


respondents what to do but even then, its execution is being delayed, thereby unnecessarily dragging the petitioner despite a judgment in his favour, therefore, the Tribunal is constrained to impose a cost of Rs. 100000/- upon the respondents No. 2,3 and 4 to be paid by in equal share. Besides, it is directed that all the three respondents shall appear in person alongwith compliance report of the judgment of the Tribunal. To come up on 07.06.2024 before S.B. P.P given to the parties.

 14-5-24
(Kalim Arshad Khan)
Chairman

Adnan Shah, P.A

14th May, 2024

1. Petitioner in person present. Mr. Umair Azam, Additional Advocate General present. Special Secretary (Regulation) Establishment Department is also present.

2. This application was filed on 01.06.2022 and since then this is being adjourned by the respondents on one pretext or the other. The judgment in the main appeal No. 5965-A/2021 titled "Muntazir Khan versus The Government of Khyber Pakhtunkhwa through Chief Secretary Civil Secretariat Peshawar and there others" was passed on in the following terms:

"11. It is un-disputed that the appellant was otherwise fit for promotion and the PSB had deferred his promotion only for want of pendency of case against him in the august Supreme Court of Pakistan in SMC No. 17-2016, the fact however remains that no case was pending against the appellant to the extent of Suo Moto case. In view of the foregoing discussion, the instant appeal is accepted. The impugned decision of PSB dated 30.12.2020 and opinion of Advocate General Office dated 23.11.2020 are set aside. Since the appellant stands retired from service on attaining the age of superannuation on 07.05.2021 without his promotion to BPS-20, hence he is held entitled for proforma promotion to BPS-20 without any condition from the date, when his other colleagues/juniors were promoted with all consequential benefits. Moreover, condition in his promotion to BPS-19 is also set aside and he is treated as normally promoted to BPS-19. This judgment is equally applicable in all similar cases, where the civil servants are exonerated of the charges of VR. Parties are left to bear their own costs. File be consigned to record room."

3. Instead of making compliance of the judgment, every time dilly dallying tactics are used by the respondents with no serious progress on implementation of the judgment in letter and spirit. The judgment is very much clear and is unequivocally requiring the