

CHIEF CONSERVATOR OF FORESTS
CENTRAL SOUTHERN FOREST REGION-I
KHYBER PAKHTUNKHWA

(HAD)

8283
No. /E,



Dated Peshawar the 27 / 01 / 2023

Khyber Pakhtunkhwa
Service Tribunal

Diary No. 3308

Dated 31-1-2023

SHAMI ROAD PESHAWAR

Ph: +92 91 9212177, Fax: +92 91 9211478

E-mail: ccfforests.pesh@gmail.com

To

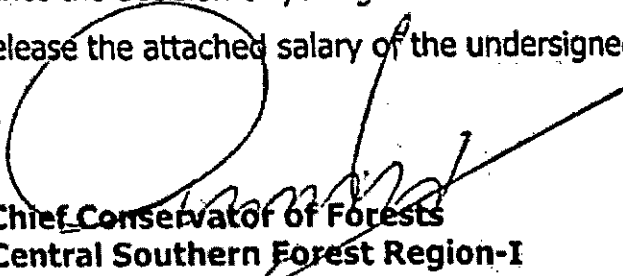
The Chairman Service Tribunal,
Khyber Pakhtunkhwa, Peshawar.

Subject: - EXECUTION PETITION NO. 563/2023 TITLED MR. MIRAM SHAH
VS GOVERNMENT OF KHYBER PAKHTUNKHWA.

Memo:

Referred to the subject mentioned above it is to state that an execution petition No. 563/2023 titled Mr. Miram Shah VS Government of Khyber Pakhtunkhwa was preferred to implement the order dated 24/09/2020 by Service Tribunal Camp Court D.I.Khan. It is to further inform your good self that the order of your court mentioned above has been implemented by DFO D.I. Khan vide office order No. 139 dated 23/01/2023 (copy enclosed) and has been exhibited in Service Tribunal Camp Court D.I.Khan which was accepted.

Since the decision of your good court has been implemented it is therefore requested to release the attached salary of the undersigned, please.


Chief Conservator of Forests
Central Southern Forest Region-I
Khyber Pakhtunkhwa Peshawar.

OFFICE ORDER NO. 139 DATED D.I.KHAN THE 23 JANUARY 2023,
ISSUED BY MR. AMIN-UL-ISLAM DIVISIONAL FOREST OFFICER, D.I.KHAN
FOREST DIVISION, D.I.KHAN

Mr. Miram Shah S/O Sher Muhammad was appointed as Forest Guard in D.I.Khan Forest Division vide Divisional Forest Officer D.I.Khan office order No. 70 dated 24/04/1988.

Due to non-compliance of the official orders and absence from the duty Mr. Miram Shah was terminated from his service in light of rule 9 of Khyber Pakhtunkhwa Government Servants (Efficiency & Discipline) Rules, 2011 vide office order No. 103 dated 12/05/2015.

Being aggrieved Mr. Miram Shah preferred an appeal before Service Tribunal. The Honorable Court issued orders dated 28/12/2018 and rendered the base back to the respondents for decision within 90 days from the date of receipt of this judgment.

In compliance with the court orders Conservator of Forests South accepted the appeal of Mr. Miram Shah and reinstated him into service treating the intervening period as "Leave without pay" vide office order No. 52 dated 28/02/2019. Mr. Miram Shah being aggrieved preferred an appeal before Service Tribunal vide appeal No. 421/2019. The Honorable Court in its order issued dated 24/09/2020 directed to treat the intervening period i.e from 19/05/2015 to 28/02/2019 shall be treated as leave of kind due.

Against the said Judgment this office preferred a CPLA in August Supreme Court vide CPLA CP No. 544-P/2020. Meanwhile, Mr. Miram Shah preferred an execution appeal before the Service Tribunal Camp Court D.I.Khan to implement the orders issued by the Honorable Court. The Service Tribunal directed this office to implement the decision of Service Tribunal dated 24/09/2020 and submit compliance report.

Therefore, in compliance of the Khyber Pakhtunkhwa Service Tribunal the intervening period from 19/05/2015 to 16/09/2015 is hereby sanctioned as leave with full pay and from 17/09/2015 to 28/02/2019 is hereby sanctioned as leave on half pay in accordance to the leave available on his leave account, subject to the condition that if CPLA C.P No. 544-P/2020 filed by the Department is decided in favour of Mr. Miram Shah. In alternate case this office order will not remain intact.

(Amin-ul-Islam)

DIVISIONAL FOREST OFFICER
D.I.KHAN FOREST DIVISION
D.I.KHAN

5500-02

No. /E,

1. Copy forwarded to the;
Khyber Pakhtunkhwa Service Tribunal Camp Court at D.I.Khan for information Please.
2. SDFO D.I.Khan Forest Division for information

DIVISIONAL FOREST OFFICER
D.I.KHAN FOREST DIVISION
D.I.KHAN