

05.07.2022

Learned counsel for the appellant present. Mr. Naseer-ud-Din Shah, Assistant Advocate General for the respondents present.

Due to paucity of court time, arguments could not be heard. Adjourned. To come up for arguments before the D.B on 11.08.2022.




(MIAN MUHAMMAD)  
MEMBER (EXECUTIVE)



(SALAH-UD-DIN)  
MEMBER (JUDICIAL)

11.8.2022

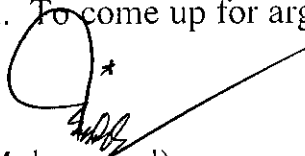
Proper DB not available the case is  
adjourned to 3-11-2022

  
Reader

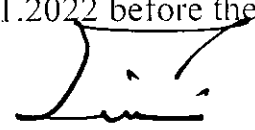
03.11.2022

Learned counsel for the appellant present. Mr. Naseer-ud-Din Shah, Assistant alongwith Mr. Muhammad Riaz Khan Paindakhel, Assistant Advocate General for the respondents present.

Representative of the respondents requested that time may be granted to him to probe as to whether Miss. Gul Farzana SDEO (Female) BS-17 whose name is mentioned at serial No. 01 of impugned order, has filed service appeal before this Tribunal or not. Adjourned. To come up for arguments on 18.11.2022 before the D.B.



(Mian Muhammad)  
Member (E)




(Salah-Ud-Din)  
Member (J)

09.12.2021

Husband of appellant and Mr. Muhammad Adeel Butt, Addl. AG alongwith Syed Nasirud Din, Asstt. for the respondents present.

Representative of the respondents states that written reply is well prepared for submission. He is required to submit the same within 10 days in office alongwith application as right of respondents for submission of reply has already been struck off. Case to come up for arguments on 07.02.2022 before the D.B.

  
(Salah-ud-Din)  
Member(J)

  
Chairman

7-2-22

*Due to retirement of the Hon.ble  
Chairman the case is adjourned to  
come up for the same as before on*

*30-5-22*

*Reader*

30<sup>th</sup> May, 2022

Learned counsel for the appellant present. Mr. Asif Masood, DDA for the respondents present.

Learned counsel for the appellant seeks adjournment in order to properly assist the Court. Last opportunity is granted. To come up for arguments on 05.07.2022 before the D.B.

  
(Mian Muhammad)  
Member(E)

  
(Kalim Arshad Khan)  
Chairman

05.11.2021 Appellant present through counsel.

Kabir Ullah Khattak learned Additional Advocate General alongwith Saleem S.O for respondents present.

As per preceding order sheet, respondents were directed to file reply within 10 days but till today, reply was not submitted. Therefore, right of respondents for submission of reply is hereby struck off. To come up for arguments on 09.12.2021 before D.B.



(Rozina Rehman)  
Member (J)



Chairman

09.12.2021

Learned counsel for the appellant present.

As per preceding order sheet dated 05.11.2021, the right of respondents for submission of reply stands struck off and the case was fixed to come up for arguments before D.B on 09.12.2021. However, the instant service appeal seems to have mistakenly been reflected on the cause list for hearing before S.B. The service appeal in hand is therefore submitted for appropriate orders before the D.B.



(Mian Muhammad)  
Member (E)

Stipulated period passed reply not submitted.

15.09.2021

Learned Addl, A.G be reminded about the omission and for submission of reply/comments within extended time of 10 days.

Chairman

21.09.2021

Counsel for the appellant and Mr. Muhammad Adeel Butt, Addl. AG alongwith Saleem Khan, S.O for the respondents present.

Reply/comments have not been submitted by the respondents. Let them file the reply/comments on or before the next date, failing which their right for submission of reply/comments shall be deemed as struck off. Case to come up for arguments on 05.11.2021 before the D.B.

(Rozina Rehman)  
Member(Judicial)

Chairman

Appellant Deposited  
Security & Process Fee

this appeal is admitted for regular hearing. The appellant is directed to deposit security and process fee within 10 days. Thereafter, notices be issued to the respondents for submission of written reply/comments in office within 10 days after receipt of notices, positively. If the written reply/comments are not submitted within the stipulated time, or extension of time is not sought through written application with sufficient cause, the office shall submit the file with a report of non-compliance. File to come up for arguments on 21.09.2021 before the D.B.

An application has been filed alongwith the appeal for suspension of the impugned transfer order dated 09.07.2021 to the extent of appellant till final decision of the appeal. Notice of the application be also given to the respondents. The operation of the impugned order shall remain suspended till next date.

  
Chairman

**S.A No. 7086/2021**

Mst. Saira Bano

02.08.2021 Counsel for the appellant present. Preliminary arguments heard.



The appellant has impugned the transfer order dated 09.07.2021 through this Service Appeal where-against the departmental representation/appeal was filed on 13.07.2021. The present appeal was filed on 16.07.2021 which was returned due to objection from this office that it was filed without completing the period of ninety days after filing of departmental appeal. However, the appeal was re-submitted that requisite period of 15 days as provided under the Policy of the Government has been completed. This Tribunal has already admitted appeals against the transfers on account of the precedent of 15 days period for decision of appeal by the competent authority by overruling the objection of the office for waiting period of ninety days. Therefore, this appeal as matter of consistency has rightly been filed after expiry of 15 days day period. When the appellate authority has failed to decide the appeal within stipulated time according to policy of the government. The appellant contends that the impugned transfer of the appellant is against the tenure as provided under the policy of the Government and no public interest is involved in the impugned order. Therefore,

Form- A

FORM OF ORDER SHEET

Court of \_\_\_\_\_

Case No.- 7086 /2021

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	29/07/2021	<p>The appeal of Mst. Saira Bano resubmitted today by Mr. Irfan Ali Yousafzai Advocate may be entered in the Institution Register and put up to the Worthy Chairman for proper order please.</p> <p style="text-align: right;"> REGISTRAR - 29/7/2021</p>
2-		<p>This case is entrusted to S. Bench for preliminary hearing to be put up there on <u>02/08/21</u>.</p> <p style="text-align: right;"> CHAIRMAN</p>