



FORM OF ORDER SHEET

Court of _____

Case No.- 7502 /2021

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	30/09/2021	<p>The appeal of Mr. Gul Nawaz resubmitted today by Mr. Asif Hameed Qureshi 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 at Peshawar for preliminary hearing to be put up there on <u>03/12/21</u>.</p> <p style="text-align: right;"> CHAIRMAN</p> <p style="text-align: right;">B-3-1055</p> <p style="text-align: center;">Due to requirement of the court the case is referred to the court at Peshawar for preliminary hearing.</p>

03.12.2021

Counsel for the appellant present. Preliminary arguments have been heard.

The appellant ^{is} aggrieved of the impugned order dated 28.04.2021 whereby major penalty of dismissal from service was awarded to him. He preferred departmental appeal which was also rejected vide appellate order dated 30.08.2021. Where-after the instant service appeal was submitted in the Service Tribunal on 27.09.2021. It was argued that statement of the appellant has not been recorded by the enquiry officer and no opportunity of cross examination has been provided as per dictates of law under 1987 PLC (C.S) and PLD 1985 (SC). The enquiry has not been conducted in the prescribed manner particularly under Rule-6 (ii) of Police Rules 1975. The appellant has been condemned unheard and the impugned orders being against the principles of natural justice may graciously be set aside.

The appeal is admitted to regular hearing subject to all just legal objections including limitation. The appellant is directed to deposit security and process fee within 10 days. Thereafter notices be issued to respondents for submission of reply/comments. To come up for reply/comments on 08.02.2022 before S.B.

Security Deposited
Process Fee
03/12/21

(Mian Muhammād)
Member(E)

8-2-2022

Due to retirement of the Honble Chairman the case is adjourned to come up for the same as before on 11-4-2022

Reader

11/4/2022

Counsel for the appellant present. Mr. Muhammad Nasir, Senior Clerk alongwith Mr. Kabirullah Khattak, Addl AG for the respondents present and made a request for adjournment. Request accepted. Last opportunity granted for submission of written reply. To come up for written reply on 25/5/2022 before S.B.



CHAIRMAN

25.05.2022

Learned counsel for the appellant present. Mr. Noor Zaman Khattak, District Attorney alongwith Mr. Nasir Senior Clerk for the respondents present.

Written reply/comments on behalf of respondents submitted which is placed on file. Copy of the same is handed over to the learned counsel for the appellant. To come up for rejoinder if any, and arguments on 10.08.2022 before D.B.



(Mian Muhammad)
Member (E)

10-8-2022

Proper DB not available the case is adjourned to 18-10-22

for
Reader


18.10.2022

Appellant present through counsel.

Muhammad Jan, learned Deputy District Attorney for respondents present.

Former made a request for adjournment in order to prepare the brief. Adjourned. To come up for arguments on 29.11.2022 before D.B.


(Fareeha Paul)
Member(E)


(Rozina Rehman)
Member (J)


29.11.2022 Due to rush of work. This case has been deleted. To come up for the same as before on 20.02.2023.


Reader.

20.02.2023

Clerk of counsel for the appellant present. Naseer Ud Din Shah, Learned Assistant Advocate General alongwith Javid Shah, Senior Clerk for the respondents present.

Mrs. Rozina Rehman, Learned Member (Judicial) is on leave, therefore, case is adjourned for the same on 23.05.2023 before D.B.


(Muhammad Akbar Khan)
Member (E)