

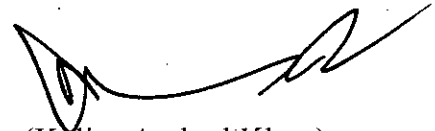
1st Nov, 2022

1. Learned counsel for the appellant present. Mr. Kabirullah Khattak, Addl: AG for respondents present.

2. This application is for restoration of the execution petition No. 306/2022 in service appeal No. 1424/2017. The application states that the execution petitioner was fixed for 15.09.2022 and on production of order dated 12.08.2022 by the department to the Tribunal. The execution petition was disposed of. It is urged that, although in compliance with the judgment dated 19.01.2022, the penalty of removal from service of the petitioner was converted into compulsory retirement vide order dated 12.08.2022 but, the respondents department did not calculate and release the pension and other emoluments of the petitioner.

3. It appears that the only reason for filing of this application is to extend the relief, which was not specifically granted in the judgment as against that the substantial compliance of the judgment has already been made, therefore, this application is misconceived and is thus dismissed. Cosign.

3. *Pronounced in open court in Peshawar and given under my hand and seal of the Tribunal on this 1st day of Nov, 2022.*



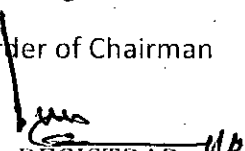

(Kalim Arshad Khan)
Chairman

Form-A

FORM OF ORDER SHEET

Court of _____

Restoration Application No. 576/2022

S.No.	Date of order Proceedings	Order or other proceedings with signature of judge
1	2	3
1	27.09.2022	<p>The application for restoration of Execution Petition no. 306/2020 submitted today by Taimur Ali Khan Advocate. It is fixed for hearing before Single Bench at Peshawar on .Original file be requisitioned. 13-10-22</p> <p>By the order of Chairman</p> <p> REGISTRAR</p>
	13 th Oct, 2022	<p>Learned counsel for the petitioner present. Mr. Muhammad Adeel Butt, Addl: AG for respondents present.</p> <p>Notices be issued to the respondents for submission of reply on restoration application on 31.10.2022 before S.B.</p> <p> (Kalim Arshad Khan) Chairman</p>

SCANNED
KPST
Peshawar

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,
PESHAWAR.

Restoration Application No. 576/2022

Execution petition No.306/2022
In Service Appeal No. 1424/2017

Khyber Pakhtunkhwa
Service Tribunal

Diary No. 1446

Dated 27-9-2022

Imtiyaz Ali

V/S

Police Department

SCANNED
KPST
Peshawar

.....
**APPLICATION FOR RESTORATION OF INSTANT
EXECUTION PETITION WHICH WAS DISPOSED
OF AND CONSIGNED BY THE HONORABLE
TRIBUNAL ON 15.09.2022.**
.....

RESPECTFULLY SHEWETH:

1. That the petitioner/applicant was removed from service on 06.02.2013 which was challenged by him in service appeal No.306/2017. The said appeal was heard and decided by the Honorable Tribunal on 19.01.2022. The Honorable Tribunal converted the penalty of removal from service into major penalty of compulsory retirement in its judgment dated 19.01.2022.
2. That the petitioner/applicant filed the execution petition for directing the respondent to implement the judgment dated 19.01.2022 in letter and spirit.
3. That execution petition of the petitioner/applicant was fixed on 15.09.2022 before this Honorable Tribunal and the respondent department provided the copy of order dated 12.08.2022 to the Honorable Tribunal, wherein the penalty of removal from service of the petitioner/applicant was converted into compulsory retirement from service conditionally/provisionally, subject to the outcome of CPLA filed in the Honorable Supreme Court of Pakistan on which the execution petition of the petitioner/applicant was dispose of and was cosigned on the date fixed i.e 15.09.2022. (Copies of order dated 12.08.2022 and order sheet dated 15.09.2022 are attached as Annexure-A&B)