

0025222

Appellant present through counsel.

Muhammad [unclear] [unclear] [unclear] A.M.G. [unclear]

Muhammad [unclear] [unclear] [unclear] [unclear] [unclear]

[unclear] [unclear] [unclear] [unclear] [unclear] [unclear]

[unclear] [unclear] [unclear] [unclear] [unclear] [unclear]

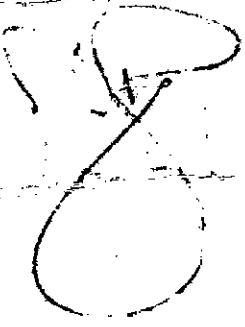
D.7. The [unclear] impugned order to the extent of appeal [unclear]

shall remain suspended till [unclear]

(Roziya Rehman
Member J) &

01

[unclear]



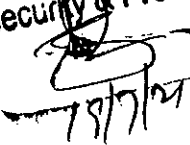
19.07.2021

Appellant present through counsel.

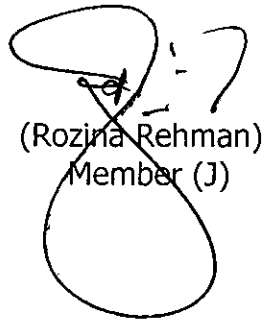
Preliminary arguments heard. Record perused.

The appellant has impugned the orders dated 25.05.2021 and 03.05.2021 of his relieving and transfer to D.H.O Kohistan Upper. Subject to all just and legal objections including limitation, this 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 10 / 08 / 2021 before D.B.

Appellant Deposited
Security & Process Fee


19/7/21

An application has been submitted alongwith the memorandum of appeal seeking ad interim relief for suspension of the impugned order to the extent of appellant. Notice of the application be given to the respondents for the same date as already fixed. The operation of impugned order to the extent of appellant shall remain suspended till next date.


(Rozina Rehman)
Member (J)

10.08.2021

Since, 1st Moharram has been declared as public holiday, therefore, case is adjourned to 13 / 9 / 2021 for the same as before.


Reader

13.09.2021

Appellant present through counsel.

Muhammad Adeel Butt learned A.A.G alongwith Muhammad Haroon Superintendent for official respondents present.

Representative of respondents made a request for time to furnish reply/comments. Opportunity is granted with direction to submit the same within 10 days positively in office. To come up for arguments on 18.10.2021 before D.B. The operation of impugned order to the extent of appellant shall remain suspended till the next date.



(Rozina Rehman)
Member (J)




Chairman

18.10.2021

Appellant in person and Mr. Kabirullah Khattak, Addl. AG alongwith Safiullah, Focal Person and Usman, Asstt. for the respondents present.

An opportunity was granted to the respondents for submission of written reply/comments on request of the representative on previous date but the reply has not been submitted. It has been stated on behalf of the respondents that reply is ready and will be submitted on next date after signature and finalization by the respondent No. 1. The last opportunity is given for filing of reply/comments within ten days in office, failing which the right of submission of the comments/reply shall be deemed as struck off.

An application has been submitted by the appellant wherein he has complained about non-payment of salary to him for four months despite suspension of the impugned order. The said application is placed on file and a copy of the application is given to the representative of the respondents. If there is no other reason for stoppage of pay, the action of the concerned respondent as such is questionable for want of justification, when the operation of the said order is under suspension. Let the respondents No. 2 and 3 show cause as to why the salary of the appellant has been stopped, he pursuing the judicial remedy against the impugned order. File to come up on 22.11.2021 before the D.B.

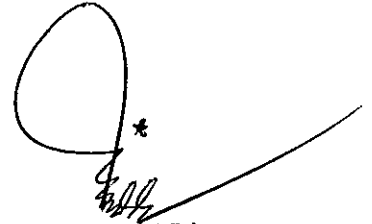

(Salahud Din)
Member(J)


Chairman

22.11.2021

Appellant in person and Mr. Kabirullah Khattak, Addl: AG alongwith Mr. Jafar Ali, Assistant, Mr. Tahir Ali, Junior Clerk and Mr. Murad Ali, Electro Medical Engineer for respondents present.

Representative of the respondents has been submitted written reply/comments which is placed on file. A copy of the same is also handed over to the appellant. Adjourned. To come up for arguments on 01.07.2022 before D.B. The operation of impugned order to the extent of appellant shall remain suspended till the next date.

