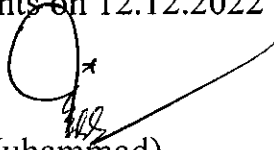



21.11.2022

Clerk of learned counsel for the appellant present. Ms. Sajida, ADEO alongwith Mr. Muhammad Jan, District Attorney for the respondents present.

Clerk of learned counsel for the appellant requested for adjournment on the ground that learned counsel for the appellant is not available today due to strike of lawyers. Adjourned. To come up for arguments on 12.12.2022 before the D.B.

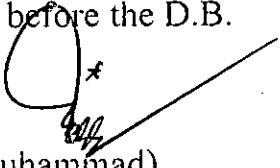

(Mian Muhammad)
Member (E)



(Salah-Ud-Din)
Member (J)

17.10.2022

Learned counsel for the appellant present. Ms. Sajida, ADEO and Mr. Naseer-ud-Din, Assistant alongwith Mr. Naseer-ud-Din Shah, Assistant Advocate General for the respondents present.

Learned counsel for the appellant sought short adjournment for preparation of arguments. Adjourned. To come up for arguments on 31.10.2022 before the D.B.

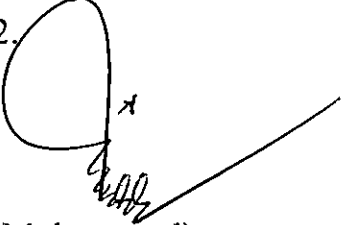

(Mian Muhammad)
Member (E)



(Salah-Ud-Din)
Member (J)

31.10.2022

Learned counsel for the appellant present. Ms. Sajida alongwith Mr. Kabirullah Khattak, Additional Advocate General for the respondents present.

Learned counsel for the appellant requested for adjournment on the ground that he has not made preparation for arguments. Adjourned. To come up for arguments before the D.B on 21.11.2022.


(Mian Muhammad)
Member (E)


(Salah-ud-Din)
Member (J)

25.07.2022

Appellant present through counsel.

Naseer Ud Din Shah, learned Assistant Advocate General alongwith Fahim Shah Assistant (Litigation) for respondents present.

Representative of respondents submitted reply/comments. Copy of the same was handed over to the learned counsel for appellant. To come up for rejoinder, if any, and arguments on 12.09.2022 before D.B.



(Rozina Rehman)
Member (J)

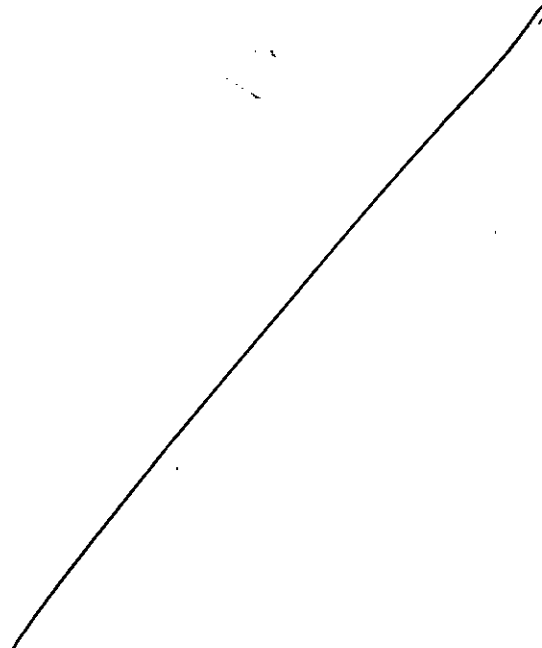
12.09.2022

Learned counsel for the appellant present. Mr. Muhammad Jan, District Attorney alongwith Miss Sajida, Litigation Officer for the respondents present.

Mr. Mian Muhammad, learned Member (Executive) is on leave, therefore, arguments could not be heard. Adjourned. To come up for arguments before the D.B on 17.10.2022



(Salah-Ud-Din)
Member (J)



13th June, 2022

Clerk of counsel for the appellant present. Mr. Kabeer
Ulalh Khattak, AAG for respondent present.

Respondents have not submitted reply/comments. Last
opportunity is granted to the respondents to submit
reply/comments. To come up for written reply/comments on
21.06.2022 before S.B.



(Kalim Arshad Khan)
Chairman

21.06.2022

Learned counsel for the appellant present. Mr.
Kabirullah Khattak, Additional Advocate General for the
respondents present.

Reply/comments on behalf of respondents are still
awaited. Learned Additional Advocate General requested for
time to submit reply/comments. Last opportunity is extended
till the next date, In case, the respondents failed to submit
reply/comments on the next date, their right for submission of
reply/comments shall be deemed as struck off. Adjourned. To
come up for reply/comments on 25.07.2022 before S.B.



(Mian Muhammad)
Member (E)

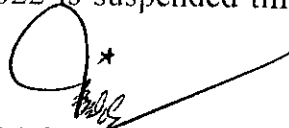
DIGITIZED
REPORT
1/6/2022

24.05.2022

Learned counsel for the appellant present. Preliminary arguments heard.

Learned counsel for the appellant while arguing the case at preliminary hearing stage, contended that the appellant belongs to Management Cadre and she is aggrieved of the impugned Notification dated 11.05.2022 whereby she was transferred and directed to report to Directorate of Elementary and Secondary Education Peshawar. Feeling aggrieved with the said Notification, she preferred departmental appeal to respondent No.1 which was regretted on 19.05.2022 whereafter the instant service appeal was filed in the Service Tribunal on 23.05.2022. It was further argued that the appellant has been victimized through frequent transfer orders within a short span of one year vide earlier order dated 07.10.2021 when she was transferred as SDEO (Female) Mardan to SDEO (Female) Adezai Dir Lower followed by another Notification dated 30.11.2011, when she was transferred as SDEO(Female) Nowshera. The appellant could hardly served for 5 months as SDEO (Female) Nowshera when again transfer^{red and}/directed to report to Directorate of Elementary & Secondary Education Peshawar vide impugned order dated 11.05.2022. It was further argued that the impugned order has been issued in total disregard to the Posting Transfer Policy particularly Clause I and IV thereof. Moreover, husband of the appellant is an employee of Pakistan Military Accounts (Nowshera) and the impugned order is even issued in violation of Wed-lock Policy of the Provincial Government dated 07.10.2012. The school going children of the appellant are being badly affected due to the impugned order of appellant, he concluded.

Points raised need consideration. The appeal is admitted to regular hearing, subject to all just and legal objections. 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. To come up for reply/comments before the S.B on 13.06.2022. Alongwith the appeal there is an application for suspending the operation of impugned notification dated 11.05.2022 till the decision of main service appeal. Operation of the impugned notification dated 11.05.2022 is suspended till the next date.


(Mian Muhammad)
Member(E)

Rs-500/-
Appellant Deposited
Security & Process Fee

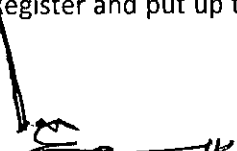

A. Mujib
25/5/22

Form- A

FORM OF ORDER SHEET

Court of _____

Case No.- _____ 819/2022

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	23/05/2022	<p>The appeal of Mst. Malak Taja presented today by Mr. Taimur Ali Khan 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</p>
2-	<u>23/5/22</u>	<p>This case is entrusted to Single Bench at Peshawar for preliminary hearing to be put there on <u>24-05-22</u>. Notices be issued to appellant and his counsel for the date fixed.</p> <p style="text-align: right;"> CHAIRMAN</p>