



29.11.2022

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

Learned counsel for the appellant requested for adjournment on
the ground that he has not made preparation for arguments.
Adjourned. To come up for arguments on 12.01.2023 before D.B.

SCANNED
KPST
Peshawar

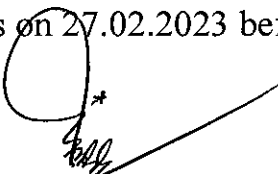

(Mian Muhammad)
Member (E)



(Salah-ud-Din)
Member (J)

12.01.2023

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

Learned counsel for the appellant again sought time for
preparation of arguments. Last opportunity given. To come up for
arguments on 27.02.2023 before the D.B.

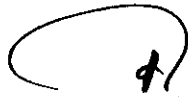

(Mian Muhammad)
Member (E)


(Salah-Ud-Din)
Member (J)

22.08.2022

Mr. Abdul Majeed 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 appellant requested for adjournment on the ground that learned counsel for appellant is busy before the Hon'ble Peshawar High Court, Mingora Bench, (Dar-ul-Qaza) Swat. Adjourned. To come up for arguments on 31.10.2022 before D.B.



(Rozina Rehman)
Member(J)



(Salah-Ud-Din)
Member(J)

31st Oct., 2022

Mr. Ubaid Shah, Assistant to learned counsel for the appellant present. Mr. Muhammad Adeel Butt, Addl. AG for the respondents present.

Request for adjournment was made due to non-availability of learned senior counsel for the appellant. Last chance is given to the appellant to ensure attendance of his learned counsel, failing which the appeal will be decided on the basis of available record without the arguments. To come up for arguments on 29.11.2022 before the D.B.



(Fareeha Paul)
Member (E)



(Kalim Arshad Khan)
Chairman

23.08.2021

Clerk of learned counsel for the appellant present.
Mr. Muhammad Rashid, DDA for respondents present.

Clerk of counsel for the appellant requested for adjournment on the ground that learned counsel for the appellant is out of station. Adjourned. To come up for rejoinder as well as arguments before the D.B on 13.12.2021.



(MIAN MUHAMMAD)
Member(E)



(SALAH-UD-DIN)
Member(J)

13.12.21

DB is on tour case to come
up for the same on dated. 11-4-22
Reader

11-4-2022

Proper DB not available the case is
adjourned 22-8-2022

Reader

18.11.2020

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

Learned AAG seeks time to furnish reply/comments. He is required to contact the respondents and facilitate the submission of reply/comments on 07.01.2021, as a last chance.


Chairman

07.01.2021


Junior to the senior counsel is present for appellant. Mr. Kabirullah Khattak, Additional Advocate General and Mr. Iftikhar-ul-Ghani, DEO (Male), for the respondents are also present.

Representative of the department submitted written reply on behalf of respondents which is placed on record. File to come up for rejoinder and arguments on 27.04.2021 before D.B.


(MUHAMMAD JAMAL KHAN)
MEMBER (JUDICIAL)

27.04.2021

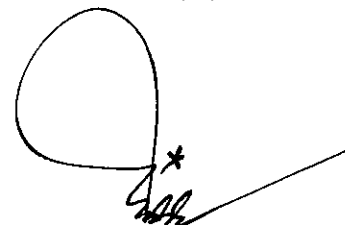
Due to demise of the Worthy Chairman, the Tribunal is non-functional, therefore, case is adjourned to 23.08.2021 for the same as before.


Reader

18.06.2020

Counsel for the appellant and Addl. AG for respondents present. Security and process fee not deposited. Learned counsel for the appellant submitted an application for extension of time to deposit security and process fee. Appellant is directed to deposit security and process fee within seven(7) days, thereafter notices be issued to the respondents for written reply/comments on 04.08.202 before S.B.

Appellant Deposited
Security Process Fee


Member

04.08.2020

Junior counsel for the appellant and Mr. Kabirullah Khattak, Additional AG for the respondents present.

Learned Additional AG seeks time to contact the respondents and furnish the requisite reply/comments. Adjourned to 28.09.2020 on which date reply/comments shall positively be furnished.


(MIAN MUHAMMAD)
MEMBER (E)

28.09.2020

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

Learned AAG again seeks time to contact the respondents and furnish the requisite reply/comments. Adjourned to 18.11.2020 on which date the reply/comments shall be submitted without fail.


Chairman

08.05.2020

Learned counsel for the appellant present. Preliminary arguments heard.

It was contended by the learned counsel for the appellant that the respondent department published advertisement for the recruitment of Drawing Master etc. teacher. It was further contended that the appellant applied for the same and after interview, the appellant was shown entitled to be appointed as DM as per merit list but later on, the appellant was not appointed as DM on the ground that Drawing Master Degree obtained by him from the concerned university is not recognized. It was further contended that the appellant filed writ petition against the respondent department for directing the respondent department to appoint the appellant as DM. It was further contended the writ petition of the appellant was accepted and the respondent department was directed to appoint the appellant against the post of DM immediately without further waste of time as the appellant has been languishing before the different courts of law for his lawful entitlement since long vide judgment dated 30.05.2018. It was further contended that the appellant also filed review petition before the Worthy Peshawar High Court for correction of consolidated judgment dated 30.05.2018 with further direction to respondent department to prepare joint seniority list. It was further contended that review petition was also accepted vide judgment dated 26.09.2018. It was further contended that the appellant was appointed by the respondent department on the basis of judgment of Worthy High Court but w.e.f the date of taking over charge vide order dated 26.11.2018. It was further contended that the appellant filed contempt of court application against the respondents on the ground mentioned in the contempt of court application but the contempt of court application was dismissed by the Worthy Peshawar High Court however it was observed that the petition is however at liberty to file departmental representation before the respective authority in respect of their grievances and also to approach the Khyber Pakhtunkhwa Service Tribunal. It was further observed that this order shall not be hindrance in his way in any of the proceedings either before the departmental appeal or Khyber Pakhtunkhwa Service Tribunal vide judgment dated 16.12.2019. It was further contended that the appellant filed departmental appeal before the respondent department on 19.12.2019 for his antedated appointment with effect from the date when other categories of the teacher mentioned in the advertisement dated 05.01.2014 was appointed but the same was not responded hence the



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Form- A

FORM OF ORDER SHEET

Court of _____

Case No.- 3299 /2020

| S.No. | Date of order proceedings | Order or other proceedings with signature of judge |
|-------|---------------------------|---|
| 1 | 2 | 3 |
| 1- | 22/04/2020 | <p>The appeal of Muhammad Israr submitted today by Mr. Akhtar Ilyas, Advocate may be entered in the Institution Register and put up to the Learned Member for proper order please.</p> <p style="text-align: right;"> REGISTRAR</p> <p>This case is entrusted to S. Bench for preliminary hearing to be put up on <u>8-05-2020</u></p> <p style="text-align: right;"> MEMBER</p> |