


05.12.2022

Learned counsel for the appellant present. Mr. Asif Masood Ali Shah, Deputy District Attorney for the respondents present.

Learned counsel for the appellant sought time for preparation of arguments. Adjourned. To come up for arguments on 20.12.2022 before the D.B.



(Mian Muhammad)  
Member (E)



(Salah-Ud-Din)  
Member (J)

A-No-127/22  
Nagina Bibi


30.09.2022


Appellant present through counsel.

Muhammad Jan, learned District Attorney for respondents present.

Former made a request for adjournment as she has not made preparation of the case. Adjourned. To come up for arguments on 17.11.2022 before D.B. The operation of impugned Notification shall remain suspended to the extent of appellant till the date fixed.

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

  
(Fareeha Paul)  
Member (E)

  
(Rozina Rehman)  
Member (J)

17.11.2022

Clerk of counsel for the appellant present.


Muhammad Riaz Khan Paindakhel learned Assistant Advocate General for respondents present.

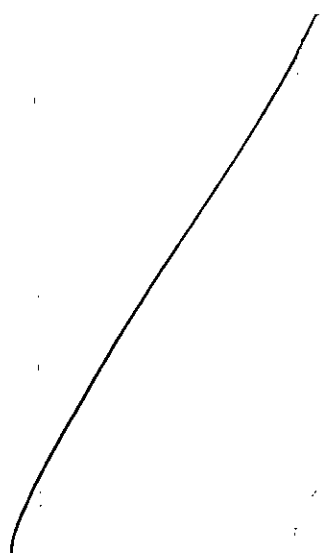
Lawyers are on general strike, therefore, case is adjourned to

05.12.2022 for arguments before D.B.

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

  
(Fareeha Paul)  
Member (E)

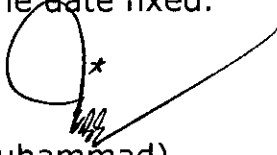
  
(Rozina Rehman)  
Member (J)




06.07.2022

Appellant alongwith her counsel present. Mr. Naseer-ud-Din Shah, Assistant Advocate General for official respondents No. 1 to 3 present.

Learned Assistant Advocate General sought time for submission of reply on application. Adjourned. To come up for reply as well as arguments on application as well as main appeal before the D.B on 14.09.2022. The operation of impugned Notification shall remain suspended to the extent of appellant till the date fixed.

  
(Mian Muhammad)  
Member (E)


  
(Salah-ud-Din)  
Member (J)

14.09.2022

Appellant present through counsel.

Kabir Ullah Khattak, learned Additional Advocate General Naseer Ud Din Shah, Assistant for respondents present.

Former made a request for adjournment in order to prepare the brief. Adjourned. To come up for arguments on 30.09.2022 before D.B. The operation of impugned Notification shall remain suspended to the extent of appellant till the date fixed.

  
(Fareeha Paul)  
Member(E)

  
(Rozina Rehman)  
Member(J)

17.05.2022

Learned counsel for the appellant present. Mr. Naseer-ud-Din Shah, Assistant Advocate General for official respondents No. 1 to 3 present. None present on behalf of impleaded respondent, therefore, notice be issued to her through registered post for submission of written reply/comments and to come up for arguments on 03.06.2022 before the D.B. The operation of impugned notification shall remain suspended to the extent of appellant till the date fixed.



(Rozina Rehman)  
Member (J)



(Salah-ud-Din)  
Member (J)

03.06.2022

Bench is incomplete, therefore, case is adjourned to 24.06.2022 for the same as before.



Reader.

24.06.2022

Learned counsel for the appellant present. Mr. Faheem, Assistant alongwith Mr. Naseer-ud-Din Shah, Assistant Advocate General for official respondents No. 1 to 3 present.

Learned counsel for the appellant submitted an application for deletion of name of private respondent No. 4 namely Mst. Surriya Taj from the panel of respondents on the ground that she has been transferred to Abbottabad and is no more necessary party in the instant appeal. To come up for reply as well as arguments on the aforementioned application as well as main appeal before the D.B on 06.07.2022.



