



Form- A
FORM OF ORDER SHEET

Court of _____

Case No. 334/2016

S.No.	Date of order Proceedings	Order or other proceedings with signature of judge or Magistrate
1	2	3
1	31.03.2016	<p>The appeal of Mr. Azeem Khan presented today by Mr. Muhammad Asif Yousafzai 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	01-04-2016	<p>This case is entrusted to S. Bench for preliminary hearing to be put up thereon <u>13.04.2016</u></p> <p style="text-align: right;"> CHAIRMAN</p>

13.4.2016

Counsel for the appellant present. Learned counsel for the appellant argued that the appellant was serving as Section Officer when promoted as Deputy Secretary on acting charge basis vide order dated 10.7.2004 and there-after regularly promoted as PMS officer on 18.8.2008. That the appellant was entitled to regular promotion w.e.f. the date of availability of vacancy i.e. 10.7.2004 and therefore submitted departmental appeal for retrospective promotion on 26.11.2015 which was rejected on 01.2.2016 communicated to the appellant on 18.3.2016 and hence the instant service appeal on 31.3.2016.

Appellant Deposited
Security & Process Fee

That similarly placed employees were granted promotions with retrospective effect in appeal No. 612-613 of 2008 decided on 13.3.2009, appeal No. 1358/2000 decided on 05.3.2015 and appeal No. 1589/2011 decided on 08.09.2015 and that the appellant is also entitled to the similar treatment by promoting with retrospective effect from 10.7.2004.

Points urged need consideration. Admit. Subject to deposit of security and process fee within 10 days, notices be issued to the respondents for written reply/comments for 26.5.2016 before S.B.

SCANNED
KPST
Peshawar


Chairman

26.05.2016

Counsel for the appellant and M/S Sultan Shah, Assistant and Muhammad Irshad, SO alongwith Addl. AG for the respondents present. Requested for adjournment. To come up for written reply/comments on 08.08.2016 before S.B.


Chairman


08.08.2016


Counsel for the appellant, M/S Sultan Shah, Assistant and Irshad Muhammad, SO alongwith Additional AG for respondents present. Written reply on behalf of respondents submitted, copy whercof handed over to learned Additional AG. To come up for rejoinder and arguments on 29.11.2016 before D.B.


Member

29.11.2016

Counsel for the appellant and Mr. Muhammad Irshad, SO alongwith Mr. Ziaullah, Government Pleader for the respondents present. Rejoinder submitted. Learned counsel for the appellant requested for adjournment. To come up for final hearing on 20.3.2017 before D.B.

Member 


Chairman

20.03.2017

Counsel for the appellant and Addl: AG for respondents present. Arguments could not be heard due to incomplete bench. To come up for arguments on 29.06.2017 before D.B.


(AHMAD HASSAN)
MEMBER

29.06.2017

Counsel for the appellant present. Mr. Muhammad Jan, Deputy District Attorney for the respondents also present. Learned counsel for the appellant requested for adjournment. Adjourned. To come up for arguments on 29.09.2017 before D.B.


(Gul Zeb Khan)
Member


(Muhammad Amin Khan Kundi)
Member

29.09.2017

Junior to counsel for the appellant and Mr. Ziaullah, DDA for the respondents present. Junior to counsel for the appellant seeks adjournment as senior counsel is not in attendance. Adjourned. To come up for arguments on 29.12.2017 before this D.B.


Member


Chairman

29.12.2017

Clerk to counsel for the appellant and Usman Ghani, District Attorney for respondents present. Arguments could not be heard due to incomplete bench. Adjourned. To come up for arguments on 27.02.2018 before D.B..


Member

29.11.2016

Counsel for the appellant and Mr. Muhammad Irshad, SO alongwith Mr. Ziaullah, Government Pleader for the respondents present. Rejoinder submitted. Learned counsel for the appellant requested for adjournment. To come up for final hearing on 20.3.2017 before D.B.

Member

Chairman

20.03.2017

Counsel for the appellant and Addl: AG for respondents present. Arguments could not be heard due to incomplete bench. To come up for arguments on 29.06.2017 before D.B.

(AHMAD HASSAN)

MEMBER

29.06.2017

Counsel for the appellant present. Mr. Muhammad Jan, Deputy District Attorney for the respondents also present. Learned counsel for the appellant requested for adjournment. Adjourned. To come up for arguments on 29.09.2017 before D.B.

