

21th Oct, 2022

1. None for the petitioner present. Mr. Kabirullah Khan,
Addl: AG for respondents present.

02. Learned AAG has produced copy of order OB No. 114 dated 01.08.2021. Today the counsel were on strike while the petitioner has not come. It appears that the petitioner is satisfied that is why he has not come. The implementation order also shows that the compliance has been made. This petition is filed, however, the petitioner may make another application if he considers that any part of the relief was not yet granted. Consign.

3. *Pronounced in open court in Peshawar and given under my hand and seal of the Tribunal on this 21th day of October, 2022.*



(Kalim Arshad Khan)
Chairman

ORDER

Ex-Constable Mushtaq Ahmad was awarded major punishment of dismissal from service on 24.08.2017 as an outcome of departmental inquiry conducted against on account of absence from service. He instituted appeal against the impugned order in the Service Tribunal Peshawar. The Service Tribunal accepted the instant appeal by converting the major punishment into minor punishment of stoppage of increments for two years and the intervening period is treated as leave without pay vide Service Appeal No. 624/2018 dated 28.01.2022.

CPLA vide No. 478/P of 2022 has been filed in the Supreme Court of Pakistan against the said judgment, which is pending before the Apex Court but on the other hands the appellant has filed Execution Petition before the Service Tribunal Peshawar. Subsequently, this office approached CPO for guidance and consequently the CPO vide letter No. 3313/Legal dated 13.07.2022 has directed to implement the court judgment conditionally subject to outcome of CPLA.

For going in view, I, **Abdur Rashid Khan (PSP)** District Police Officer Buner as Competent Authority in exercise of the power vested under Police Disciplinary Rules-1975, Constable Mushtaq Ahmad is conditionally reinstated into service from 01.08.2022 subject to outcome of CPLA. His Two increments are stopped for two years, while the intervening period is treated as leave without pay and he is allotted Constabulary No. 607.

Order announced.

OB # 114

Dated 01/08/2021.


Abdur Rashid Khan (PSP)
DISTRICT POLICE OFFICER,
BUNER

No. 5578 /Enq, dated 01/08/2022.

- ✓ The District Accounts Officer, Buner.
- ✓ DSP HQr:
- ✓ Pay Officer/ Establishment Clerk / OASI.

Allotted



District Police Officer
Buner