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**BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR**

Implementation/COC Petition No. 509 /2022
In
Appeal No. 225/2014

Khyber Pakhtunkhwa
Service Tribunal

Diary No. _____

Dated 26

Mr. Rehman ullah S/o Mateeullah, Ex-Sub Inspector, R/o Village Totakan, District Malakand **PETITIONER**

VERSUS

- 1- The Government of Khyber Pakhtunkhwa, through Secretary Agriculture, Live Stoke and Co-operative Department, Khyber Pakhtunkhwa Peshawar.
- 2- The Executive District Officer Agriculture, District Dir Upper.
- 3- The Registrar, Co-operative Societies, Khyber Pakhtunkhwa, Peshawar..

..... **RESPONDENTS**

**IMPLEMENTATION PETITION FOR DIRECTING THE
RESPONDENTS TO IMPLEMENT THE JUDGMENT
DATED 24/01/2022 PASSED IN APPEAL NO.
225/2014 TITLED REHMANULLAH VS GOVT OF KP
THROUGH AGRICULTURE LIVE STOKE AND CO-
OPERATIVE DEPARTMENT PESHAWAR**

R/SHEWETH:

- 1- That the petitioner filed service appeal bearing No. 225/2014 before this august Service Tribunal against the impugned order dated 18.12.2009.
- 2- That the appeal of the petitioner was finally heard on 24.01.2022 and as such the ibid appeal was allowed in favour of the petitioner by this august Service Tribunal with the direction to the respondents:

That the appellant is not treated in accordance with law, as he was condemned unheard and was not afforded opportunity of Defense. Keeping in view the dents in disciplinary proceeding and his long service of almost 26 years, we are inclined to partially accept the instant appeal by converting major penalty of Removal from service into compulsory retirement from service.

Copy of the judgment dated 24-01-2022 is attached as annexure **A.**

Certified to be true copy
EX. V. V. R.
Khyber Pakhtunkhwa
Service Tribunal
Peshawar

R.P. No. 509/22
Rehmanullah is Qaw

22nd Nov, 2022

Learnt: counsel for the petitioner present Mr. Kabirullah Khattak; Addl. AG for respondents present



On the previous date last chance was given to the respondents for submission of implementation report, but even today neither anyone is present on behalf of the respondents nor the implementation report has been submitted, therefore salaries of the respondents are attached. The Accountant General, Khyber Pakhtunkhwa as well as District Accounts Officer Dir Upper are direct to attach salaries of the respondents No. 1 to 3 till implementation of the judgment of this Tribunal. To come up for implementation report on 21.12.2022 before S.B.

(Handwritten mark)

(Kallim Arshad Khan)
Chairman

Original/Resentment/Retain *Handwritten*
 Number of Words *80*
 Copying Fee *10*
 Uperent *10*
 Total *10*
 Title of Case *Handwritten*
 Date of Commencement *29/11/22*
 Date of Delivery of Copy *29/11/22*

Handwritten Signature
 Service Tribunal
 Peshawar

Annex-15

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**BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR**

Implementation/COC Petition No. 509 /2022 Khyber Pakhtunkhwa Service Tribunal

In
Appeal No. 225/2014

Diary No. 1101
Dated 26/8/2022

Mr. Rehman ullah S/o Mateeullah, Ex-Sub Inspector, R/o Village Totakan, District MalakandPETITIONER

VERSUS

- 1- The Government of Khyber Pakhtunkhwa, through Secretary Agriculture, Live Stoke and Co-operative Department, Khyber Pakhtunkhwa Peshawar.
 - 2- The Executive District Officer Agriculture, District Dir Upper.
 - 3- The Registrar, Co-operative Societies, Khyber Pakhtunkhwa, Peshawar.
- RESPONDENTS

IMPLEMENTATION PETITION FOR DIRECTING THE RESPONDENTS TO IMPLEMENT THE JUDGMENT DATED 24/01/2022 PASSED IN APPEAL NO. 225/2014 TITLED REHMANULLAH VS GOVT OF KP THROUGH AGRICULTURE LIVE STOKE AND CO-OPERATIVE DEPARTMENT PESHAWAR

R/SHEWETH:

- 1- That the petitioner filed service appeal bearing No. 225/2014 before this august Service Tribunal against the impugned order dated 18.12.2009.
- 2- That the appeal of the petitioner was finally heard on 24.01.2022 and as such the ibid appeal was allowed in favour of the petitioner by this august Service Tribunal with the direction to the respondents:

That the appellant is not treated in accordance with law, as he was condemned unheard and was not afforded opportunity of Defense. Keeping in view the dents in disciplinary proceeding and his long service of almost 26 years, we are inclined to partially accept the instant appeal by converting major penalty of Removal from service into compulsory retirement from service.

Copy of the judgment dated 24-01-2022 is attached as annexure A.