(Gul Zeb Khan)
Member

(Muhammad Amin Khan Kundi)
Member

29.09.2017

Junior to counsel for the appellant and Mr. Ziaullah, DDA for the respondents present. Junior to counsel for the appellant seeks adjournment as senior counsel is not in attendance. Adjourned. To come up for arguments on 29.12.2017 before this D.B.


Member


Chairman

29.12.2017

Clerk to counsel for the appellant and Usman Ghani, District Attorney for respondents present. Arguments could not be heard due to incomplete bench. Adjourned. To come up for arguments on 27.02.2018 before D.B.


Member

27.02.2018

Counsel for the appellant and Additional AG for the respondents present. Learned counsel for the appellant requested that the department be directed to apprise this Tribunal about the availability of vacancy in the quota of appellant with dates. Directions are issued accordingly. To come up for record and arguments on 13.4.2018 before the D.B.


Member


Chairman

13.04.2018

Appellant alongwith counsel and Mr. Ziaullah, DDA alongwith Muhammad Aslam, SO (Lit) for the respondents present. The court time is over. To come up for arguments on 28.06.2018 for arguments before the D.B.


Member


Chairman

28.06.2018

Junior to counsel for the appellant and Mr. Muhammad Jan learned Deputy District Attorney alongwith Mr. Muhammad Saleem Superintendent for the respondents present. Junior to counsel for the appellant seeks adjournment as senior counsel is not in attendance. Adjourned. To come up for arguments on 10.08.2018 before D.B.



(Muhammad Amin Kundi)
Member



(Muhammad Hamid Mughal)
Member

10.08.2018

Junior counsel for the appellant and Mr. Zia Ullah learned Deputy District Attorney present. Junior to counsel for the appellant seeks adjournment as senior counsel is not in attendance. Adjourned. To come up for arguments on 09.10.2018 before D.B.



(Muhammad Amin Kundi)
Member



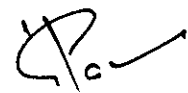
(Muhammad Hamid Mughal)
Member

09.10.2018

Junior to counsel for the appellant and Mr. Zia Ullah learned Deputy District Attorney for the respondents present. Junior to counsel for the appellant seeks adjournment as his senior counsel is not available in today. Adjourned. To come up for arguments on 26.11.2018 before D.B.



Member




Member

26.11.2018

Junior to counsel for the appellant and Mr. Zia Ullah learned Deputy District Attorney for the respondents present. Junior to counsel for the appellant seeks adjournment as senior counsel for the appellant is not in attendance. Adjourned by way of last chance. To come up for arguments on 06.12.2018 before D.B.

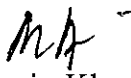

Member


Member

06.12.2018

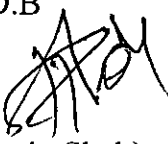
Clerk to counsel for the appellant present. Mr. Kabirullah, Addl: AG for respondents present. Clerk to counsel for the appellant seeks adjournment as counsel for the appeal was busy before the Hon'ble Peshawar High Court. Adjourned. Case to come up for arguments on 22.01.2019 before D.B.



(Ahmad Hassan)
Member


(M. Amin Khan Kundi)
Member

22.01.2019

Learned counsel for the appellant and Mr. Kabirullah Khattak learned Additional Advocate General alongwith Mr. Saleem Superintendent for the respondents present. Learned counsel for the appellant seeks adjournment. Adjourned. To come up arguments on 26.03.2019 before D.B



(Hussain Shah)
Member


(Muhammad Amin Khan Kundi)
Member

26.03.2019

Junior to counsel for the appellant and Mr. Zia Ullah learned Deputy District Attorney alongwith Mr. Saleem Superintendent for the respondents present. Junior to counsel for the appellant request for adjournment as senior counsel for the appellant is not in attendance. Adjourned. To come up for arguments on 30.05.2019 before D.B.



(Hussain Shah)
Member


(Muhammad Amin Khan khudi)
Member

30.05.2019

Junior to counsel for the appellant present. Asst: AG alongwith Mr. Nizam ud Din, Assistant for respondents present. Junior to counsel for the appellant seeks adjournment as senior counsel is not available today. Adjourned. Case to come up for arguments on 23.07.2019 before D.B.

23.07.2019


Member
Clerk to counsel for the appellant and Mr. Ziaullah, Deputy District Attorney alongwith Mr. Muhammad Saleem, Superintendent for the respondents present. Clerk to counsel for the appellant requested for adjournment on the ground that learned counsel for the appellant is not available today. Adjourned to 10.10.2019 for arguments before D.B.


