhammad Riaz Khan,  
Asstt. AG 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 03.01.2023 before the  
D.B. Office is directed to notify the next date on the  
notice board as well as the website of the Tribunal.

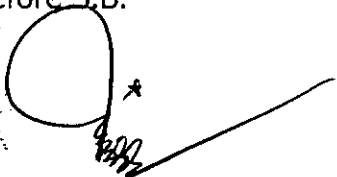
  
**(Fareeha Paul)**  
Member(E)

  
**(Kalim Arshad Khan)**  
Chairman

29.03.2022

Clerk of learned counsel for the appellant present.


Former requests for adjournment on the ground that learned counsel for the appellant is not available today. Adjourned. To come up for <sup>reply</sup> preliminary hearing on 10.06.2022 before S.B.

  
(MIAN MUHAMMAD)  
MEMBER(E)

10.06.2022

Junior to counsel for the appellant present.


Lawyers are on general strike, therefore, case is adjourned. To come up for preliminary hearing on 31.07.2022 before S.B.

  
(Rozina Rehman)  
Member (J)

01.08.2022

Counsel for the appellant present. Mr. Kabir Ullah Khattak, Additional Advocate General alongwith Ikram Ullah, ASI for respondents present.

Written reply/comments on behalf of respondents submitted which is placed on file. A copy of the same is handed over to the learned counsel of appellant. To come up for rejoinder/arguments on 17.10.2022 before D.B.

  
(Fareeha Paul)  
Member (E)

24.11.2021

Counsel for the appellant present. Preliminary arguments have been heard.

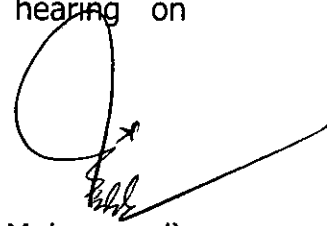
Learned counsel for the appellant contended that the appellant is aggrieved of the original impugned order dated 03.01.2012 whereby the appellant was removed from service from the date of his absence i.e 15.09.2011, under the provisions of Khyber Pakhtunkhwa Removal from Service (Special Powers) Ordinance, 2000. His departmental appeal dated 04.02.2019 was rejected by the appellate authority vide order dated 07.03.2019, on the ground "being badly time barred and meritless". The appellant thereafter submitted the instant service appeal on 28.03.2019. As the question of limitation is involved, it deems appropriate to issue a pre-admission notice to the official respondents to submit their reply/parawise comments and assist the Tribunal. Adjourned. To come up for preliminary hearing on 27.01.2022 before S.B.

  
(Mian Muhammad)  
Member(E)

27.01.2022

Clerk of learned counsel for the appellant present. Mr. Kabirullah Khattak, Addl: AG alongwith Mr. Mushtaq, Inspector for respondents present.

Written reply/comments not submitted. Representative of the respondents seeks time to submit the same on the next date. Adjourned. To come up for reply/preliminary hearing on 29.03.2022 before S.B.

  
(Mian Muhammad)  
Member(E)

30.06.2021

Junior to counsel for appellant present.

He made a request for adjournment as senior counsel is not available today. Adjourned. To come up for preliminary hearing on 28.09.2021 before S.B.

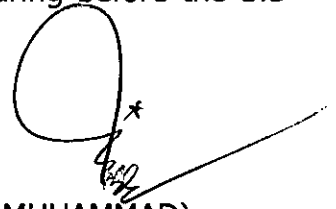


(Rozirfa Rehman)  
Member(J)

28.09.2021

None for the appellant present.

Notices be issued to the appellant and his counsel. Adjourned. To come up for preliminary hearing before the S.B on 24.11.2021.



(MIAN MUHAMMAD)  
MEMBER (E)

29.09.2020

Counsel for the petitioner alongwith Mr. Khan Baig Special Attorney for the appellant present. Special Power of Attorney has been submitted which is placed on record.

Learned counsel requests for adjournment of instant matter to a date after hearing by Larger Bench of this Tribunal in respect of cases involving retrospective punishment. He is of the view that the impugned order dated 03.1.2012 was made applicable from 15.09.2011.

Adjourned to 03.12.2020 before S.B.



Chairman

03.12.2020

Mr. Khan Baig, Special Attorney for the appellant present.

The proposition regarding retrospectivity of penalty has not been decided by the Larger Bench as yet. Instant case is, therefore, adjourned to 18.02.2021 before S.B.



Chairman

18.02.2021

The learned Member Judicial Mr. Muhammad Jamal Khan is under transfer, therefore, the case is adjourned. To come up for the same before S.B on 30.06.2021.



Reader

19.03.2020

Clerk to counsel for the appellant present and seeks adjournment as lawyers community is on strike on the call of Khyber Pakhtunkhwa Bar Council. Adjourn. To come up for preliminary hearing on 20.04.2020 before S.B.

  
Member

20.04.2020

Due to COVID19, the case is adjourned to 20.07.2020 for the same as before.

  
Reader

20.07.2020

Appellant is not present despite having been called time and again, the last call was made at 03:10 P.M, however, learned counsel for the appellant while representing him has appeared, according to him he is not in contact with his client and according to his knowledge he has proceeded abroad. Learned counsel for the appellant submitted that appellant be noticed so that legal requirements are fulfilled. He was asked as to whether appellant can be put to notice when he is representing him at the moment, in response thereof his submission was that he is going to withdraw his Power of Attorney executed earlier in the instant case. Since the case was adjourned due to COVID-19 therefore, propriety demands to issue notice <sup>to</sup> the appellant to appear in person or through validly authorized agent before the Tribunal on 29.09.2020 before S.B.

  
(MUHAMMAD JAMAL KHAN)  
MEMBER

07.10.2019 Syeda Uzma, Advocate for counsel for the appellant present.

Requests for adjournment as learned counsel for the appellant is engaged today before Darul Qaza, Swat. Adjourned to 19.11.2019 before S.B.

  
Chairman

19.11.2019 Counsel for the appellant present.

Once again a request for adjournment is made by learned counsel as he could not prepare the brief of instant matter.

Adjourned to 19.12.2019 but as last chance.

  
Chairman

19.12.2019 Junior to counsel for the appellant present.

Requests for adjournment due to general strike of the Bar. Adjourned, as a last chance, to 30.01.2020 for preliminary hearing before S.B

  
Chairman

30.01.2020 Due to general strike of the bar on the call of Khyber Pakhtunkhwa Bar Council, the case is adjourned. To come up for preliminary hearing on 19.03.2020 before S.B.

  
Member



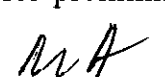



## Form- A

## FORM OF ORDER SHEET

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

Case No. - 705/2019

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	28/05/2019	<p>The appeal of Mr. Shoaib Khan resubmitted today by Mr. Ashraf Ali Khattak 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 28/5/19</p>
2-	29/05/19	<p>This case is entrusted to S. Bench for preliminary hearing to be put up there on <u>01/07/19</u></p> <p style="text-align: right;"> CHAIRMAN</p>
01.07.2019		<p>Junior counsel for the appellant present and requested for adjournment. Adjourned to 21.08.2019 for preliminary hearing before S.B.</p> <p style="text-align: right;"> (MUHAMMAD AMIN KHAN KUNDI) MEMBER</p>
21.08.2019		<p>Appellant in person present and requested for adjournment on the ground that his counsel is not available today. Adjourned to 07.10.2019 for preliminary hearing before S.B.</p> <p style="text-align: right;"> (Muhammad Amin Khan Kundi) Member</p>

**SCANNED**  
**KPST**  
**Peshawar**