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**BEFORE THE KHYBER PAKHTUNKHWA,
SERVICE TRIBUNAL, PESHAWAR.**

Implementation Petition No. 835/2023

in

Service Appeal No. ~~1184~~ 1184/2016

Khyber Pakhtunkhwa
Service Tribunal

Entry No. 15868

Dated 19-09-2024

Asfandyar

VS

Police Deptt:

**REPLY TO OBJECTION PETITION ON BEHALF OF
PETITIONER**

RESPECTFULLY SHEWETH:

PRELIMINARY OBJECTIONS:

1. That the respondent department raise plea just to avoid the implementation and waste the time of court and petitioner.
2. That the objection petition filed by the respondents is clear contempt of court.
3. That the respondent giving verdicts against the judgment of the Honorable Tribunal, that by declaring the judgment as wrong.

REPLY TO FACTS:

1. Admitted correct. Further it is, added that the appellant requested for back benefits of the intervening period.
2. Correct. The Hon'able Tribunal Reach to conclusion that the appellant is entitled for pay of intervening period on the basis of Supreme Court Judgment cited as 2013 SCMR 752 and 2021 SCMR 962. Further, it is, added that the judgment of Superior Court is clear on the point that when employee not remained gainfully employee during period which he remained out of service, is fully entitled for the pay of that period.
3. Needs no comments but it is added that the judgment of Honorable Service Tribunal is still in field, neither suspended not set-aside by the Supreme Court. So, the Deptt: bound to implement the same in letter and spirit.

- 4 Needs no comments.
- 5 Incorrect and misleading. The Case of the appellant is implementation of judgment and granting of benefits for the intervening period as per judgment. If the judgment is wrong the forum for challenging the same is Supreme Court.
- 6 Incorrect. Para-6 is clear dis-obedience of judgment and amount to Contempt of court and punishable under the law.
- 7 Incorrect. Para-7 is clear dis-obedience of judgment and amount to Contempt of court and punishable under the law.
- 8 Incorrect. Rule-12 of the KP, Service Tribunal Rules 1974 is for the purpose of filling reply to appeal, not for filling objection against the implementation of judgment.

It is, therefore, most humbly prayed that the objection petition of the respondents may be rejected with cost. Further the respondents may be directed to implement the judgment of this august Tribunal in letter and spirit and grant pay of the intervening period to appellant.

[Signature]
PETITIONER
 Asfandyar

Through:

[Signature]
(SYED NOMAN ALI BUKHARI)
ADVOCATE, PESHAWAR.

AFFIDAVIT

It is affirmed and declared that the contents of reply to the implementation report are true and correct to the best of my knowledge and belief.

[Signature]
ATTESTED DEPONENT

