

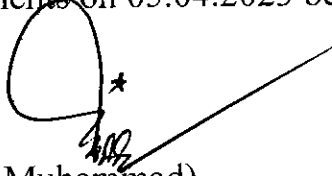
9.11.2022


Since 9<sup>th</sup> November has been declared as public holiday, case is adjourned to 05.01.2023 for the same as before.

  
Reader

05.01.2023 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 made preparation for arguments. Last opportunity is granted to argue the case on the next date, failing which the case will be decided on available record without arguments. Adjourned. To come up for arguments on 05.04.2023 before D.B.

  
(Mian Muhammad)  
Member (E)

  
(Kalim Arshad Khan)  
Chairman

04.01.2022

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

Reply/comments on behalf of official respondents are still awaited. Learned AAG 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 24.02.2022.



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

24-2-22

*Due to retirement of worthy chairman,  
The case is adjourned to 1-6-22 for  
The same.*



01.06.2022

Appellant present through counsel.

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

Representative of respondents submitted reply. Copy of the same was handed over to the learned counsel for appellant who requested for adjournment. Adjourned. To come up for remaining arguments on 09.08.2022 before D.B.



(Fareeha Paul)  
Member(E)



(Rozina Rehman)  
Member (J)

9-8-2022

*Due to the Public holiday the case is adjourned  
to 9-11-2022*

*See do you*

12.07.2021

Learned Addl, A.G be reminded about the omission and for submission of reply/comments within extended time of 10 days.

  
Chairman


Stipulated period passed reply not submitted.

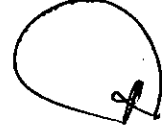
13.10.2021

Counsel for appellant counsel present.

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

Reply on behalf of respondents is still awaited. Learned A.A.G made a request for time to submit reply/comments; granted with direction to furnish the same within 10 days in office. If the reply/comments are not submitted within stipulated time, right of the respondents for submission of reply shall be deemed as struck off. To come up for arguments on 04.01.2022 before D.B.

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

  
(Rozina Rehman)  
Member (J)

04.06.2021

Counsel for the appellant present. Preliminary arguments heard.

The appellant has challenged the order dated 21.03.2018 where-against he filed departmental appeal on 10.04.2018 within time but thereafter he instead of seeking remedy by way of service appeal before this Tribunal, filed Writ Petition No. 950-B/2020 before Hon'ble Peshawar High Court which was dismissed in limine vide judgment dated 13.10.2020 on the sole ground that the relief sought relates to terms and condition of service. The Hon'ble High Court held that the Writ jurisdiction is explicitly barred in service matters and the proper forum available for redressal of grievance of the appellant would be the Service Tribunal. The appellant contends that he has been removed from service without having resort to the procedural requirements of the disciplinary laws as well as service laws. Although the appeal is time barred in view of the particular position of the matter, period beyond prescribed limitation is condoned. 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 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. File to come up for arguments on 13.10.2021 before the D.B.

Appellant Deposited  
Security & Process Fee  
9/8/21

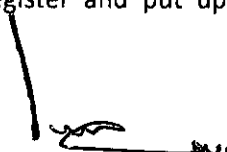
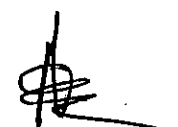
  
Chairman

Form- A

FORM OF ORDER SHEET

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

Case No.- 2801 /2021

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	06/04/2021	<p>The appeal of Mr. Waseemullah resubmitted today by Roeda 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>
2-	27/05/2021	<p>This case is entrusted to S. Bench for preliminary hearing to be put up there on <u>04/6/2021</u></p> <p style="text-align: right;"> CHAIRMAN</p>