



03.06.2024 1. Learned counsel for the appellant present. Mr. Muhammad Jan learned District Attorney alongwith Mr. Said Naeem, Regional Director Prosecution for the respondents present.

2. Appellant through instant appeal seek pension and pensionary benefits by counting his contractual/temporary fixed pay service as regular service. Learned counsel for the appellant produced and relied upon the judgment dated 17.06.2022 passed in S.A No. 6573/2021 titled "Naheed Begum Vs. Health Department" and judgment dated 18.04.2024 passed in S.A No. 1471/2021 titled "Mst. Mumtaz Bibi Vs. Health Department" Both the appeals were accepted and the desired relief was granted by this Tribunal, while learned District Attorney produced and relied upon the judgment of this Tribunal in S.A No.1563/23 titled "Mst. Amina Bibi Vs. Health Department" decided on 17.04.2024 and 514/23 titled "Jamsheda Begum Vs. Health Department" decided on 05.03.2024 respectively wherein relief sought in these appeals were denied by dismissing the same. The question in all the above mentioned appeals are one and the same i.e counting of contractual service and fixation of pay towards regular service for the purpose of pension and pensionary benefits as both of us in above referred judgments one member having different views on the subject. Therefore, it will be in the interest of justice, let it be sent to the Worthy Chairman for sending it to referee judge to settle the issue once for all. Copies of the judgment in the above mentioned appeals are attached.

  
(Muhammad Akbar Khan)  
Member (E)  
Camp Court, Swat

  
(Rashida Bano)  
Member (J)  
Camp Court, Swat