


Execution Petition No. 166/2021

29th Nov, 2022

1. Petitioner in person present. Mr. Muhammad Adeel Butt, Addl: AG alongwith Mr. Azhar Khan, SO Establishment Department for respondents present.

02. This is an application for implementation of the judgment passed in service appeal No. 1132/2019 decided on 09.06.2021, whereby a notification dated 02.02.2018 impugned in the above referred appeal, regarding non-payment /stoppage of executive allowance to the OSD's, was declared null and void and the appellant was held entitled to payment of executive allowance for the period from 19.11.2018 to 19.03.2019, alongwith all consequential benefits. Previously on the application of the petitioner, the respondents had placed on file, notification No. SO(SR-IV)/FD/1-1/Executive Allowance (Muhammad Arshad)/2022 dated 05.07.2022 but the petitioner submits that vide the notification dated 05.07.2022 though he was held entitled for payment of the executive allowance from 19.11.2018 to 19.03.2019 yet the remaining part of the relief, granted in the judgment, was not made part of the notification, which was not only incomplete compliance of the judgment but also creating problems for the petitioner and all others. When confronted with the situation, the learned AAG submitted that the respondents would comply with the judgment and issue notification accordingly within a reasonable time as the



matter would be placed before the Provincial Cabinet for formal approval. The respondents are thus directed to implement the judgment in toto by incorporating the remaining part regarding the declaration of non-payment of the executive allowance to the OSD's as null and void within a period of one month under the intimation of this Tribunal through its Registrar. Disposed of accordingly. Consign.

03. *Pronounced in open court in Peshawar and given under my hand and seal of the Tribunal on this 29th day of November, 2022.*



(Kalim Arshad Khan)
Chairman