(Mian Muhammad)  
Member (E)

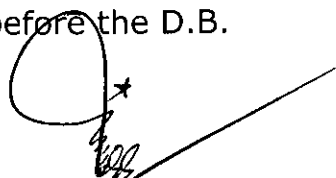


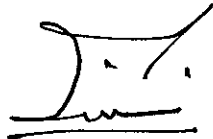
(Salah-ud-Din)  
Member (J)

09.05.2022

Learned counsel for the appellant present. Mr. Riaz Ahmed Paindakhel, Assistant Advocate General for the respondents present.

Learned counsel for the appellant submitted an application for impleadment of Mst. Surriya Taj SDEO (Female) as respondent in the instant appeal on the ground that vide impugned order dated 11.01.2022, Mst. Surriya Taj SDEO (Female) has been transferred to Khanpur Haripur, where the appellant was posted. While going through the impugned Notification dated 11.01.2022 Mst. Surriya Taj is a necessary part to the controversy in question. Moreover, her impleadment is necessary for just and right decision of the appeal. Learned Assistant Advocate General is also having no objection on acceptance of the impleadment application. The application is, therefore, allowed and Mst. Surriya Taj SDEO (Female) is arrayed as respondent in the instant appeal. Office is directed to do the needful. Notice be issued to impleaded respondent for submission of comments and to come up on 17.05.2022 for arguments before the D.B.

  
(Mian Muhammad)  
Member (E)

  
(Salah-ud-Din)  
Member (J)

22.02.2022

Due to retirement of the Worthy Chairman, the Tribunal is defunct, therefore, case is adjourned to 22.03.2022 for the same as before.

  
Reader

21.03.2022

None for the appellant present. Mr. Kabirullah Khattak, Addl: AG alongwith Mr. Fahim Khan, Litigation Officer for the respondents present.

Written reply on behalf of the respondents not submitted. Representative of the respondents seeks time to submit the same. Notices be issued to the appellant and her counsel. To come up for written reply/comments on 06.04.2022 before S.B. The operation of the impugned notification <sup>shall remain</sup> is suspended to the extent of appellant till date fixed.

  
(MIAN MUHAMMAD)  
MEMBER(E)

06.04.2022

None for the appellant present. Mr. Kabirullah Khattak, Addl: AG alongwith Mr. M. Faizan Zeb, SO (Lit) for respondents present.

Written reply/comments on behalf of respondents No. 1 to 3 submitted which is placed on file. Adjourned. To come up for rejoinder and arguments on 09.05.2022 before D.B. The operation of the impugned notification shall remain suspended to the extent of appellant till date fixed.

  
(MIAN MUHAMMAD)  
MEMBER(E)

28.12.2021

Counsel for the appellant present. Preliminary arguments heard.

The appellant has invoked the jurisdiction of this Tribunal to impugn the transfer/posting Notification bearing No.SO(MC)E&SED/4-16/2021/POSTING/TRANSFER/MC: Dated 11.01.2022, whereby she has been transferred from SDEO(Female) Khanpur Haripur to SDEO (Female) Pabbi Nowshera in the public interest. Learned counsel for the appellant contends that the appellant was posted as SDEO(F) Khanpur on 26.10.2021 and just after 02 months and 13 days, the impugned transfer has been made, which is premature and against the rules. She further contends that the husband of appellant is serving in Elementary & Secondary Education Department as Instructor RBDC (M) Sub Division Haripur, hence the impugned order is also against the Spouse Policy of the Provincial Government. What best public interest lies in frequent transfers of the appellant is required to be dug out during the course of full hearing. 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 22/02/2022 before S.B.

Appellant Deposited  
Security & Process Fee

An application for interim relief seeking suspension of operation of impugned notification has been filed alongwith memorandum of appeal. Notice of application be also given to the respondents. The operation of the impugned notification is suspended to the extent of appellant till date fixed.



  
Chairman

Form- A

# FORM OF ORDER SHEET

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

Case No.- \_\_\_\_\_ 127/2022

| S.No. | Date of order proceedings | Order or other proceedings with signature of judge                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
|-------|---------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1     | 2                         | 3                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| 1-    | 27/01/2022                | <p>The appeal of Mst. Nagina Bibi resubmitted today by Roeeda 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;"><br/>REGISTRAR</p> <p>This case is entrusted to S. Bench at Peshawar for preliminary hearing to be put up there on <u>28/01/22</u>.</p> <p style="text-align: right;"><br/>CHAIRMAN</p> |
| 2-    |                           |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |