

for a period of five years. The intervening period was treated as leave without pay. The judgment was implemented by the respondents vide order dated 22.10.2018. The contents of the order dated 22.10.2018 show that relief portion was copied verbatim in the order reinstating the petitioner, therefore, the judgment of the Tribunal had been complied with. There was nothing more granted in the judgment of the Tribunal. In case the petitioner has any other grievance, he may make an application/representation to the concerned authority for redressal of the same, which, if moved, has to be decided by the authority in accordance with the relevant law and rules. Disposed of. Consign.

4. *Pronounced in open court in Peshawar and given under my hand and seal of the Tribunal on this 10th day of November, 2023.*



(Kalim Arshad Khan)
Chairman

Execution Petition No. 767/2023 titled "Muhammad Ismail-vs-Chief Secretary,
Government of Khyber Pakhtunkhwa, Civil Secretariat, Peshawar"

10th Nov. 2023

1. Petitioner alongwith his counsel present. Mr. Habib Anwar, Additional Advocate General alongwith Mr. Muqarab Khan, Deputy Director and Mr. Muhammad Sohrab, SO for the respondents present.

2. Through this application, the petitioner seeks a direction to the respondents to obey the judgment dated 03.10.2018.

3. The judgment was passed on 03.10.2018 and this execution /implementation application filed on 16.10.2023, which is barred by time and there is no application for condonation of delay. When confronted with the situation, the learned counsel for the petitioner submitted that vide the judgment dated 03.10.2018, the major penalty of removal from service, awarded to the petitioner vide the impugned order, was modified and converted by the Tribunal into major penalty of reduction to lower stage in time scale for a period of five years, which five years, according to the petitioner, had been completed on 06.03.2022, therefore, he could maintain this petition. There is an office order dated 22.10.2018, issued in pursuance of the judgment of the Tribunal dated 03.10.2018, whereby the petitioner Muhammad Ismail was reinstated into service modifying and converting the major penalty of removal from service to major penalty of reduction to lower stage in time scale