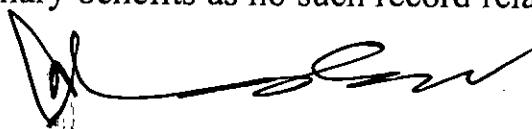


Service Appeal No.7209/2021 titled "Istifanosh Khan Vs.
Government of Khyber Pakhtunkhwa"

ORDER


29th Feb. 2024 **Kalim Arshad Khan, Chairman.** Learned counsel for the appellant present. Mr. Asif Masood Ali Shah, Deputy District Attorney alongwith Mr. Muhammad Ashfaq, DEO (respondent No.4) and Mr. Wali Ur Rehman SDEO for the respondents present and have been heard to some extent.


2. It appears from the available record that the appellant had retired on medical grounds on 20.09.1983. The learned counsel for the appellant stated that the appellant was a Cancer patient and was still suffering from the said ailment because of which, he could not pursue his pension matter. It is an admitted fact that the appellant originally belongs to Tehsil Battagram, now District itself and previously part of District Mansehra. The record further reflects that the District Education Officer Battagram has contended that there was no service record of the appellant lying in the DEO Office Battagram and rightly so because Battagram was not district at the time of retirement of the appellant. However, it is admitted by the DEO Mansehra in reply that the appellant had retired on medical grounds due to serious illness on 15.09.1983. It was further submitted that non-issuance of the pension and commutation was related to the Accounts Offices Mansehra and Battagram. It is also submitted by the DEO Mansehra that the appellant had not submitted any application since 1983 till date for grant/release of pensionary benefits as no such record relating to the appellant in the



office of DEO Mansehra and the DEO Mansehra stated that due to shifting of record from different buildings, no record was found related to the appellant. On the previous date, some documents were produced by the appellant and the DEOs Mansehra and Battagram agreed to coordinate with each other to reconstruct the record, if that is still missing, after conducting inquiry regarding misplacement of the record and prepare a case of pension of the appellant and send the same to the District Accounts Officer concerned which probably may be the DAO Battagram now. The DAO Battagram says that he would also coordinate with the DEO Mansehra after submission of papers by the DEO Battagram to verify whether any pension was released after retirement of the appellant, if so, the appellant would be informed and in case the pension was not released to the appellant, the case of pension would be processed and he would be paid according to his entitlement as early as possible but not later than two months. Disposed of accordingly. Consign.

3. *Pronounced in open Court at Abbottabad under our hands and seal of the Tribunal on this 29th day of February, 2024.*


(Salah Ud Din)
Member(J)


(Kalim Arshad Khan)
Chairman
Camp Court Abbottabad

Mutazem Shah