

8<sup>th</sup> June, 2022

Petitioner in person present. Mr. Kabirullah Khattak, Addl: AG alongwith Mr. Muqaddar Khan, DSP for respondents present.

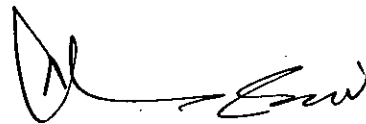
2. On 03.07.2017 appeal of the petitioner for reinstatement was allowed by the Tribunal and he was directed to be reinstated in service leaving the departmental authority at liberty to hold de-novo enquiry in accordance with law. The petitioner has filed this execution petition for implementation of the judgment. On 23.08.2021, my learned predecessor had passed the following order:-

**SCANNED**  
**KPST**  
**Peshawar**

*“Through this execution petition, the petitioner has questioned fixation of his pay w.e.f 03.08.2017 instead 06.04.2009 and has prayed that on acceptance of the execution petition, the respondents may be directed to implement the order/judgment dated 03.07.2017. Seemingly the confusion arose from the added part of the order dated 02.08.2017, whereby it was provided that on reinstatement into service his (Petitioner’s) pay is fixed @ 10260/- per month w.e.f. 03.08.2017. This expression in the order dated 02.08.2017 is superfluous and requires to be deleted by issuing corrigendum of order dated 02.08.2017, so that the fixation of pay of petitioner shall take effect from the date when he was discharged from service. Respondents are directed to do the needful and submit compliance report on or before next date by person or by mail.”*

3. It appears from the above order that the added part of the order dated 02.08.2017 was directed to be deleted and in compliance with the said direction another order was issued bearing endorsement No. 14619-22/EC dated 15.09.2021 whereby the pay of the petitioner was re-fixed from the date on which he was discharged from service i.e. 06.07.2010. Thereafter the matter was being adjourned on one pretext or the other. Today when confronted with the situation that the petitioner was simply reinstated into service by the Tribunal vide judgment dated 03.07.2017 and no other direction was given in the said judgment, the petitioner was contended and did not press this petition further. Disposed of accordingly. Consign.

4. *Pronounced in open court in Swat and given under my hand and seal of the Tribunal this 8<sup>th</sup> day of June, 2022.*



(Kalim Arshad Khan)

Chairman  
Camp Court Swat