


07.11.2022


Counsel for the appellant present.

Naseer Ud Din Shah learned Assistnat Advocate General for respondents present.

Former made a request for adjournment on the ground that he has not prepared the brief. Adjourned. To come up for arguments on 03.01.2023 before D.B.

RECORDED
KPST.
Peshawar

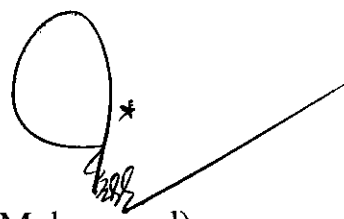

(Fareeha Paul)
Member (E)



(Rozina Rehman)
Member (J)

03.01.2023

Learned counsel for the appellant present. 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 gone through the record. Adjourned. To come up for arguments on 24.03.2023 before the D.B.


(Mian Muhammad)
Member (E)


(Salah-ud-Din)
Member (J)

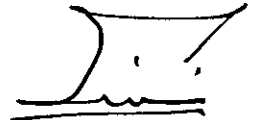
06.06.2022

Clerk of learned counsel for the appellant present. Mr. Naseer-ud-Din Shah, 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 18.08.2022 before the D.B.



(Fareeha Paul)
Member (E)



(Salah-ud-Din)
Member (J)

18.8.22

Due to summer vacation the case is adjourned to 6-10-22 for re-hearing.



06.10.2022

Junior to counsel for the appellant present. Mr. Asif Masood Ali Shah, Deputy District Attorney alongwith Atta Ur Rehman, Inspector respondents present.

Junior to counsel for the appellant made a request for adjournment on the ground that senior counsel is busy before Hon'ble Peshawar High Court. Adjourned. To come up for arguments on 07.11.2022 before D.B.



(Mian Muhammad)
Member (I)




(Kalim Arshad Khan)
Chairman

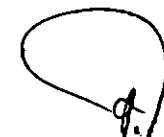
13.10.2021

Learned counsel for the appellant present.

Mr. Kabiurullah Khattak, Additional Advocate General for respondents present.

Due to non-availability of Member Copy, case is adjourned with direction to learned counsel to make sure the availability of Member Copy and file to come up for arguments on 10.11.2021 before D.B.



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


(Rozina Rehman)
Member (J)

10.11.2021

Mr. Said Khan, Advocate junior of learned counsel for the appellant present. Mr. Javed Ullah, Assistant Advocate General for respondents present.

Junior of learned counsel for the appellant sought adjournment on the ground that learned counsel for the appellant is unable to appear before the Tribunal today due to illness. Adjourned. To come up for arguments before the D.B on 10.02.2022.


(ATIQ UR REHMAN WAZIR)
MEMBER (E)


(SALAH-UD-DIN)
MEMBER (J)

10-02-2022

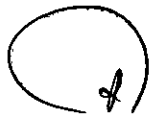
Due to retirement of the Honorable
Chairman the case is adjourned to come up
for the same as before on 6/6/22



22.06.2021

Mr. Said Khan, Advocate, junior of learned counsel for the appellant present. Mr. Muhammad Adeel Butt, Additional 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 busy in the august Peshawar High Court, Peshawar, therefore, adjournment may be granted. Adjourned. To come up for arguments before the D.B on 13.10.2021.



(Rozina Rehman)
Member(Judicial)



(Salah-ud-Din)
Member(Judicial)

Bakht Zamain 387/2018

Postscript

26.05.2021

The order dated 24.03.2021 was written but could not be signed by the D.B including the then Chairman who due to unforeseen reason could not attend the office in coming days. He died in the meantime and the order sheet was left unsigned. To bring the proceedings of appeal on track, it is become expedient for ex-post facto completion of the order sheet. The unsigned order dated 24.03.2021 is reproduced below which be given effect accordingly:-

“Junior to counsel for the appellant and Mr. Riaz Khan Paindakhel, learned Asst. AG for respondents present.

Former requests for adjournment due to illness of learned senior counsel for the appellant.

Adjourned to ~~22~~06.2021 for arguments before D.B.”

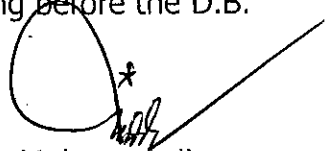

(Atiq-ur-Rehman Wazir)
Member


Chairman

01.10.2020

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

Request for adjournment is made due to engagement of learned senior counsel before the Hon'ble High Court in many cases today. The matter is adjourned to 22.12.2020 for hearing before the D.B.


(Mian Muhammad)
Member (Executive)


Chairman

22.12.2020

Due to COVID-19, the matter is adjourned to 24.3.21 for the same.


Reader

24.03.2021

Junior to counsel for the appellant and Mr. Riaz Khan Paindakheil learned Asst. AG for respondents present.

Former requests for adjournment due to illness of learned senior counsel for the appellant.

Adjourned to 22.06.2021 for arguments before D.B.

Chairman

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

28.02.2020

Junior to counsel for the appellant present. Mr. Riaz Paindakhel learned Assistant Advocate General for the respondents present. Junior to counsel for the appellant requested for adjournment as senior counsel for the appellant is not available today. Adjourn. To come up for arguments on 14.04.2020 before D.B.


Member


Member

14.04.2020

Due to public holidays on account of Covid-19, the case is adjourned. To come up for the same on 03.07.2020 before D.B.


Reader

03.07.2020

Due to COVID19, the case is adjourned to 01.10.2020 for the same as before.

Reader

27.08.2019

Counsel for the appellant and Addl. AG alongwith Danyal Ahmad, Store Keeper for the respondents.

