

25th May, 2023

1. Learned counsel for the petitioner present. Mr. Fazal Shah Mohmand, learned Additional Advocate General alongwith Mr. Arshad Kamal, SO and Mr. Hashmat Ullah, Superintendent for the respondents present.

2. In compliance with the judgment, representative of the respondents produced copies of letters dated 19.10.2022, addressed to Section Officer (Admn), Administration Department, dated 20.10.2022 addressed to Section Officer (E-V), 01.11.2022 addressed to Secretary Finance Department, 08.02.2023 addressed to Administration Department, 08.02.2023 addressed to Section Officer (Admn), Administration Department, 08.02.2023 addressed to Section Officer (E-V), Establishment Department, 28.10.2022 addressed to Section Officer (Litigation-II), 27.10.2022 addressed to Secretary Finance Department, 07.02.2022 addressed to Secretary Finance Department, 10.02.2023 addressed to Section Officer (Litigation-II), 27.10.2022 addressed to Secretary Finance Department 01.12.2022 addressed to Budget Officer -IV, 18.01.2023 addressed to Budget Officer-IV, 07.02.2022 addressed to Secretary Finance Department, 16.02.2023 addressed to Section Officer (E-V), 16.02.2023 addressed to Section Officer (Admn), Administration Department and 17.02.2023 addressed to Secretary Finance Department. Mr. Hashmat Ullah, Superintendent says that none of the above letters were communicated to the Finance Department. It appears that none of the order sheets are placed before the Secretaries. Last chance is given to the Finance Department to come up with proper implementation report. To come up for further proceedings on 22.06.2023 before S.B. Copies of the above letters are handed over to the Hashmat Ullah, Superintendent Finance Department. P.P given to the parties.




(Kalim Arshad Khan)
Chairman

Kaleem Ullah

22.06.2023

Petitioner alongwith his counsel present. Mr. Arshad Kamal, Section Officer (Litigation) on behalf of respondent No. 1 and Mr. Khaliq-ur-Rehman, Assistant on behalf of respondent No. 2 alongwith Mr. Fazal Shah Mohmand, Additional Advocate General present.

Vide previous order sheet, last chance was given to Finance Department to come up with proper implementation report, however representative of respondent No. 2 (Mr. Khaliq-ur-Rehman, Assistant) requested that due to pre-occupation in preparation of budget, necessary steps for implementation of the judgment under execution could not be made. He submitted that a last opportunity may be granted for implementation of the judgment under execution. Upon his commitment, a further chance is granted with a warning that in case the judgment under execution is not implemented in letter and spirit, coercive measure will be taken against Secretary Finance in accordance with law. To come up for implementation report on 24.07.2023 before the S.B. Parcha Peshi given to the parties. The execution petition in hand is pending since 28.10.2022, therefore, it is expected that the needful will be done till the date fixed.


(Salah-Ud-Din)
Member (J)