



Form- A

# FORM OF ORDER SHEET

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

Case No.- 9138 /2020

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	10/08/2020	<p>The appeal of Mr. Muhammad Asad Faizan presented today by Mr. Bashir Khan Wazir 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>02/10/2020</u></p> <p style="text-align: right;"> CHAIRMAN</p>

RECORDED  
KEST  
Bashir Khan Wazir

02.10.2020

Counsel for the appellant present.

Learned counsel referred to "willful absence notice" notice issued against the appellant on 16.12.2019. In the notice the appellant was given three days period to explain his position. On the other hand, the impugned order of removal from service against the appellant was also issued on 16.12.2019. The said fact reflected malafide on the part of respondents. Further argued that throughout the departmental proceedings initiated upon charges of absence from duty, no specific period of alleged absence of appellant was provided.

Subject to all just exceptions, instant appeal is admitted to regular hearing, ~~subject to all just exceptions~~. The appellant is directed to deposit security and process fee within 10 days. Thereafter, notices be issued to the respondents. To come up for written reply/comments on 20.10.2020 before S.B.

Alongwith the appeal, there is an application for suspension of operation of impugned orders dated 16.12.2019 and 26.12.2019. Notice of the application be also given to the respondents for the date fixed. In the meanwhile, recovery of Rs. 13,22,905/- shall remain suspended.

Appellant Deposited  
Security & Process Fee


12/10/20

  
Chairman

20.10.2020

Since the Members of the High Court as well as of the District Bar Association Peshawar are observing strike today, therefore, learned counsel for appellant is not available today. Mr. Kabirullah Khattak, Additional Advocate General is present.

Neither written reply on behalf of respondents submitted nor any representative of the department is present despite issuance of notices vide preceding order sheet dated 02.10.2020. Again notices be issued to the respondents for submission of written reply/comments for 03.12.2020 before S.B. In the meanwhile, recovery of Rs. 13,22,905/- shall remain suspended till the date fixed.

  
(Muhammad Jamal Khan)  
Member (Judicial)

03.12.2020 Counsel for the appellant and Addl. AG along with Irfan Anjum, Assistant for the respondents.

Representative of the respondents seeks time to furnish reply/comments. Adjourned to 25.01.2021 on which date the requisite reply/comments shall be submitted without fail. In the meanwhile, recovery of Rs. 13,22,905/- shall remain suspended till next date of hearing.

  
Chairman

25.01.2021

Junior counsel for appellant is present. Mr. Kabirullah Khattak, Additional Advocate General alongwith Mr. Rafiullah, XEN and Mr. Irfan, Assistant for the respondents, are also present.

Written reply on behalf of respondents not submitted. Representative of the department is seeking further time for submission of written reply/comments. Time granted, but as a last chance. Adjourned to 24.03.2021 on which date file to come up for written reply/comments before S.B. In the meanwhile, recovery of Rs. 13,22,905/- shall remain suspended till next date of hearing.

(MUHAMMAD JAMAL KHAN)  
MEMBER (JUDICIAL)

24.03.2021

Appellant in person present.

Kabir Jah Khattak learned Additional Advocate General alongwith Hamayoon Superintendent and Atta Ullah S.D.O for respondents present.

Written reply on behalf of respondents was submitted. To come up for rejoinder, if any, and arguments on 13/04/2021 before D.B. In the meanwhile, recovery of Rs. 13,22,905/- shall remain suspended till the next date of hearing.

(Rozina Rehman)  
Member (J)

13.04.2021

Due to demise of the Worthy Chairman the Tribunal is defunct, therefore, case is adjourned to 06.07.2021 for the same as before.



READER

06.07.2021

Clerk of counsel for the appellant present. Mr. Muhammad Irfan, Assistant alongwith Mr. Javed Ullah, Assistant Advocate General for the respondents present.

Clerk of counsel for the appellant requested for adjournment on the ground that learned counsel for the appellant is busy in the august Peshawar High Court. Adjourned. To come up for arguments before the D.B on 07.10.2021.



(ATIQU-UR-REHMAN WAZIR)  
MEMBER (EXECUTIVE)



(SALAH-UD-DIN)  
MEMBER (JUDICIAL)

07.10.2021

Clerk of learned counsel for the appellant present. Mr. Javedullah, Assistant Advocate General for respondents present.