Respondents have not submitted written reply/comments despite last opportunity was granted to them on 01.07.2019. The appeal is, therefore, posted to D.B for arguments on 14.10.2019.


Chairman

14.10.2019

Learned counsel for the appellant present. Mr. Riaz Khan Paindakhel learned Assistant Advocate General alongwith Mr. Shah Nawaz Junior Clerk for the respondents present. Representative of the respondents department submitted written reply which is placed on file. Learned counsel for the appellant seeks adjournment. Adjourn. To come up for further proceedings on 24.12.2019 before D.B.

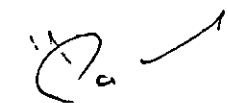

Member


Member

24.12.2019

Junior to counsel for the appellant and Mr. Zia Ullah learned Deputy District Attorney present. Junior to counsel for the appellant seeks adjournment as senior counsel for the appellant is not in attendance. Adjourn. To come up for arguments on 28.02.2020 before D.B.


Member


Member

10.04.2019

Counsel for the appellant present. Mr. Aziz Rehman M.S
Bajaur representative of the respondents present.

Counsel for the appellant has submitted an application for amending the word "FATA" to "Merged Area" as mentioned in the penal of respondents.

The application is allowed and the office is directed to make requisite amendment in the memorandum of appeal and thereafter, issue notice to all the respondents for the submission of written reply and comments on 16.05.2019 before S.B


Chairman

16.05.2019

Junior to counsel for the appellant present. Written reply not submitted. Daud Jan Superintendent representative of the respondent department absent. He be summoned with the direction to furnish written reply/comments. Adjourn. To come up for written reply/comments on 01.07.2019 before S.B. Respondents be also put to notice for reply/comments.


Member

01.07.2019

Junior to counsel for the appellant and Mr. Kabirullah Khattak learned Additional Advocate General for the respondents present. Written reply not submitted. None present on behalf of the respondents department, therefore, notice be issued to the respondents to attend the court and submitted written reply/comments. Last opportunity is granted. Adjourned. To come up for written reply/comments on 27.08.2019 before S.B.


Member

30.01.2019

Counsel for the appellant present. Mr. Kabirullah Khattak, Additional AG for the respondents present. Written reply on behalf of respondents not submitted. Learned Additional AG requested for further adjournment. Adjourned to 06.02.2019 for written reply/comments before S.B.


(MUHAMMAD AMIN KHAN KUNDI)
MEMBER

06.2.2019

Appellant in person and Addl. AG for the respondents present.

Learned AAG requests for adjournment for submission of written reply by the respondents. Adjourned to 28.02.2019 before S.B.

The appellant may submit a list of respondents under their fresh nomenclature, if any, after merger of FATA on the next date.


Chairman

28.02.2019

No one present on behalf of appellant. Written reply not submitted. Daud Jan Superintendent representative of the respondents absent. He be summoned with direction to furnish written reply/comments. Adjourn. To come up for written reply/comments on 10.04.2019 before S.B.


Member

22.9.2018

Due to muharram w karam
vacations the case was
not heard on 20.9.2018
Adjourned for 7-11-2018

7-11-2018

Due to retirement of ^{of ali} ~~READER~~ Honorable Chairman
the Tribunal is non functional therefore
the case is adjourned to come up for
the same on 25-12-2018

^{of ali}
Reader

26.12.2018

Learned counsel for the appellant present. Written reply not
submitted. Daud Jan Superintendent representative of the
respondent department absent. Adjourn. To come up for written
reply/comments on 30.01.2019 before S.B. Nolia be
1900 2 65 the words



Member

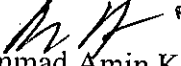
27.06.2018

Counsel for the petitioner present. Arguments on restoration of appeal heard. Record reveals that service appeal was dismissed in default on 05.06.2018. Learned counsel for the petitioner submitted application on 11.06.2018 for restoration of the same. The application is well within time therefore, restoration application is accepted and the appeal is restored. To come up for arguments on 08.08.2018 before D.B. Notice be also issued to the respondents accordingly.


(Muhammad Amin Khan Kundi)
Member

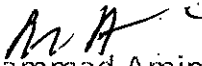
08.08.2018

Learned counsel for the applicant and learned AAG for the respondents present. Adjournment requested. Adjourned. To come up for further proceedings on 03.09.2018 before S.B.


(Muhammad Amin Khan Kundi)
Member

03.09.2018

Learned counsel for the applicant and Mr. Kabirullah Khattak, Additional Advocate General, for the respondents present. Written reply not submitted. Therefore, notices be issued to the respondents for written reply/comments. Adjourned. To come up for written reply/comments on 21.09.2018 before S.B.





(Muhammad Amin Kundi)
Member

Form-A

FORM OF ORDER SHEET

Court of _____

Appeal's Restoration Application No. 185/2018

S.No.	Date of order Proceedings	Order or other proceedings with signature of judge
1	2	3
1	11.06.2018	<p>The application for restoration of appeal no. 387/2018 submitted by Mr. Noor Muhammad Khattak Advocate, may be entered in the relevant register and put up to the Court for proper order please.</p> <p style="text-align: right;"> REGISTRAR</p>
2		<p>This restoration application is entrusted to S. Bench to be put up there on <u>25/6/18</u></p> <p style="text-align: right;"> CHAIRMAN</p>
	25.06.2018	<p>Counsel for the petitioner present. Learned Additional AG on behalf of respondents present. Adjourned. To come up for reply and arguments on 27.06.2018 before S.B.</p> <p style="text-align: right;"> Member</p>