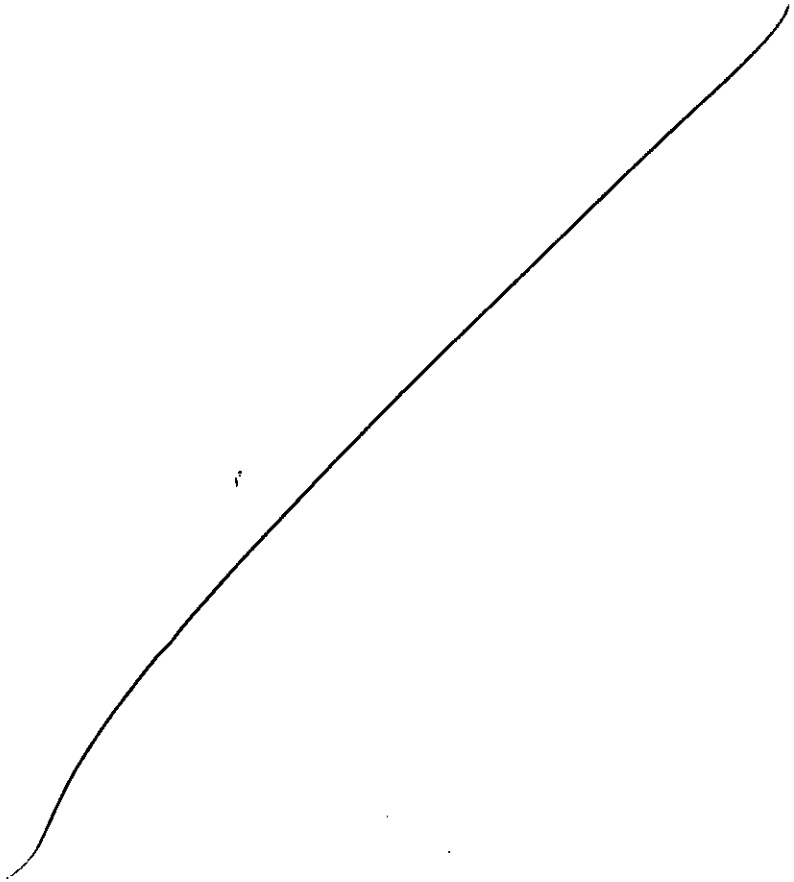


(MIAN MUHAMMAD)
MEMBER (E)

1-3-22

*Due to Retirement of the Hon, ble Chairman
the case is adjourned on 13-6-22*

*Jafar Ali
Reader*



13.06.2022

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

Clerk of counsel for the appellant stated that learned counsel for the appellant is unable to attend the Tribunal today due to strike of Lawyers. Adjourned To come up for arguments before the D.B. on 05.09.2022.



(MIAN MUHAMMAD)
MEMBER (EXECUTIVE)



(SALAH-UD-DIN)
MEMBER (JUDICIAL)

05.09.2022

Due to leave of the Worthy Chairman, the Bench is incomplete. Case to come up for the same on 04.10.2022 before the D.B.



Reader

4th October, 2022

Counsel for the appellant present. Syed Naseer Ud Din Shah, Asst: AG for respondents present.

Learned counsel for the appellant seeks adjournment as he has not prepared the case. Last opportunity granted for arguments failing which the case will be decided on the available record without arguments. To come up for arguments on 01.11.2022 before the D.B



(Fareeha Paul)
Member(Executive)

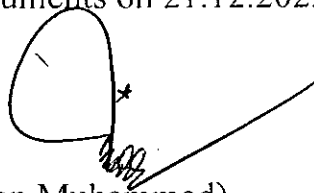



(Kalim Arshad Khan)
Chairman

01.11.2022

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

Learned counsel for the appellant requested for adjournment on the ground that he is not feeling well today. Adjourned. To come up for arguments on 21.12.2022 before the D.B.



(Mian Muhammad)
Member (E)



(Salah-Ud-Din)
Member (J)

21.12.2022

Appellant present through counsel. Muhammad Adeel Butt learned Additional Advocate General for respondents present.

Former made a request for adjournment in order to further prepare the brief. Last chance is given with direction to make sure the presence of appellant on date fixed. Adjourned. To come up for arguments on 10.01.2023 before D.B.


(Fareeha Paul)
Member (E)


(Rozina Rehman)
Member (J)