


22.11.2022 1. Learned Counsel for the petitioner present. Mr. Asad Ali Khan, Assistant Advocate General for the respondents present.

2. On Previous date representative of respondent produce minutes of PSB meeting held on 07.09.2023 wherein it was observed by the PSB that no junior officer was promoted by ignoring the petitioner and promotion is not his right. Observation of PSB in violation of judgment of this Tribunal, because it is clearly mentioned in the judgment, that the petitioner is the sole candidate for promotion to the post of Deputy Director and working paper for selection board was also prepared for promotion of the petitioner to the post Deputy Director and petitioner was consider for promotion but due to some irregularities in the Director General Health Services office promotion case at item No 19 of PSB meeting was sent back by the board but said remarks of irregularities relates to the Secretary Health, which was redressed by him. Remarks of PSB meetings dated 18.02.2016 to the petitioner was not communicated. In the Judgment it is also held that no adverse remarks/entries in ACR of the petitioner and irregularities/ issues in the office of DGHS is not related to the petitioner, therefore, in the circumstances this Tribunal vide judgment dated 02.04.2021 accept appeal of the appellant as prayed for and prayer of the appeal as mentioned below.

“On acceptance of this appeal the impugned order dated 18.02.2016 communicated to the appellant on 22.12.2017 may kindly be set aside and the appellant may kindly be consider for proforma promotion to the post of Deputy Director w.e.f 01.07.2014 with all back benefits.”

So in the circumstances both the reason mentioned in PSB made basis for not considering petitioner for proforma promotion to the post Deputy Director was already addressed in the judgment of this Tribunal and is just a lame excuse for not implementing judgment of this Tribunal. Respondents are directed to implement the judgment of this tribunal in its true letter and spirit, otherwise the will expose himself for initiating contempt of court proceedings against them. To come up for proper implementation report on 18.12.2023 before S.B. P.P given to parties.


(Rashida Bano)
Member (J)