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KHYBER PAKHTUNKHWA SERVICE TRIBUNAL

Execution Petition No. 253 of 2023

Anwar Shah versus Government of Khyber Pakhtunkhwa through Provincial Police Officer/IGP at Peshawar and 02 others.

S.No. of Order & Date of proceeding	Order or other proceedings with signature of Chairman/Member(s)/Registrar and that of parties or counsel where necessary
<u>Order-16</u> 05 th November, 2024.	<p style="text-align: center;">Present:</p> <ol style="list-style-type: none">1. Dr. Adnan Khan, Barrister on behalf of petitioner.2. Mr. Umair Azam, Additional Advocate General assisted by Mr. Ali Rehman, DSP (Litigation) with authority letter on behalf of the respondents. <p style="text-align: center;">This Tribunal delivered a judgment on 06.07.2022 in favor of the petitioner, the concluding para 8 of the said judgment is reproduced as below:-</p> <p style="text-align: center;"><i>“8. In view of the above discussion, we have come to the conclusion that in such a situation, we are left with no option but to accept the present appeal, set-aside the impugned orders and direct the appellate authority to examine the case of appellant with the cases of those constables who were reinstated in service by the Commandant FRP and in case the appellant is found entitled to similar treatment as extended to other constables, then the said authority shall also extend the same treatment to the present appellant. Needless to mention that the appellant shall be afforded opportunity of hearing during the proceedings which shall be conducted and concluded within a period of 60 days from the date of receipt of copy of this judgment.</i></p> <p style="text-align: center;">Learned counsel for the petitioner submitted that, although the respondents have filed an order dated 22.02.2023 in compliance with the judgment of this Tribunal, they have not provided detailed grounds for not treating the petitioner’s case at</p>

par with other constables who have been reinstated. He also submitted that the respondents may be directed to submit a written detail of the grounds on the basis of which the petitioner was not considered for reinstatement. Accordingly, the respondents are directed to submit a report as requested by the learned counsel for petitioner, on 03.12.2024 before the S.B at Camp Court, Swat. *Parcha Peshi* given to the parties.


(Aurangzeb Khattak)
Member (Judicial)
Camp Court, Swat

Naeem Amin