


26<sup>th</sup> Oct. 2023 1. Learned counsel for the petitioner present. Mr. Asad Ali Khan, Assistant Advocate General for the respondents present.

2. In compliance of the judgment of the Tribunal, the Elementary and Secondary Education Department, government of Khyber Pakhtunkhwa issued a notification dated 19.10.2023, retiring the late Mir Azam Khan, Ex-EDO (BS-19) w.e.f 24.05.2015, that is the date given in the judgment, subject to the outcome of the CPLA. The competent authority had further allowed the officer (late) 365 days encashment of leave (subject to availability in his leave account) in lieu of LPR as admissible to him under the Revised Leave Rules, 1981. Copy of the notification was endorsed to the District Education Officer (M) Lakki Marwat with the direction to clear all the pension liabilities in respect of the petitioner as soon as possible being a court matter under intimation to all concerned. The judgment seeks to have been complied with but the learned counsel for the petitioner says that the department may not delay the release of benefits to the legal heirs of the deceased entitled to receive the same, therefore, the department is directed to expedite the pension case, so that the same is finalized and payment is made to the legal heirs entitled to receive the same within sixty days. Disposed of. Consign.

3. *Pronounced in open court in Peshawar and given under my hand and seal of the Tribunal on this 26<sup>th</sup> day of October, 2023.*

  
(Kalim Arshad Khan)  
Chairman