

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR.

Service Appeal No. 15917/2020

Adil Zaman, Lecturer in Commerce, Government Commerce of
College-II, Mardan.

VERSUS

The Chief Secretary, Khyber Pakhtunkhwa, Peshawar and 02 others.

ORDER

17.02.2023

Mr. Asad Mehmood, Advocate for the appellant present and submitted Wakalatnama, which is placed on file. Mr. Muhammad Riaz Khan Paindakhel, Assistant Advocate General for the respondents present.

2. The appellant is aggrieved from the Notification dated 03.12.2020, whereby he was transferred from Government College of Commerce No. 2 Mardan to Government College of Management Sciences D.I.Khan, against which he filed departmental appeal on 07.12.2020, which was not responded, hence the instant service appeal. During the preliminary hearing, vide order sheet dated 24.12.2020, the impugned transfer Notification dated 03.12.2020 was suspended and the appellant remained posted at Government College of Commerce No. 2 Mardan, which indicates that his stay at Government College of Commerce No. 2 Mardan lasted from 17.10.2018 till date. This means that he remained at Government College of Commerce No. 2 Mardan for more than 04 years and has thus completed his normal tenure of posting. Learned counsel for the appellant as well as learned Assistant Advocate General agreed that as the appellant has already completed

his normal tenure at Government College of Commerce No. 2 Mardan, therefore, competent Authority may be kept at liberty to pass any order regarding posting/transfer of the appellant.

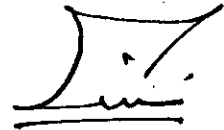
3. In view of the above, we hold that the competent Authority shall be at liberty either to keep intact the impugned order or to make any further order of posting/transfer of the appellant in the best interest of public. The appeal in hand is disposed of accordingly. Parties are left to bear their own costs. File be consigned to the record room.

ANNOUNCED

17.02.2023



(FAREEHA PAUL)
MEMBER (EXECUTIVE)



(SALAH-UD-DIN)
MEMBER (JUDICIAL)