


27.09.2022

Junior to counsel for appellant present.

Kabir Ullah Khattak learned Additional Advocate General for respondents present.

Lawyers are on general strike, therefore, case is adjourned to 29.11.2022 for hearing 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 16.02.2023.



16th Feb, 2023

Learned counsel for the appellant present. Mr. Muhammad Riaz Khan Paindakhel, 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 20.03.2023 before the D.B.


(Salah-ud-Din)
Member (J)


(Kalim Arshad Khan)
Chairman

21.06.2022

Mr. Shafiullah, Advocate present and submitted Wakalatnama in favor of appellant, which is placed on file. Mr. Kabirullah Khattak, Additional Advocate General alongwith Mr. Munawar Khan ADEO for respondent No. 2 & 3 present.

Reply/comments on behalf of respondents No. 2 & 3 submitted through office, which are placed on file. Copy of the same is handed over to learned counsel for the appellant. Reply/comments on behalf of respondent No. 1 are still awaited. Learned Additional Advocate General requested for time to submit reply/comments. Adjourned. To come up for reply/comments on 29.07.2022 before S.B.



(Mian Muhammad)
Member (E)

SCANNED
KPST
Peshawar

29.07.2022

Appellant present through counsel.

Kabir Ullah Khattak, learned Additional Advocate General alongwith Syed Naseer Ud Din Shah Assistant representative of respondent No.1 present.

Reply on behalf of respondents No.2 & 3 has already been submitted. Representative of respondent No.1 stated that respondent No.1 relies upon the reply submitted on behalf of respondents No.2 & 3. To come up for rejoinder, if any and arguments on 27.09.2022 before D.B.



(Rozina Rehman)
Member (J)

30.11.2021

Counsel for the appellant present. Mr. Kabirullah Khattak,
Addl: AG for respondents present.

Written reply/comments not submitted. Learned AAG seeks time to contact the respondents for submission of written reply/comments. Granted. To come up for Written reply/comments on 24.02. 2022 before S.B.


(MIAN MUHAMMAD)
MEMBER (E)

24.02.2022

Due to retirement of the Worthy Chairman, the Tribunal is defunct, therefore, case is adjourned to 11.05.2022 for the same as before.


Reader

11.05.2022

Appellant present through counsel.

Muhammad Adeel Butt, learned Additional Advocate General for respondents present.

Comments not submitted. Last chance is given to respondents for submission of comments. An application for rectification/amendment was submitted by the appellant through counsel. To come up for reply and arguments on the said application on 21.06.2022 before S.B. Notice of the said application be served upon respondents and learned AAG for the date fixed.


(Rozina Rehman)
Member (J)

12.07.2021

Counsel for the appellant present. Preliminary arguments heard.

If the limitation is computed from the date of basic order of imposition of penalty i.e. removal from service and that from the date of filing of the departmental appeal, the question of bar of limitation is apt to arise but as far as the impugned order dated 06.09.2019 is concerned, it does not disclose about any reference of formal disciplinary proceedings having been conducted before imposition of major penalty. Rather the said order of imposition on its face seems to have been based on mere knowledge of the competent authority and was passed in pursuance of such knowledge about absence of the appellant from duty among two others mentioned in the order. Thus, the impugned order in absence of rebuttal by the respondents appears to be a void order not attracting the bar of limitation. The appeal is admitted for regular hearing. 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 through written application with sufficient cause, the office shall submit the file with a report of non-compliance. File to come up for arguments on 30.11.2021 before the D.B.

Appellant Deposited
Security & Process Fee



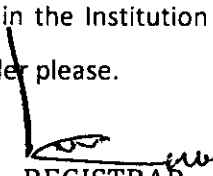

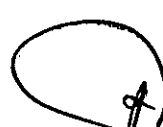
Chairman

Form- A

FORM OF ORDER SHEET

Court of _____

Case No.- 2224 /2021

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	01/02/2021	<p>The appeal of Mr. Abdul Wakil resubmitted today by Mr. Hidayatullah Khattak Advocate may be entered in the Institution Register and put up to the Worthy Chairman for proper order please.</p> <p> REGISTRAR</p>
2-	05.04.2021	<p>This case is entrusted to S. Bench for preliminary hearing to be put up there on <u>05/04/21</u></p> <p> CHAIRMAN</p> <p>Junior to counsel for appellant present.</p> <p>Lawyers are on general strike, therefore, case is adjourned. To come up for preliminary hearing on <u>12/07/2021</u> before S.B.</p> <p> (Rozina Rehman) Member (J)</p>