

**IN THE SUPREME APPELLATE COURT GILGIT-BALTISTAN**  
**Review No. 01/2010**

**Before: Mr. Justice Muhammad Nawaz Abbasi, Chief Judge.**  
**Mr. Justice Muhammad Yaqoob, Judge.**

Lt. Col. Arshad Mehmood Ch.

Petitioner.

**Versus**

KIU etc

Respondents.

**REVIEW PETITION IN SHORT ORDER DATED 15-09-2009**  
**FOLLOWED BY DETAIL JUDGMENT.**

Mr. Muhammad Issa, Sr. Advocate for petitioners  
Mir Ikhlaq Hussain Advocate for KIU  
Mr. Riaz, Accounts Officer, AGPR Gilgit.

**Date of hearing: 08-06-2010**

**JUDGMENT**

*Muhammad Nawaz Abbasi, CJ:* The successive statement of the account prepared by the AGPR on the basis of last pay drawn of late Lt Col. Arshad Mehmood Ex-Registrar KIU were objected on behalf of the widow of late Registrar that same have not been correctly prepared on the basis of last pay actually drawn by the petitioner as Registrar of the KIU. Consequently, the matter was referred to the Auditor General for Pakistan Islamabad and Mr. Saeed Ahmed Panwar, Deputy Auditor General (Provincial Audit) Islamabad has submitted a detail report with his conclusion as under: -

“(b) If his appointment was made on Contract basis, he will be entitled for Arrears of Pay for the period of 01-01-2005 to 15-06-2009 for Rs. 2,87,161 as per revised statement prepared by this office however, he/his widow will not be entitled for pensionary benefits against the Civil post as pensioner benefits is not admissible on Contract Service. (This option has no bearing on Military pension received by Officer out of Defence Budget).”

The Deputy Auditor General (Provincial Audit) in support thereof has placed reliance on the notifications and the circulars issued on the subject by the government of Pakistan and we having carefully perused the report of Deputy Auditor General in the light of record have found that the statement of account earlier submitted by KIU and Accountant General Pakistan Revenue Gilgit were not correctly prepared and the arrears of pay and allowances actually payable to the petitioner were wrongly calculated.

The Deputy Auditor General (Provincial Audit) Islamabad rectifying the error of miscalculation of the amount of claim in the previous statements of account has submitted report (Mark B) on the basis of last pay drawn of the petitioner in the service of KIU. This report and statement of account is treated as part of record and the judgment under review is accordingly modified. The petitioner Late Lt. Col Arshad Mehmood the then Registrar of KIU will be paid an amount of Rs. 28 lac 78 thousand and 161 rupees as calculated by Deputy Auditor General (Provincial Audit) Islamabad in his report dated 25-05-2010 (Mark B) in respect of arrears of his pay and allowances for the period from 01-01-2005 to 15-06-2009.

Learned counsel for the petitioner at this stage has submitted that since KIU or the Provincial Government has not yet taken any step for implementation of the judgment of this court for payment of the claim of Petitioner therefor direction may be given to the respondents for the payment of claim on priority without loss of further time. The request being genuine we direct that the Chief Secretary Government of Gilgit Baltisan will ensure that payment of claim is made within a month. The compliance report will be submitted to the Registrar of this Court.

This review petition with above direction and modification in the judgment is allowed and disposed of accordingly.

**Chief Judge**

**Judge**