

14th Dec, 2022

1. Appellant in person present. Mr. Muhammad Adeel Butt, Addl: AG alongwith Mr. Fahim Khan, Assistant for official respondents and private respondent No.6 in person present.

2. This case was fixed for 26.01.2023 but in a fresh appeal No. 1648/2022 filed by the private respondent No.6 against an order dated 10.08.2022, date in this appeal was accelerated and it was fixed for today.

3. Representative of the respondents informed the court that after the impugned order, the appellant was transferred vide notification No. SO(S/F) E&SED/4-16/2022/Posting/Tranfer/MC dated 14.07.2022 as Deputy District Education Officer, Haripur and he had assumed the charge of the post on 20.07.2022. The appellant has not only admitted his further transfer but has also admitted the factum of assumption of the charge against the new assignment and further submitted that he had assumed the charge under protest. It is incomprehensible as to how a civil servant acts under protest especially when he is asked to perform duty at a certain place. It is not a good gesture displayed by the civil servant. Besides the appellant ought to have himself informed the Tribunal about his further transfer to Haripur and his complying with the fresh transfer order.

4. Be that as it may, since the appellant has been further transferred, and he has joined the new assignment, therefore, this appeal has rendered fruitless and is disposed of accordingly. Consign.

5. *Pronounced in open court in Camp Court Abbottabad and given under my hand and seal of the Tribunal on this 14th day of December, 2022.*



(Salah Ud Din)
Member(Judicial)
Camp Court Abbottabad



(Kalim Arshad Khan)
Chairman
Camp Court Abbottabad