(HUSSAIN SHAH)
MEMBER


(M. AMIN KHAN KUNDI)
MEMBER

19.12.2019

Lawyers are on strike as per the decision of Peshawar Bar Association. Adjourn. To come up for further proceedings/arguments on 21.02.2020 before D.B. Appellant be put on notice for the date fixed.


Member


Member

21.02.2020

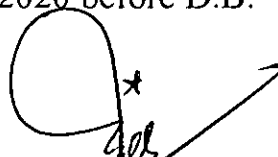
Appellant with counsel present. Mr. Ziaullah, DDA alongwith Mr. Zar Muhammad, Assistant for respondents present. Arguments heard. To come up for order on 11.03.2020 before D.B.

Member


Member

11.03.2020

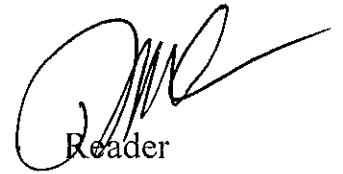
Mr. Zia Ullah learned Deputy District Attorney present. Due to rush of work, further proceedings in the case in hand could not be conducted. Adjourned. To come up for order on 03.04.2020 before D.B.


Member


Member

03.04.2020

Due to public holidays on account of Covid-19, the case is adjourned. To come up for the same on 30.06.2020 before D.B.



Reader

30.06.2020

Due to Covid-19, the case is adjourned. To come up for the same on ~~17.08~~ 2020 before D.B.



Reader

19.10.2020

Junior to counsel for the appellant and Addl. AG alongwith Naheed Gul, Assistant for the respondents present.

The Bar is observing general strike today, therefore, the matter is adjourned ^{to} 28.12.2020 for hearing before the D.B.



(Mian Muhammad)
Member



Chairman

28.12.2020

Due to summer vacation, case is adjourned to 30.03.2021 for the same as before.



Reader

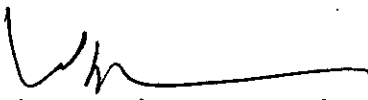
30.03.2021

Nemo for parties.

Riaz Khan Paindakheil learned Assistant Advocate General present.

Preceding date was adjourned on a Reader's note, therefore, both the parties be put notice be issued to both the parties for 13/07/2021 for arguments, before D.B.

Noted
11/6/21


(Atiq ur Rehman Wazir)
Member (E)


(Rozina Rehman)
Member (J)

13.07.2021

Clerk of counsel for the appellant present. Muhamamd Riaz Superintendent alongwith Muhammad Riaz Ahmed Paindakheil, Assistant Advocate General for the respondents present.

Clerk of counsel for the appellant stated that learned counsel for the appellant is unable to attend the Tribunal today due to strike of Lawyers. Adjourned To come up for arguments before the D.B. on 31.08.2021

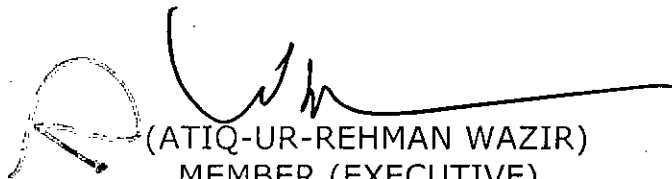

(ATIQ-UR-REHMAN WAZIR)
MEMBER (EXECUTIVE)

(SALAH-UD-DIN)
MEMBER (JUDICIAL)

31.08.2021

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

Learned counsel for the appellant stated at the bar that the brief of the instant appeal has been misplaced, therefore, time may be granted to him for arguments. Adjourned. To come up for arguments before the D.B on 04.11.2021.


(ATIQ-UR-REHMAN WAZIR)
MEMBER (EXECUTIVE)


(SALAH-UD-DIN)
MEMBER (JUDICIAL)

04.11.2021

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

Learned counsel for the appellant requests for time to prepare the arguments. Request is accorded. To come up for arguments on 04.02.2022 before the D.B.


(Rozina Rehman)
Member(J)


Chairman

04.02.2022


The Tribunal is non-functional, therefore, the case is adjourned to 14.04.2022 before D.B for the same.



