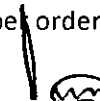


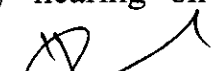


Form- A

FORM OF ORDER SHEET

Court of _____

Case No.- 270/2020

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	08/01/2020	<p>The appeal of Mst. Asia Sardar resubmitted today by Mr. Habibullah Mohmand Advocate may be entered in the Institution Register and put up to the Worthy Chairman for proper order please.</p> <p> REGISTRAR 08/01/2020</p>
2-	10/01/20	<p>This case is entrusted to S. Bench for preliminary hearing to be put up there on <u>16/01/20</u></p> <p> CHAIRMAN</p>
	16.01.2020	<p>Nemo for appellant.</p> <p>Notices be issued to appellant/counsel for preliminary hearing on 27.01.2020 before S.B.</p> <p> Chairman</p>
	27.01.2020	<p>Appellant absent. Learned counsel for the appellant absent. Due to general strike of the bar, on call of Khyber Pakhtunkhwa Bar Council, the case is adjourned. To come up for preliminary hearing on 03.02.2020 before S.B.</p> <p></p>

1-30?
imp order?

Member

03.02.2020

None present on behalf of the appellant. Notices be issued to appellant and her counsel for attendance and preliminary hearing for 20.02.2020 before S.B.


(MUHAMMAD AMIN KHAN KUNDI)
MEMBER

20.02.2020

Counsel for the appellant Mst. Asia Sarder present. Preliminary arguments heard. It was contended by learned counsel for the appellant that the appellant was promoted alongwith others from BPS-18 to BPS-19 on the recommendation of Provincial Selection Board and on promotion, the appellant was adjusted from Government Girls Higher Secondary University Town Peshawar as a Principal BPS-19 to Government Girls Higher Secondary Shaidu Nowshera against the vacant post vide order dated 18.12.2019. It was further contended that in compliance with the said order, the appellant went to the Government Girls Higher Secondary Shaidu Nowshera for assuming the charge but the Ex-Vise Principal Bushra Begum of Government Girls Higher Secondary Shaidu Nowshera and one Clerk Bilal of the said school did not allow her to assume the charge therefore, she submitted application on 24.12.2019 to the Secretary Education followed by another application (undated) available at page 18 of the service appeal but with no fruitful result, therefore, ultimately the appellant filed departmental appeal but the same was also not responded, therefore, on 23rd December 2019 she submitted arrival report in the office of District Education Officer Female, therefore, the respondent-department are bound to allow the appellant for assumption of charge.

The contention raised by learned counsel for the appellant need consideration. The appeal is admitted for regular hearing subject to all legal objections. The appellant is directed to deposit security and process fee within 10 days, thereafter, notices be issued to the respondents for written reply/comments for 05.03.2020 before S.B. Learned counsel for the appellant also submitted application for adjustment in the school mentioned in the application. Notice of the same be issued to the respondents for the date fixed.

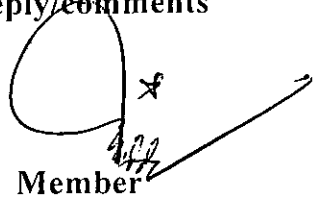

(MUHAMMAD AMIN KHAN KUNDI)
MEMBER

Appellant Deposited
Security & Process Fee
28/2/2020

05.03.2020

Junior to counsel for thje appellant and Addl. AG for the respondents present.

Learned AAG seeks time to contact the respondents and submit written reply/comments. Adjourned to 20.03.2020 on which date the requisite reply/comments shall positively be submitted.


Member

20.03.2020

Clerk of counsel for the appellant and Mr. Kabirullah Khattak, Additional AG for the respondents present. Written reply on behalf of respondents not submitted. Learned Additional AG seeks further time to obtain written reply/comments from respondents. Adjourned to 07.04.2020 for written reply/comments before S.B.


(MUHAMMAD AMIN KHAN KUNDI)
MEMBER

07.04.2020

Due to public holiday on account of COVID-19, the case is adjourned to 30.06.2020 for the same. To come up for the same as before S.B.


Reader

30.06.2020

Junior to counsel for the appellant present.

Mr. Kabir Ullah Khattak learned Additional Advocate General for the respondents present.

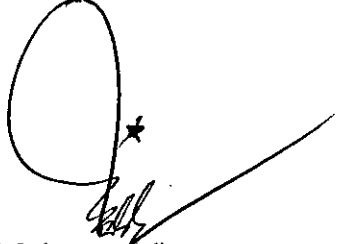
Written reply was not submitted. Learned AAG requested for adjournment for submission of written reply/comments. Last chance is given. To come up for submission of written reply/comments on 16.07.2020 before S.B.

16.07.2020

Appellant in person and Addl: AG for respondents present.

