

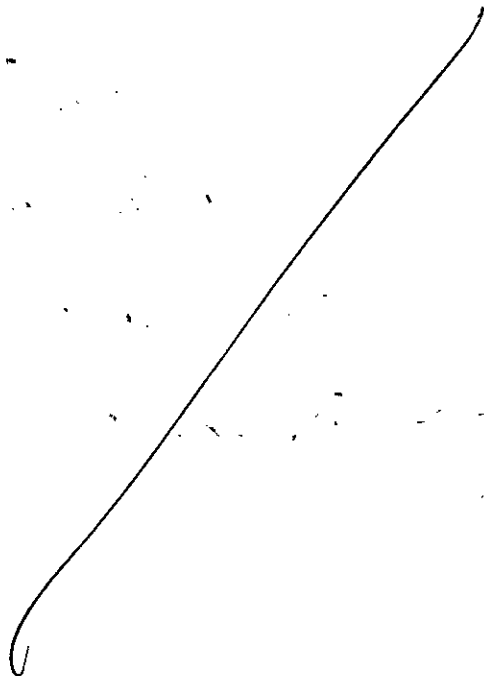


Form- A
FORM OF ORDER SHEET

Court of _____

Case No. 890/2018

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	16/07/2018 18-7-2018	<p>The appeal of Mst. Zarina Bibi resubmitted today by Mr. Fazal Shah Mohmand 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-		<p>This case is entrusted to S. Bench for preliminary hearing to be put up there on <u>20-8-2018</u>.</p> <p style="text-align: right;"> CHAIRMAN</p> 

20.08.2018

Counsel for the appellant present. Learned counsel for the appellant argued that the appellant was appointed as PST on 31.05.1999. She was promoted as SPST (BPS-14) on 01.03.2013. However, vide an entry recorded in her service book on 30.05.2017, she was reverted to BPS-12. No formal order has been issued by the respondents in this behalf. She filed departmental appeal on 22.03.2018. Learned counsel for the appellant when confronted on the point of limitation was unable to give any plausible reason.

Points urged need consideration. The appeal is admitted for regular hearing subject to limitation and all legal objections. The appellant is directed to deposit security and process fee within 10 days thereafter, notice be issued to the respondents for written reply/comments for 23.10.2018 before S.B.

Appellant Deposited
Security & Process Fee

(Ahmad Hassan)
Member


23-10-18

*Due to Retirement of Honorable Chairman
the Tribunal is non functional therefore
the case is adjourned to come up on
the same on 7-12-2018
Reddy*

07.12.2018

Counsel for the appellant and Mr. Muhammad Jan, DDA alongwith Muhammad Arshad, ADO for the respondents present.

Reply on behalf of respondents No. 1, 2, 3 & 4 is submitted. Adjourned to 30.01.2019 for hearing before D.B. The appellant may submit rejoinder within a fortnight, if so desires.


Chairman

30.01.2019 Learned counsel for the appellant and Mr. Usman Ghani learned District Attorney present. Learned counsel for the appellant seeks adjournment. Adjourn. To come up for arguments on 14.03.219 before D.B.


Member


Member

14.03.2019

Mr. Zia-ur-Rehman, husband of the appellant, on behalf of the appellant present. Mr. Kabirullah Khattak, Additional AG for the respondents present. Husband of the appellant seeks adjournment on the ground that learned counsel for the appellant is not available today. Adjourn. To come up for arguments on 06.05.2019 before D.B.


(M. AMIN KHAN KUNDI)
MEMBER

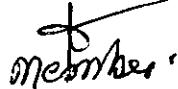

(M. HAMID MUGHAL)
MEMBER

06.05.2019

Counsel for the Appellant and Mr. Muhammad Riaz Paindakhel Assistant Advocate General alongwith Muhammad Arshad, ADO for the respondents present.

Learned counsel for the appellant requests for adjournment due to over work before the Honourable High Court today.

Adjourned to 21.06.2019 before D.B.


member


Chairman

21.06.2019

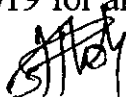
Learned counsel for the appellant and Mr. Zia Ullah learned Deputy District Attorney alongwith Mr. Arshad Ali ADO for the respondents present. Learned counsel for the appellant seeks adjournment. Adjourn. To come up for arguments on 23.07.2019 before D.B.


Member


Member

23.07.2019

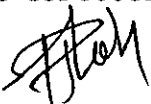
Counsel for the appellant and Mr. Usman Ghani, District Attorney alongwith M/S Arshed Ali, ADO on behalf of respondent No. 1 and Irfanullah, Assistant on behalf of respondent No. 2 present. Representative of respondent No. 2 namely Irfanullah is directed to furnish promotion order of the appellant from the post of Primary School Teacher (BPS-12) to the post of Senior Primary School Teacher (BPS-14) on the next date positively. Adjourned to 23.08.2019 for arguments before D.B.


(HUSSAIN SHAH)
MEMBER


(M. AMIN KHAN KUNDI)
MEMBER

23.08.2019

Counsel for the appellant and Mr. Ziaullah, Deputy District Attorney alongwith Mr. Arshed Ali, ADO for the respondents present. At the very outset learned Deputy District Attorney for the respondents stated that the original service book of the appellant is in the custody of the appellant and she may be directed to bring original service book and provide copy of the same. He further stated that copy of Departmental promotion Committee and seniority list on the basis of which the promotion order of the appellant was issued be also requisitioned from the respondent-department. Representative of the department namely Arshed Ali present in the court is strictly directed to furnish the said record on the next date. Adjourned to 30.09.2019 for record and arguments before D.B.


