

22.11.2023

Learned counsel for the petitioner present argued that earlier vide order dated 21.03.2023, execution/implementation petition was filed by the petitioner was consigned to record room with observation that if the petitioner consider that any part of the judgment was not yet implemented, he may file fresh application. Learned counsel for the petitioner further argued that the petitioner was not granted back benefits although it is mentioned in the order dated 25.03.2022. Therefore, he file instant application for restoration of instant execution petition as petitioner has given chance to approach this Tribunal if any part of the judgment is not yet implemented then in my humble view, portion of back benefits is not yet implemented because mere mentioning in the order does not means satisfaction. Therefore, in the circumstances, restoration application of execution petition is hereby converted into fresh execution petition. Notices be issued to the respondents for submission of implementation report. File to come up for implementation report on 22.12.2023 before S.B. P.P give to the learned counsel.


Rashida Bano
Member (J)