


for release of salary of the respondents. Salaries of the respondents attached vide order dated 24th May, 2024 are hereby released. To come up for implementation report on 18.10.2024 before S.B. P.P given to the parties.


(Muhammad Akbar Khan)
Member (E)

Kamranullah

18.09.2024 01. Petitioner alongwith his counsel present. Mr. Umair Azam, Additional Advocate General alongwith Mr. Ziaullah, Superintendent for the respondents present.

02. Representative of the respondents submitted a copy of Establishment & Administration Department (Cabinet Wing) letter dated 27.08.2024 which reveals that the cabinet in its meeting held on 29.08.2024 approved creation of 05 supernumerary posts of Subedar BPS-14 in Dir Upper Levy. The Commandant Dir Levies/ Deputy Commissioner Dir Upper issued posting order dated 11.09.2024. The competent authority i.e. Commandant Dir Levies/Deputy Commissioner had reinstated the petitioners in compliance with the judgment of this Tribunal vide order dated 01.07.2022. Learned counsel for the petitioner submitted that the petitioners have not been paid salaries since their reinstatement order and further submitted that the respondents have not made any arrangement for payment of arrears to the petitioners from the date of their reinstatement order. He further stated that the reinstatement order is required to be issued from the date of judgment of the Tribunal. Learned Additional Advocate General contested these points and stated that at the time of reinstatement order there were no posts available and as such the petitioners could not claim arrears of pay from the date of judgment of the Tribunal. Learned Additional Advocate General referred to Para-3 of the reinstatement order dated 01.07.2022 where-under the intervening period in respect of the petitioner from their reinstatement till the judgment of the Tribunal has been regularized as leave without pay. Respondents are directed to examine the points and submit implementation report regarding arrears of pay in respect of the petitioner. Representative of the respondents as well as learned Additional Advocate General requested