


FORM OF ORDER SHEET

Court of _____

Appeal No. 2319/2023

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	10/11/2023	<p>The appeal of Mr. Muhammad Imran resubmitted today by Mian Asif Aman Advocate. It is fixed for preliminary hearing before Single Bench at Peshawar on <u>13.11.2023</u> Parcha Peshai is given to the counsel for the appellant.</p> <p style="text-align: right;">By the order of Chairman  REGISTRAR</p>
13 th Nov. 2023	1.	<p>Learned counsel for appellant present and heard.</p> <p>2. Against the impugned orders/letters dated 13.06.2023, 14.06.2023, 07.07.2023 and 10.07.2023, the appellant filed departmental appeal on 19.07.2023, which was not responded and hence, this appeal. It is pertinent to mention here that before filing this appeal, the appellant had challenged the impugned orders in writ petition No. 3206-P/2023 which was decided by the Hon'ble Peshawar High Court, holding that the petitioners in the writ petition were civil servants and they were supposed to have approached this Tribunal in view of exclusive bar contained under article 212 of the Constitution. The writ petition was disposed of directing the Chief Secretary to decide the representations/appeals of the petitioners of the writ petition within a month, after receipt of the judgment of the Peshawar High Court, whereafter, the petitioners were left at liberty to have recourse for</p>

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redressal of their grievances before proper forum. The appeal is thus is admitted to full hearing subject to all just and legal objections by the other side. The appellant is directed to deposit security fees within 10 days. The respondents be summoned through TCS, the expenses of which be deposited by the appellant within three days. To come up for reply/comments on 18.12.2023 before S.B. P.P given to the counsel for the appellant.

3. Learned counsel for the appellant requested for suspension of the operation of the above orders/letters and further requested for release of salary of the appellant, which, according to him was also stopped. Mr. Naseeb Khan, SO is present as representative of the Finance Department and Mr. Khaliq Ur Rehman, Superintendent are present on behalf of Secretary Establishment in other cases are served with notices on behalf of their respective Secretaries. The Tribunal directs issuance of notices of the application to respondents No. 4 and 5 for 16.11.2023 before S.B. P.P given to the parties. The salaries of the appellants be released.



(Kalim Arshad Khan)
Chairman