

**BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,**  
**PESHAWAR**

C.M No. \_\_\_\_\_/2021

In

Service Appeal No.16650/2021

Rehmat Ullah.....**Appellant**


Versus

Director General Employees Social Security Institute,  
Govt. of KPK & another.....**Respondents**

**I N D E X**

S#	Description of Documents	Annex	Pages
1.	Application for de attachment of salaries		1-2
2.	Copy of compliance report		3

Through Respondents

  
**Bashir Khan Wazir**  
Advocate High Court  
Peshawar  
Legal Advisor ESSI

Dated 03.10.2022

**BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,**  
**PESHAWAR**

C.M No. \_\_\_\_\_/2022

In

Service Appeal No.16650/2021



Rehmat Ullah.....**Appellant**

Versus

Director General Employees Social Security Institute,  
Govt. of KPK & another.....**Respondents**

**APPLICATION FOR DE ATTACHMENT OF**  
**SALARIES OF OFFICIAL RESPONDENTS**


Respectfully Sheweth:

1. That the above tilted service appeal has been decided by this Hon'ble Tribunal.
2. That due to non-filing of compliance of decision by the Hon'ble Tribunal, the salaries of the respondents were attached on the direction of this Hon'ble Tribunal vide order dated 20.09.2022.
3. That in this respect the respondents has submitted the compliance report on 22.09.2022, therefore the salaries of the respondents are required to be de-attached. **(Copy of compliance report dated 22.09.2022 is attached).**

It is therefore most humbly prayed that on acceptance of this application, the salaries attached of the respondents in the captioned Service Appeal No. 6650/2021 may kindly be de-attached in the best interest of justice.

Respondents

Through

  
**Bashir Khan Wazir**  
Advocate High Court  
Peshawar  
Legal Advisor ESSI

Dated 03.10.2022



**KHYBER PAKHTUNKHWA**  
**Employees' Social Security Institution**

Small Industries Estate Kohat Road, Peshawar.  
Ph: 091-9212215-9212236 Fax: 9212217

**ORDER NO** 36

In compliance with judgment / order passed by the Khyber Pakhtunkhwa Service Tribunal Peshawar in Service Appeal No. 16650 / 2021 dated 05-01-2022, Mr. Rehmat Ullah Driver (BPS-05), Khyber Pakhtunkhwa ESSI is hereby conditionally re-instated in service with immediate effect, subject to final decision / consequences of the Supreme Court of Pakistan in CPLA No. 1332/2022.

The intervening period is treated as extra ordinary leave without pay.

  
**DIRECTOR GENERAL**  
Khyber Pakhtunkhwa, ESSI

**SSP/Admn/No.** 1361 - 75

**Dated** 22 /9/ 2022

**Copy forwarded to the:**

1. Vice Commissioner, Khyber Pakhtunkhwa, ESSI.
2. Registrar, Khyber Pakhtunkhwa Service Tribunal, Peshawar for information reference Service Appeal No. 16650/2021 dated 05-01-2022.
3. All Directors Khyber Pakhtunkhwa, ESSI.
4. All Deputy Directors, Khyber Pakhtunkhwa, ESSI.
5. PS to Commissioner, Khyber Pakhtunkhwa, ESSI.
6. Mr. Rahmat Ullah Driver, Khyber Pakhtunkhwa, ESSI.
7. Personal file.
8. Office order file.

  
**DIRECTOR GENERAL**  
Khyber Pakhtunkhwa, ESSI

**BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL**  
**PESHAWAR**

Execution petition No. 152 /2021

In appeal No.16650/2021

Mr. Rehmat Ullah, Ex-Driver BPS-4, S/O Gul Rehman Employee of Social Security Institution R/O South Waziristan.....**PETITIONER.**

**VERSUS**

- 1- The Director General Employee Social Security Institution Khyber Pakhtunkhwa.
- 2- The Commissioner Employee Social Security Institution Khyber Pakhtunkhwa.

.....**RESPONDENTS**

**EXECUTION PETITION FOR DIRECTING THE**  
**RESPONDENTS TO IMPLEMENT THE JUDGMENT**  
**DATED 05.01.2022 IN THE ABOVE TITLED APPEAL IN**  
**LETTER AND SPIRIT**

**R/SHEWETH:**

- 1- That the above mentioned appeal has been decided by this August Service Tribunal vides judgment dated 05-01-2022 in favor of the Petitioner. Copy of the judgment is attached as annexure.....**A.**
- 2- That the Petitioner filed the above mentioned appeal against the impugned order dated 10.02.2012 where upon the petitioner major penalty of compulsory retirement imposed a.
- 3-That after final arguments this august Service Tribunal decided the appeal in favor of the Petitioner with the directions that:-

**"we are of the considered opinion that the appellant has not been treated in accordance with law and were compulsory retired from service without proper application of law, hence the instant appeal is accepted and the impugned order is set aside. The appellant is re-instated in service. The intervening period is treated as extra ordinary leave without pay. Parties are left to bear their own costs. File be considered to record room".**

4. That Petitioner after obtaining attested copy of the judgment

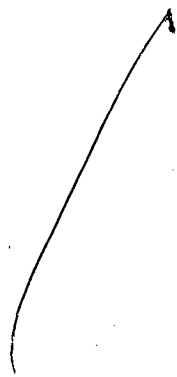
20.09.2022

Petitioner alongwith his counsel present. Mr. Muhammad Riaz Khan Paindakhel, Assistant Advocate General for the respondents present.

Several opportunities have been granted to the respondents for submission of implementation report, however the same has not been submitted and even representative of the respondents did not appear before the Tribunal today. Salaries of the respondents are thus attached till further orders. Registrar of this Tribunal shall send copy of this order to Accountant General Office, Khyber Pakhtunkhwa, Peshawar for compliance. Adjourned. Learned Assistant Advocate General shall intimate the respondents to positively produce implementation report on 01.11.2022 before the S.B.

  
(Salah-Ud-Din)  
Member (J)





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