Certified to be true copy
Khyber Pakhtunkhwa
Service Tribunal
Peshawar



<http://coopsocieties.kp.gov.pk>
Email:- rcs.kpkpeshawar@gmail.com

OFFICE OF
THE REGISTRAR, COOPERATIVE SOCIETIES
KHYBER PAKHTUNKHWA
PESHAWAR
091-9211912

Dated Peshawar the 13 / 12 / 2022

ORDER


No. 1999 /RCS/E-5(B). In pursuance of the Khyber Pakhtunkhwa Service Tribunal, Peshawar Judgment dated 24-01-2022, passed in service appeal No. 225/2014 with subsequent order dated 22-11-2022, passed in Execution Petition No. 509/2022, the Competent Authority is pleased to convert the major penalty of removal from service into compulsory retirement from service in respect of **Mr. Rehman Ullah**, Ex-Sub Inspector (BPS-05), office of the Assistant Registrar, Cooperative Societies, Dir Upper, subject to the decision / outcome of CPLA filed by the Provincial Government in the Supreme Court of Pakistan.

REGISTRAR
COOPERATIVE SOCIETIES
KHYBER PAKHTUNKHWA
PESHAWAR

Endst: No & Date Even.

Copy for information & n/action to:-

1. The Registrar, Khyber Pakhtunkhwa Service Tribunal, Peshawar.
2. P.S to Secretary Law, Parliamentary Affairs & Human Right Department Khyber Pakhtunkhwa.
3. P.S to Secretary Agriculture, Livestock, Fisheries & Cooperative Department, Khyber Pakhtunkhwa.
4. The Section Officer (Litigation), Agriculture, Livestock, Fisheries & Cooperative Department, Khyber Pakhtunkhwa.
5. The District Accounts Officer, Dir Upper.
6. The Assistant Registrar Cooperative Societies, Dir Upper.
7. Focal Person (Litigation) Head Office Peshawar.
8. P.A to Registrar Cooperative Societies, Khyber Pakhtunkhwa Peshawar.
9. **Mr. Rehman Ullah**, Ex-Sub Inspector r/o Village Totakan, District Malakand.
10. P/File.


DEPUTY REGISTRAR (H.O.)
COOPERATIVE SOCIETIES
KHYBER PAKHTUNKHWA
PESHAWAR

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR

Execution Petition No.509/2022 in Service Appeal No.225/2014 Rehman Ullah

Khyber Pakhtunkhwa
Service Tribunal

Appellant

Case No. 2310

VERSUS

Dated 6/1/2022

Government of Khyber Pakhtunkhwa through Secretary Agriculture & Others.

Respondents

RELEASE OF SALARIES IN LIGHT OF THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL ORDER SHEET DATED 22.11.2022 & 21-12-2022 PASSED IN EXECUTION PETITION NO.509/2022 IN SERVICE APPEAL NO.225/2014 TITLED REHMAN ULLAH V/S GOVT OF KHYBER PAKHTUNKHWA & OTHERS.

The Khyber Pakhtunkhwa Service Tribunal Peshawar on 22.11.2022 passed the following orders in the above titled case:-

"On the previous date, last chance was given to the respondents for submission of implementation report, but even today neither anyone is present on behalf of respondents nor the implementation report has been submitted, therefore, Salaries of the respondents are attached. The Accountant General, Khyber Pakhtunkhwa as well as District Accounts officer Dir Upper are directed to attach salaries of the respondents 1 to 3 i.e Secretary Agriculture, Livestock and Cooperative Department Peshawar, Executive District Officer Agriculture, District Dir Upper and Registrar Cooperative Societies, Khyber Pakhtunkhwa Peshawar till implementation of the judgment of this Tribunal. To come up for implementation report on 22.11.2022 **(Annex-I)**.

02. The above order has been passed for non-submission of implementation report of the following order passed in Appeal No.225/2014 which is reproduced below:-

"That the appellant is not treated in accordance with law, as he was condemned unheard and was not afforded opportunity of Defense. Keeping in view the dents in disciplinary proceeding and his long service of almost 26 years, we are inclined to partially accept the instant appeal by converting major penalty of Removal from service into compulsory retirement from service".

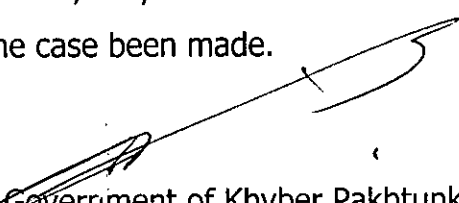
03. This department filed CP: A against the judgment/ order dated 24.1.2022 passed by this Tribunal.

4. Now Hon'ble Service Tribunal has passed the order dated 21.12.2022, which is reproduced below:-

"Representative of the respondents submitted order No. 1999/RCS/E-5(B) dated 13.12.2022, whereby grievance of the petitioner has been redressed. Since the order of the Tribunal has been complied with, therefore, the instant execution petition is filed (Annex-II).

05. It is pertinent to mention here that on the order of this Hon'ble Tribunal (referred to above), this department has already fully implemented the judgment of the Service Tribunal in letter in spirit.

06. In view of the above, implementation report duly signed and stamped by the undersigned is submitted with the request that the salaries of the respondents 1 to 3 i.e Secretary Agriculture, Executive District Officer Agriculture, District Dir Upper and Registrar Cooperative Societies, Khyber Pakhtunkhwa Peshawar may kindly be released as implementation in the case been made.


Secretary to Government of Khyber Pakhtunkhwa
Agriculture, Livestock, Fisheries & Cooperative
Department Peshawar
(Respondent No.01)
Secretary
Agril: Livestock & Coop: Deptt.
Govt: of KPK, Peshawar.