Clerk of learned counsel for the appellant requested for adjournment due to non-availability of the learned counsel for the appellant. Granted. To come up for arguments on 06.01.2022 before the D.B.



(Mian Muhammad)  
Member(E)



Chairman

06.01.2022

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

Clerk to counsel for the appellant requested for adjournment on the ground that his counsel is not available today, due to general strike of the bar. Adjourned. To come up for arguments before the D.B on 21.04.2022.



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

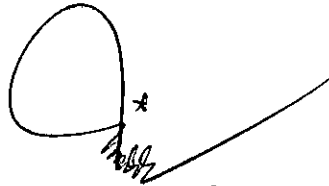


Chairman

21<sup>st</sup> April, 2022

counsel for the appellant present. Mr. Muhammad Riaz Painsdakhel, Asst. AG for the respondents present.

Learned counsel for the appellant seeks adjournment. Last opportunity is granted for arguments on 04.07.2022, failing which the case will be decided on the basis of available record without the arguments of learned counsel for the appellant. To come up for arguments before D.B on 04.07.2022.



**(MIAN MUHAMMAD)**  
**Member (E)**



**Chairman**

04.07.2022

Junior of learned counsel for the appellant present. Mr. Muhammad Irfan, Assistant alongwith Mr. Naseer-ud-Din Shah, Assistant Advocate General for the respondents present.

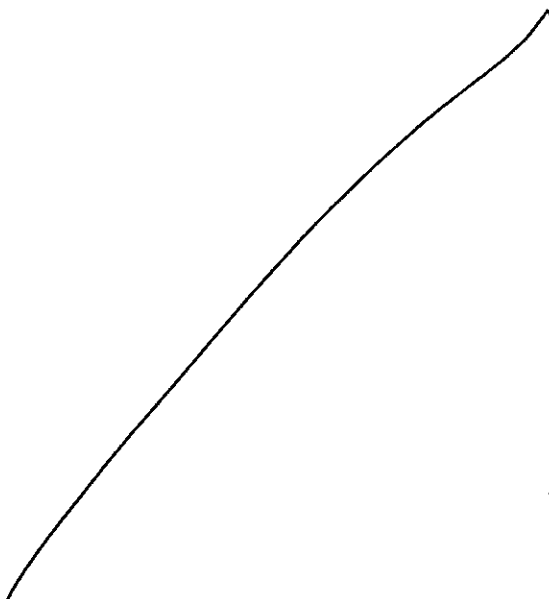
Junior of learned counsel for the appellant sought adjournment on the ground that learned counsel for the appellant is busy in the august Peshawar High Court, Peshawar. Adjourned. To come up for arguments on 11.10.2022 before the D.B.



**(Mian Muhammad)**  
**Member (E)**



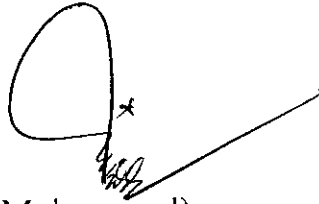
**(Salah-ud-Din)**  
**Member (J)**



11.10.2022

Mr. Muhammad Amir, Advocate, junior of learned counsel for the appellant present. Mr. Asif Masood Ali Shah, Deputy District Attorney for the respondents present.

Junior of learned counsel for the appellant requested for adjournment on the ground that learned counsel for the appellant is busy in the august Peshawar High Court, Peshawar. Adjourned. To come up for arguments on 18.11.2022 before the D.B.



(Mian Muhammad)  
Member (E)



(Salah-Ud-Din)  
Member (J)

18<sup>th</sup> 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)

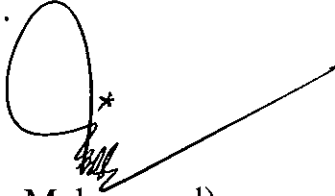


12.01.2023

Mr. Raheed Ullah, Advocate junior of learned counsel for the appellant present. Mr. Muhammad Jan, District Attorney for the respondents present.

Junior of learned counsel for the appellant sought adjournment on the ground that learned counsel for the appellant is indisposed today. Adjourned. To come up for arguments on 20.04.2023 before the D.B.

SCANNED  
KPST  
Peshawar



(Mian Muhammad)  
Member (E)



(Salah-Ud-Din)  
Member (J)