Reader

14.04.2022

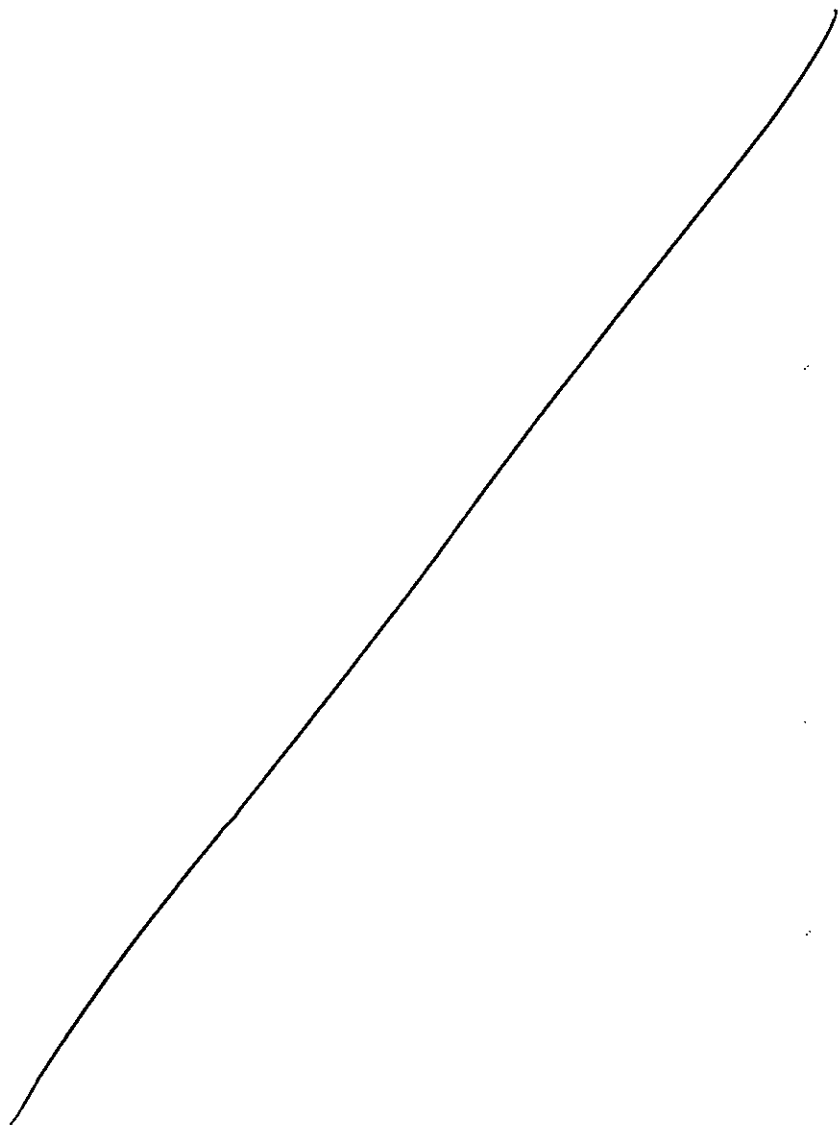
None for the appellant. Mr. Kabirullah Khattak, Addl. AG for the respondents present. Notices be issued to the appellant and his counsel for arguments on 01.06.2022 before DB.



(Rozina Rehman)
Member (J)



CHAIRMAN

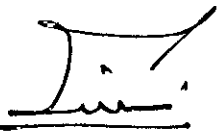


01.06.2022

Mr. Shahkar Khan, Advocate junior of learned counsel for the appellant present. Mr. Riaz Khan Painsakhel, Assistant Advocate General alongwith Mr. Riaz Superintendent and Mr. Sajid Superintendent for the respondents present.

Junior of learned counsel for the appellant is again seeking adjournment as learned counsel for the appellant is busy in the august Supreme Court of Pakistan. Adjourned. Last opportunity is granted. To come up for arguments on before the D.B on 08.08.2022.

(Mian Muhammad)
Member (E)



(Salah-ud-Din)
Member (J)


04.04.2023

Appellant present through counsel.

Asif Masood Ali Shah learned Deputy District Attorney alongwith Riaz Khan Superintendent for respondents present.

File to come up alongwith connected Service Appeal No.239/2016 titled "Muhammad Siddique Vs. Government of Khyber Pakhtunkhwa" on 28.04.2023 before D.B. Parcha Peshi given to the parties.


(Muhammad Akbar Khan)
Member (E)

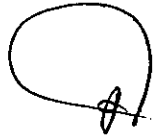

(Rozina Rehman)
Member (J)

28.04.2023

Appellant present through counsel.

Fazal Shah Mohmand, Additional Advocate General for respondents present.

File to come up alongwith connected Service Appeal No.239/2016 titled "Muhammad Siddique Vs. Government of Khyber Pakhtunkhwa on 29.05.2023 before D.B. Parcha Peshi given to the parties.


(Rozina Rehman)
Member (J)