Written reply not submitted despite Member(J)ties. Requested for further adjournment. Adjournment granted subject to payment of cost of Rs. 2000/- which shall be borne by respondents from their own pockets.

Adjourned to 29.07.2020 before S.B.


(Mian Muhammad)
Member(E)

29.07.2020

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

Respondents have not furnished the requisite reply/comments despite last chance. The matter is, therefore, posted to D.B for arguments on 17.08.2020.


Chairman

17.08.2020

Due to summer vacations, the case is adjourned to
28.10.2020 for the same.


Reader

28.10.2020

Proper D.B is on Tour, therefore, the case is
adjourned for the same on 29.12.2020 before D.B.


Reader

29.12.2020

Due to summer vacation, case is adjourned to 16.3.2021 for the same as before.

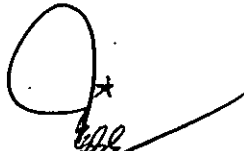

Reader

16.03.2021

16.03.2021

Mr. Shakeel Khan Advocate on behalf of learned counsel for the appellant and, Mr. Noor Zaman Khattak, District Attorney for the respondents present.

Former requests for adjournment as learned counsel for the appellant is busy before the Hon'ble High Court in various cases today. Adjourned to 27.04.2021 for hearing before the D.B.


(Mian Muhammad)
Member (E)


Chairman

27.4.2021

Due to COVID-19, the case is adjourned to 17.8.2021 for the same.

17.08.2021

Since 17.08.2021 has been declared as Public holiday on account of Moharram, therefore, case is adjourned to 23.09.2021 for the same as before.


Reader

23.09.2021

Clerk of counsel for the appellant and Mr. Asif Masood Ali Shah, DDA for the respondents present.

Learned counsel for the appellant is not in attendance and request for adjournment is made on his behalf. Therefore, case to come up on 05/11/21 for arguments before the D.B.



(Rozina Rehman)
Member(Judicial)



Chairman

05.11.2021 Appellant present through counsel.

Javid Ullah, learned Assistant Advocate General for respondents present.

Former made a request for adjournment in order to prepare the brief. Request is accorded. To come up for arguments on 23.11.2021 before D.B.



(Rozina Rehman)
Member (J)



Chairman

23.11.2021

Proper D.B is not available, therefore, case is adjourned to 11 / 2 / 2022 for the same as before.

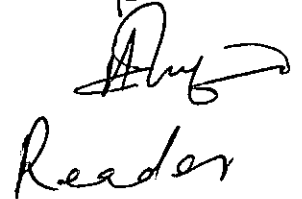

Reader

Due to retirement of the Hon'ble Chairman to come up for the same as before on 28-03-2022


Reader

28-3-2022

Proper DB not available the case is adjourned to come up for the same as before on 5-7-2022


Reader

3

05.07.2022

Nemo for the appellant.

Mr. Kabirullah Khattak, Additional Advocate General for the respondents present.

Previous date was changed on Reader Note, therefore, notice for prosecution of the appeal be issued to the appellant as well as her counsel through registered post and to come up for arguments before the D.B on 13.10.2022.



(MIAN MUHAMMAD)
MEMBER (EXECUTIVE)

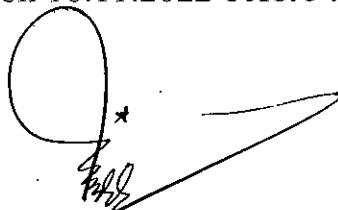


(SALAH-UD-DIN)
MEMBER (JUDICIAL)

13.10.2022

Nemo for the appellant. Mr. Kabirullah Khattak, Additional Advocate General for the respondents present.

Notice for prosecution of the appeal be issued to the appellant as well as his counsel through registered post and to come up for arguments on 18.11.2022 before the D.B.



(Mian Muhammad)
Member (E)



(Salah-Ud-Din)
Member (J)


18th Nov. 2022

Lawyers are on strike today.

Case is adjourned to 12.01.2023 for arguments before the DB. Office is directed to notify the next date on the notice board as well as website of the Tribunal.



(Fareeha Paul)
Member(E)



(Rozina Rehman)
Member(J)

Counsel was informed telephonically for the date fixed on 10/10/22.


13/10/2022


ORDER
12.01.2023

Nemo for the appellant. Mr. Muhammad Jan, District Attorney
for the respondents present.

The appeal in hand was called on for hearing after various
intervals, however none appeared on behalf of the appellant till the
closing time, therefore, the appeal in hand stands dismissed in default.
Parties are left to bear their own costs. File be consigned to the record
room.

ANNOUNCED
12.01.2023


(Mian Muhammad)
Member (E)


(Salah-Ud-Din)
Member (J)