

21.11.2023 1. Learned counsel for the petitioner present. Mr. Asad Ali Khan, Assistant Advocate General alongwith Hashmat Ullah, Superintendent for the respondent present.

2. Representative of respondents produced minutes of PSB meeting wherein petitioner was not considered for proforma promotion on the ground that petitioner had already been retired from service in BPS-17 on 09.08.2016 attaining the age of superannuation which is violation of judgment of this Tribunal dated 28.03.2023, wherein clear cut directions were given to respondents to place the case of petitioner for consideration for proforma promotion BPS-18 from the due date. It is also mentioned in the said judgment that vacancy was available and so for reason of retirement upon attaining age of superannuation is concerned, the judgment of this Tribunal dated 28.03.2023 is clear in that judgment. Reference was made to judgment reported 2022 PLC (C.S) 104, wherein it was held that in view of which proforma promotion to the petitioner was given to the petitioner after attaining age of superannuation. Respondents are directed to comply with the judgement of this Tribunal in its true letter in spirit and submit proper implementation report on 01.12.2023 before S.B. Parcha Peshi given to the parties.


Rashida Bano
Member (J)

EP 555/23

10th Oct. 2023

01. Petitioner in person present. Mr. Muhammad Jan, District Attorney alongwith Sardar Daud, Assistant and Atiq Ur Rehman, Assistant for the respondents present.

02. Representative of the establishment department informed that minutes of the meeting of PSB are under process and, therefore, requested for some time to submit implementation report. Granted. To come up for implementation report on 31.10.2023 before the S.B. Parcha Peshi given to the parties.



(FAREEHA PAUL)
Member (E)

Fazle Subhan, PS

31st Oct. 2023

1. Petitioner in person present. Mr. Asad Ali Khan, Assistant Advocate General alongwith Mr. Azhar Khan, Section Officer for the respondents present.

2. Representative of the respondents stated that minutes of the meeting of PSB are still awaited. There is no request in black & white to extend sometime for production of compliance report nor is any explanation given by the representative of the respondents to convince the Tribunal to grant some more time for implementation of the judgment. Therefore, salaries of the respondents stand attached in the manner as prescribed are Section-60(1)(i) of the Code of Civil Procedure, 1908. The Accountant General Khyber Pakhtunkhwa shall submit report in writing that the salaries of respondents are actually attached. To come up for implementation report on 21.11.2023 before S.B. P.P given to the parties.


(Kalim Arshad Khan)
Chairman

**Mutazem Shah **