

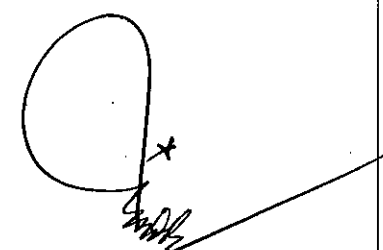


Form- A

FORM OF ORDER SHEET

Court of _____

Case No.- 7044 /2021

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	14/07/2021	<p>The appeal of Mr. Shah Fahad presented today by Roeda Khan 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-	30.08.2021	<p>This case is entrusted to S. Bench for preliminary hearing to be put up there on <u>30/08/2021</u></p> <p style="text-align: right;"> CHAIRMAN</p> <p>Counsel for the appellant present.</p> <p>Learned counsel for the appellant requested for adjournment on the ground that she has not made preparation for arguments. Adjourned. To come up for preliminary before the S.B on 12.10.2021.</p> <p style="text-align: right;"> (MIAN MUHAMMAD) MEMBER (E)</p>

Shah Fahad, 7044/2021

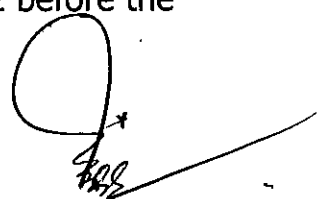
12.10.2021 Learned Counsel for the appellant present. Preliminary arguments heard.

Learned counsel for the appellant argued that the appellant is aggrieved of the impugned order dated 14.07.2020 whereby he was awarded the major penalty of dismissal from service w.e.f 02.06.2020 i.e the date of FIR No.397 dated 02.06.2020 registered against him under Section-302/324/34 PPC at Police Station Nowshera Kalan. The appellant got bail out order from the court of law on 21.12.2020 consequent upon which he submitted departmental appeal against the impugned order, on 23.12.2020. His departmental appeal was however, rejected on 14.01.2021 and similarly his Revision Petition was rejected on 25.06.2021, hence, the instant service appeal was instituted in the Service Tribunal on 14.07.2021. Learned counsel for the appellant further contended that proper procedure has not been followed and no charge sheet/statement of allegations or show cause was issued to the appellant. No opportunity of personal hearing, as per provisions of Police Rules 1975, was given to the appellant. He has been condemned unheard. He was required to have been kept under suspension till culmination of the proceedings in criminal case but the respondent-department acted in haste and the ends of justice have not been met. The impugned order is, therefore, liable to be set aside and appellant to be reinstated in service with all back benefits.

Points raised need consideration. The appeal is admitted to regular hearing, subject to all just and legal objections. 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 or extension of time is not sought, the office shall submit the file with a report of non-compliance. File to come up for arguments on 13.01.2022 before the D.B.

Appellant Deposited
Security & Process Fees

15/10/21



(Mian Muhammad)
Member(E)

13.01.2022

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

Reply/comments on behalf of official respondents are still awaited. Learned Additional Advocate General sought time for submission of reply/comments. Last opportunity is granted to respondents to furnish reply/comments on or before next date, failing which their right to submit reply/comments shall be deemed as struck off by virtue of this order. To come for arguments before the D.B on 11.05.2022.



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

11-5-22 Proper DB not available to case is
adjourned on 25-7-22
of
Reader

25.7.22 proper DB not available to come
up for the same as before on 19-9-22

19.09.2022

Appellant alongwith his counsel present. Mr. Muhammad Adeel Butt, Additional Advocate General for the respondents present.

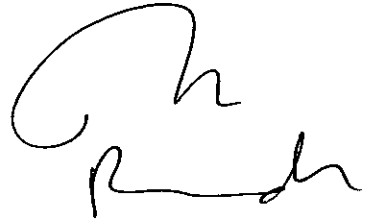
Learned Member (Judicial) Mr. Salah-ud-Din is on leave, therefore, arguments could not be heard. Adjourned. To come up for arguments on 24.11.2022 before the D.B.



(Mian Muhammad)
Member (Executive)

24/11/22


Due to deletion of the
case to come up for the same
on 31/11/23



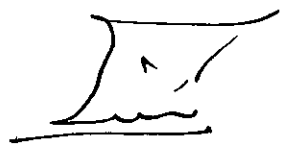
31.01.2023

Learned counsel for the appellant present. Mr. Umair Azam Khan, Additional Advocate General for the respondents present.

Learned counsel for the appellant sought adjournment for preparation of arguments. Adjourned. To come up for arguments on 05.05.2023 before the D.B.



(Fareeha Paul)
Member (E)



(Salah-ud-Din)
Member (J)