(Hussain Shah)
Member


(M. Amin Khan Kundi)
Member

30.09.2019

Due to general strike of the bar, the case is adjourned to 02.10.2019 before D.B.


Member


Member

02.10.2019

Learned counsel for the appellant present. Mr. Riaz Khan Paindakheil learned Assistant Advocate General present. Learned counsel for the appellant was requested to first advance arguments in the oldest service appeal fixed for today. Adjourn. To come up for arguments on 09.12.2019 before D.B.


Member


Member

09.12.2019

Lawyers are on strike on the call of Khyber Pakhtunkhwa Bar Council. Adjourn. To come up for further proceedings/arguments on 16.01.2020 before D.B.


Member


Chairman

16.01.2020

Husband of the appellant present. Due to general strike of the bar on the call of Khyber Pakhtunkhwa Bar Council, the case is adjourned. To come up for further proceedings/arguments on 25.03.2020 before D.B.


Member


Member

24.03.2020

Due to public holidays on account of Covid-19, the case is adjourned. To come up for the same on 10.06.2020 before D.B.


Reader

10.06.2020

Bench is incomplete as one learned Member (J) is on leave. Therefore, the case is adjourned. To come up for the same on 24.08.2020 before D.B.


Reader

24.08.2020

Due to summer vacation case to come up for the same on 28.10.2020 before D.B.


Reader

23.10.2020

Junior to counsel for the appellant and Zara Tajwar, DDA for the respondents present.

The Bar is observing general strike, therefore, the matter is adjourned to 21.12.2020 for hearing before the D.B.

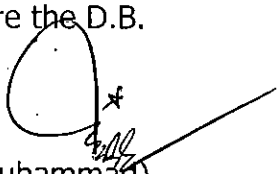

(Mian Muhammad)
Member


Chairman

21.12.2020

Counsel for the appellant and Addl. AG alongwith Arshad Ali, Litigation Officer for the respondents present.

It appears that the order dated 23.08.2019 has not yet been complied with. The parties are required to obtain copy of the said order and submit without fail the documents mentioned therein on or before next date of hearing. Adjourned to 24.03.2021 for hearing before the D.B.


(Mian Muhammad)
Member(E)


Chairman

24.03.2021

Counsel or the appellant and Addl. AG for the respondents present.

Learned AAG requests for time to produce the record contained in the order dated 23.08.2019.

The respondents shall submit relevant record without fail on or before next date of hearing. Adjourned to 03.06.2021 for hearing before the D.B.

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

Chairman

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:-

"Counsel for the appellant and Addl. AG for the respondents present.

Learned AAG requests for time to produce the record contained in the order dated 23.08.2019.

The respondents shall submit relevant record without fail on or before next date of hearing. Adjourned to 03.06.2021 for hearing before the D.B."



(Atiq-ur-Rehman Wazir)
Member




Chairman

03.06.2021

Junior to counsel for appellant present.

Muhammad Adeel Butt learned Additional Advocate General for respondents present.


Former made a request for adjournment as senior counsel is busy before Hon'ble Supreme Court of Pakistan. In this regard, an application was also submitted. Case is adjourned. To come up for arguments on 30.09.2021 before D.B.


(Rozina Rehman)
Member (J)


Chairman

30-9-21


DB is on Tour case to come up
for the same on Dated, 1-2-22


Reader

01.02.2022

Counsel for the appellant present. Mr. Muhammad Adeel Butt, Addl. AG for the respondents present.

Due to paucity of time arguments could not be heard. To come up for arguments on 12.05.2022 before the D.B.



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


Chairman

12.05.2022

Mr. Fazal Shah Mohmand, Advocate for the appellant present. Mr. Muhammad Adeel Butt, Additional Advocate General for the respondents present.

Partial arguments heard. To come up for remaining arguments before the D.B on 14.06.2022.

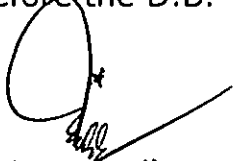

(Fareeha Paul)
Member (E)

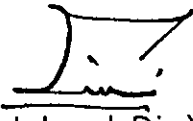

Chairman

14.06.2022

Clerk of learned counsel for the appellant present. Mr. Muhammad Adeel Butt, Additional Advocate General for the respondents present.

Vide previous order sheet dated 12.05.2022, the instant appeal was partially heard by D.B comprising of worthy Chairman and learned Member (Executive) Ms. Fareeha Paul, therefore, office is directed to place the same before the D.B, which has partially heard the instant appeal and to come up for remaining arguments on 17.08.2022 before the D.B.


(Mian Muhammad)
Member (E)


(Salah-ud-Din)
Member (J)

17.8.22


due to summer vacation the case is adjourned to 19-10-22 for the same.



19th Oct., 2022

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


Request for adjournment was made on behalf of learned counsel for the appellant due to his engagement in Honourable — Peshawar High Court today. Last opportunity is granted To come up for arguments on 09.11.2022 before the D.B.


(Fareeha Paul)
Member (E)


(Kalim Arshad Khan)
Chairman

9.11.2022

Since 9th November has been declared as public holiday, case is adjourned to 22.12.2022 for the same as before.


Reader

S.A No. 890/2018

22nd Dec. 2022 Appellant alongwith counsel present. Mr. Muhammad Riaz Khan Paindakhel, Assistant Advocate General for the respondents present.

Vide order sheet dated 12.05.2022, the instant appeal was partially heard by the D.B comprising of Worthy Chairman and Miss Fareeha Paul, learned Member (Executive), therefore, office is directed to place the same before the D.B which has partially heard the instant appeal. To come up for remaining arguments before the concerned D.B on 10.02.2023.


(FAREEHA PAUL) ,
Member(E)


(ROZINA REHMAN)
Member (J)