


18.10.2022

Appellant present through counsel.

Muhammad Jan, learned District Attorney for respondents present.

Former made a request for adjournment in order to prepare the brief. Adjourned. To come up for arguments on 08.12.2022 before D.B.



(Fareeha Paul)
Member(E)



(Rozina Rehman)
Member (J)

08.12.2022

Appellant in person present. Mr. Hamadullah, Assistant Director alongwith Mr. Naseer-ud-Din Shah, Assistant Advocate General for the respondents present.

Appellant again sought adjournment on the ground that his counsel is busy in the august Peshawar High Court, Peshawar. Adjourned. Last opportunity given. To come up for arguments on 13.12.2022 before the D.B. The appeal in hand pertains to transfer of the appellant and is pending adjudication since 14.12.2022, therefore, appellant shall positively ensure the presence of his counsel on the date fixed.


(Mian Muhammad)
Member (E)


(Salah-Ud-Din)
Member (J)

13th June, 2022

Appellant in person present. Mr. Kabeer ullah Khattak, AAG alongwith Hamdullah, A.D (Legal) for the respondents No.1 & 2 present.

Written reply on behalf of respondents No.1 & 2 have already been submitted while respondent No.3 has not submitted his reply/comments. Therefore, his right for submission of written reply/comments is struck off. To come up for arguments on 07.07.2022 before D.B.

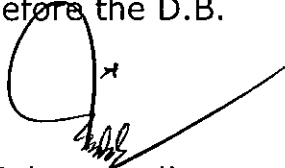


(Kalim Arshad Khan)
Chairman

07.07.2022

Appellant in person present. Mr. Hameed Ullah, Assistant Director (Litigation) alongwith Mr. Kabirullah Khattak, Additional Advocate General for official respondents No. 1 & 2 present.

Appellant requested for adjournment on the ground that his counsel is not available today due to strike of lawyers. Adjourned. To come up for arguments on 18.10.2022 before the D.B.




(Mian Muhammad)
Member (E)



(Salah-ud-Din)
Member (J)

04.04.2022

Appellant present in person. Mr. Kabirullah, Addl. AG alongwith Hamdullah, A.D (Legal) for respondents No. 1 & 2 present. Reply of respondents No. 1 & 2 already received through office. Address of respondent No. 3 is incorrect. Appellant submitted application for correction of address of respondent No. 3. Address of respondent No. 3 be corrected according to application. Fresh notice be issued to private respondent No. 3 through TCS. Expenses be deposited by the appellant within two days. To come up for reply of respondent No. 3 on 09.05.2022 before S.B.



Chairman

09.05.2022

Appellant in person present.

Kabir Ullah Khattak learned Additional Advocate General alongwith Hamdullah AD (Legal) for respondents No.1 & 2 present.

Despite directions expenses for service of notice to private respondent No.3 through TCS were not deposited. Appellant is strictly directed to deposit the same ~~by~~ today, where-after, notice be issued to private respondent No.3 through TCS. To come up for reply of private respondent No.3 on 13.06.2022 before S.B.

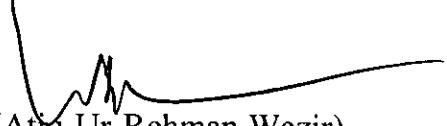


(Rozina Rehman)
Member (J)

17.01.2022

Appellant with counsel present. Mr. Muhammad Adeel Butt, Addl. AG for respondents present. Nemo for private respondent No. 3.

Reply/comments on behalf of respondents are still awaited. Learned Additional Advocate General sought time for submission of reply/comments. Representative of respondents requested for time to submit reply/comments. Granted with direction to respondent department to release the salary of the appellant immediately, otherwise strict action shall be taken against them. To come up for reply/comments before the S.B on 22.02.2022. The operation of the impugned order dated 22.11.2021 is suspended till date fixed.


(Atiq-Ur-Rehman Wazir)
Member (E)

22.02.2022

Due to retirement of the Worthy Chairman, the Tribunal is defunct, therefore, case is adjourned to 04.04.2022 for the same as before.


Reader

21.12.2021

Counsel for the appellant present. Preliminary arguments heard.

The appellant has invoked the jurisdiction of this Tribunal to impugn the transfer/posting order bearing No. Dir/TPT/1-82/P&T/8938-41, dated 22.11.2021, whereby he has been transferred from Regional Transport Authority (RTA) Mardan to RTA Hazara. According to account of the previous transfers of the appellant as per record annexed with the Memorandum of appeal, he while posted in RTA Mardan was transferred to RTA D.I.Khan vide order dated 31.12.2019. He was then transferred from RTA D.I.Khan to RTA Hazara at Abbottabad vide order dated 13.11.2020 followed by his transfer from RTA Hazara to RTA Mardan vide order dated 05.03.2021. Now in the same year after about 8/9 months of his posting in RTA Mardan, he has been transferred to RTA Hazara citing the reason of its being in the best public interest. 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 full 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 on 17.01.2022 before S.B.

Appellant Deposited
Access Fee
21/12/21

An application for interim relief seeking suspension of operation of impugned order has been filed alongwith memorandum of appeal. Notice of application be also given to the respondents. The operation of the impugned order dated 22.11.2021 is suspended till date fixed.




Chairman

Form- A

FORM OF ORDER SHEET

Court of _____

Case No.- _____ 7868/2021

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	14/12/2021	<p>The appeal of Mr. Amir Baz Khan presented today by Mr. Asif Ali Shah 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> <p>This case is entrusted to S. Bench at Peshawar for preliminary hearing to be put there on 05/01/22 <u>21-12-2021</u></p> <p style="text-align: right;"> CHAIRMAN</p>
2-		