

13<sup>th</sup> March, 2023

Learned counsel for the appellant present. Mr. Fazal Shah Mohmand, Additional Advocate General alongwith Mr. Ghulam Mustafa, Superintendent for the respondents present.

Arguments heard. To come up for order on 28.03.2023 before the D.B. Parcha Peshi given to the parties.



(Salah-ud-Din)  
Member (J)



(Kalim Arshad Khan)  
Chairman

07<sup>th</sup> March, 2023

Learned counsel for the appellant present.

Mr. Muhammad Adeel Butt, Additional Advocate General for the respondents present.

Vide order sheet dated 28.02.2023, last chance was given to the respondents for submission of reply/comments but they failed to submit the same, therefore, their right for filing of reply/comments stands struck off. Learned counsel for the appellant as well as learned Additional Advocate General for the respondents agreed that this matter be fixed for 13.03.2023 before the D.B. Till that time, operation of the Notifications dated 22.03.2021 & 21.10.2021 are suspended, if not already acted upon as these notifications have already been suspended in another Service Appeal No. 168/2013 titled Aqal Zada Versus The Government of Khyber Pakhtunkhwa through Chief Secretary, Khyber Pakhtunkhwa, Peshawar etc". Parcha Peshi given to the parties.



(Salah-ud-Din)  
Member (J)





(Kalim Arshad Khan)  
Chairman

28.02.2023

Learned counsel for the appellant present. Mr. Muradullah, Assistant Director (I.T) alongwith Mr. Muhammad Riaz Khan Painsdakhel, Assistant Advocate General for the respondents present.

On 07.02.2023, Mr. Asif Masood Ali Shah, learned Deputy District Attorney alongwith Mr. Rasool Shah, ADC had appeared and had made commitment that reply on behalf of the respondents shall be submitted on the next date i.e 28.02.2023. Representative of the respondents is now requesting for further time for submission of reply/comments, therefore, last opportunity is granted subject to payment of cost of Rs. 5000/-. To come up for reply as well as arguments on 07.03.2023 before the D.B. Parcha Peshi given to the parties.

  
(Fareeha Paul)  
Member (E)

  
(Salah-ud-Din)  
Member (J)

Late Diary

7<sup>th</sup> Feb, 2023

Later on Mr. Syed Asif Masood Ali Shah, Deputy District Attorney alongwith Mr. Rasool Shah, ADC, Dir Upper put appearance on behalf of the respondents and have not only accepted the notice but also requested that they would file reply and keeping in view the urgency of this case they requested for early decision of the appeal with further request that they would file comments positively within 10 days and assured that they would argue the appeal on the given date with further request of its fixation at the principal seat. The requests made by the representative of the respondents and the learned Law Officer are acceded to by the learned counsel for the appellant who agreed that let this appeal be fixed at Peshawar and they would come to argue, therefore, all the appeals be fixed for arguments on 28.02.2023 before D.B at the principal seat. The respondents shall file their comments positively within 10 days at the principal seat and the parties are directed to positively argue the appeal on the date fixed.

*Rs-100/-*  
Appellant Deposited  
Security & Process Fee

*Asif Masood Ali Shah*  
20/2/23

SCANNED  
KPST  
Peshawar.



(Kalim Arshad Khan)  
Chairman  
Camp Court Swat