

11th Oct, 2024

Learned counsel for the petitioner present. Mr. Khaisro, Inspector (Legal) alongwith Mr. Arshad Azam, Assistant Advocate General for the respondents present.


Learned counsel for the petitioner stated that the judgment was rendered in favor of the petitioner on 10.10.2023 in Service Appeal No. 7051/2021. Despite nearly a year having lapsed, the respondents have not yet implemented the said judgment. He further requested that disciplinary actions may be initiated against the respondents due to non-compliance with this Tribunal's judgment.

Representative of the respondents stated that the petitioner had not completed the requisite courses mandatory for his confirmation as Sub-Inspector (S.I.), which is why the confirmation has not yet occurred.

The judgment of this Tribunal was passed on 10.10.2023 in favour of the petitioner, para-8 of the said judgment is very important and reproduced as below:-

"8. In view of the foregoing discussion, we are of the considered opinion that case of the appellant is similar in nature with the cases already decided by this Tribunal as well as by the apex court, as referred to the counsel for the appellants. For the reason, we are inclined to accept the present appeal with the direction to the respondents to confirm the appellants as SI from the date when his others colleagues were confirmed, as well as place him in due place in the seniority list. The appellants are also held entitled to all consequential benefits, if any. Cost shall follow the event. Consign."

The judgment of this Tribunal dated 10.10.2023, specifically in paragraph 8, directed the respondents to confirm the petitioner as S.I. from the date when his colleagues were confirmed and adjust the petitioner accordingly on the seniority list alongwith all consequential benefits. Despite these clear directions, the judgment of this Tribunal has not been implemented and the respondents at this stage are still citing the petitioner's incomplete courses as a reason for non-compliance. The attitude of the respondents towards implementation of the judgment of this Tribunal passed in favour of the petitioner is highly deplorable. Respondents are directed to implement the judgment dated 10.10.2023 passed in favour of the petitioner in its true letter and spirit and submit implementation report on the next date positively. Failure to comply will result in coercive measures being taken against the respondents in accordance with the law. To come up for implementation report on 31/10/2024 before the S.B. Parcha Peshi given to the parties.


(Aurangzeb Khattak)
Member (Judicial)