

15.07.2024 1. Learned counsel for the petitioner present. Mr. Arshad Azam, Assistant Advocate General alongwith Mr. Amjid Ali, Section Officer for the respondents present.

2. On 06.04.2024 the original file was requisitioned by learned Member (E) to remove the conflict between the judgment of this Tribunal and minutes of the PSB held on 11.03.2024. Perusal of judgment dated 28.03.2023 reveals that this Tribunal after considering of the relevant matter/issue came to the conclusion that petitioner will have to be considered for proforma promotion on the vacancy available before his retirement. In the judgment it is mentioned that six vacancies were available at the time of meeting of PSB held on 18.02.2016 but petitioner was not considered due to which this Tribunal held that the petitioner was entitled for proforma promotion from the due date. This is a petition for implementation of judgment. The Tribunal is an executing court and can only execute/implement the judgment and cannot act as appellate court. If there was any error or omission in the judgment, it could only be rectified/corrected by the appellate court and not by the executing court. Therefore, respondents are directed to consider the case of the petitioner for proforma promotion in the light of the judgment of this Tribunal and submit proper implementation report on 30.07.2024 before S.B. P.P given to the parties.


(Rashida Bano)
Member (J)