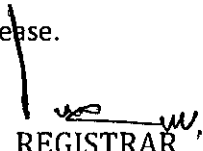

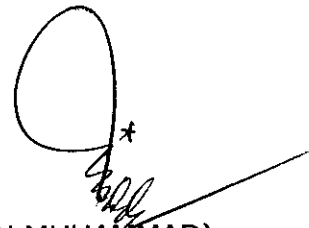


Form- A

FORM OF ORDER SHEET

Court of _____

Case No.- 7553 /2021

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	06/10/2021	<p>The appeal of Mr. Imran Khan resubmitted today by Mr. Syed Noman Ali Bukhari 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> <p>This case is entrusted to S. Bench at Peshawar for preliminary hearing to be put up there on <u>10/12/21</u>.</p> <p style="text-align: right;"> CHAIRMAN</p>
2-	15.11.21	<p>Appellant in person present and requested for adjournment as his counsel is not available today. Adjourned. To come up for preliminary hearing before the S.B on <u>16.12.2022</u>.</p> <p style="text-align: right;"> (MIAN MUHAMMAD) MEMBER (E)</p>

16.12.2021

Miss. Uzma Syed, Advocate present and submitted wakalat nama on behalf of the appellant which is placed on file.

Learned counsel for the appellant seeks adjournment. Adjourned. To come up for preliminary hearing on 25.01.2022 before S.B.


(MIAN MUHAMMAD)
MEMBER (E)

25.01.2022

Clerk of counsel for the counsel present.

Former requests for adjournment due to general strike of the bar. Adjourned. To come up for further proceedings on 02.03.2022 before S.B.


(Mian Muhammad)
Member (E)

2-3-2022

Due to retirement of the Hon'ble chairmen the case is adjourned. To come up for the same on 25-3-22


Chairman

25.03.2022

None is present for the appellant.

Notice be issued to appellant and his counsel for the next date. Case to come up for preliminary hearing on 21.04.2022 before S.B.

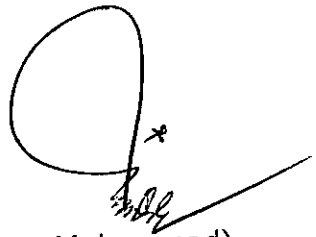

Chairman

21.04.2022

Counsel for the appellant present. Preliminary arguments heard.

Learned counsel for the appellant contended that the appellant was awarded "major penalty of reduction to lower scale for a period of 01 year. Hence, entry of B-I passed examination in service rolls is available be withdrawn with immediate effect" vide impugned order dated 18.01.2021. On his departmental appeal dated 02.02.2021, appellate order was passed and the said penalty was upheld ^{kept} /intact vide appellate order dated 01.07.2021 where-after he instituted the service appeal under Section-4 of the Khyber Pakhtunkhwa Service Tribunal Act, 1974 on 30.07.2021. It was further argued that no charge sheet or statement of allegations was served on the appellant and no regular enquiry ever conducted against him. The impugned order is therefore, a void order not sustainable in the eyes of law. In support of her arguments, she relied on 2000 SCMR 1743, PLD 1987 Supreme Court 304 and the Khyber Pakhtunkhwa Service Tribunal judgement dated 23.11.2017 in service appeal No. 1014/2012 and dated 13.01.2021 in service appeal No. 1077/2019.

The appeal is admitted to regular hearing subject to all just legal objections. 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 01.06.2022 before S.B.


(Mian Muhammad)
Member(E)

1st June, 2022

Appellant present in person. Mr. Raziq, HC for respondent present.


Representative for respondents seeks adjournment in order to submit reply/comments. Last chance is given. To come up for reply/comments on 01.07.2022 before S.B.


Chairman

01.07.2022

Counsel for the appellant present. Mr. Kabir Ullah Khattak, Additional AG alongwith Muhammad Raziq, H.C for respondents present.

Written reply/comments on behalf of respondents submitted which is placed on file. A copy of the same is handed over to the learned counsel of the appellant. To come up for rejoinder/arguments on 01.09.2022 before D.B.


(Fareeha Paul)
Member (E)

01.09.2022

Learned counsel for the appellant present. Mr. Naseer Ud Din Shah, Assistant Advocate General for the respondents present.

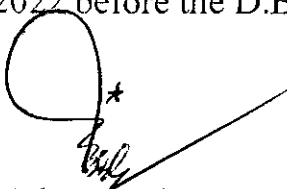
Learned Member (Judicial) Mrs. Rozina Rehman is on leave, therefore, arguments could not be heard. Adjourned. To come up for arguments on 19.10.2022 before the D.B.



(Salah-Ud-Din)
Member(J)

19.10.2022

Appellant alongwith his counsel present. Mr. Naseer-ud-Din Shah, Assistant Advocate General for the respondents present.

Learned counsel for the appellant seeks adjournment being not prepared for arguments today. Adjourned. To come up for arguments on 29.11.2022 before the D.B.


(Mian Muhammad)
Member (E)


(Salah-Ud-Din)
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.

Cyf.

20.02.2023

Appellant present in person: Naseer Ud Din Shah, Learned
Assistant Advocate General 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)