

-1-

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,
PESHAWAR

C.M. No. _____/2023

IN

APPEAL No.1423/2022

Khyber Pakhtunkhwa
Service Tribunal

Diary No. 4707

Dated 4/4/2023

Mr. Syed Shah Sayed, Superintendent BPS-17
Printing Press Headquarter, Peshawar.....**Applicant/Appellant**

VS

1. The Government of Khyber Pakhtunkhwa through Chief Secretary, Civil Secretariat Peshawar
2. The Secretary Industries Commerce and Technical Education Department, Khyber Pakhtunkhwa, Peshawar.
3. The Director General Industries & Commerce Department, Peshawar.....**Respondents**

APPLICATION FOR SUSPENSION OF THE OPERATION OF THE NOTIFICATION DATED 28.03.2023 TO THE EXTENT OF APPLICANT AT SERIAL NO. 8 OF THE NOTIFICATION TILL THE DISPOSAL OF THE ABOVE MENTIONED APPEAL

R/SHEWETH:

- 1- That the above mentioned appeal is pending adjudication before this august service tribunal in which 10.05.2023 date is fixed for hearing.
- 2- That in the above mentioned appeal the appellant has challenged the transfer notification whereby he was transferred from Peshawar to Kohat against cross cadre post, wherein the respondents have already submitted their para wise comments.
- 3- That during the pendency of the above mentioned appeal the respondents issued notification dated 28.03.2023 whereby at serial No. 8 of that notification the applicant was again transferred from Kohat to District Mohmand, irrespective of the fact that the matter of the transfer of the applicant was *sub judice* before this august tribunal. Copy of the notification dated 28.03.2023 is attached as annexure**A.**
- 4- That all the three ingredients necessary for the stay are in favor of the petitioner.

-2-

It is therefore most humbly prayed that on acceptance of this application the notification dated 28.03.2023 to the extent of applicant at serial No. 8 may kindly be suspended till the disposal of main appeal.

DATED 04.04.2023


APPLICANT
SAYED SHAH SAYED

THROUGH:


NOOR MOHAMMAD KHATTAK
ADVOCATE SUPREME COURT

AFFIDAVIT

I **Syed Shah Sayed** S/O Syed Nawab Hussain Shah R/O House No.T-2094 Mohallah Alfallah, G.T Road Hashtnagri, Peshawar city, do hereby solemnly affirm that the contents of this **APPLICATION** are true and correct to the best of my knowledge and belief and nothing has been concealed from this Honorable Court.


DEPONENT





**GOVERNMENT OF KHYBER PAKHTUNKHWA
INDUSTRIES, COMMERCE & TECHNICAL
EDUCATION DEPARTMENT**

NOTIFICATION28th March, 2023

No. SOI(IND)2-61/2020/2441-07 The Competent Authority has been pleased to order posting / transfer of the following officers / officials of Directorate General, Industries & Commerce Khyber Pakhtunkhwa as noted against each, with immediate effect, in the public interest:-

SN	Name of officers / officials	From	To
1.	Mr. Asif Ullah, Assistant Director (BPS-17)	Assistant Director Industries/CPC, District Malakand	Assistant Director Industries/ CPC, District Peshawar
2.	Muhammad Jamil, Assistant Director (BPS-17)	Assistant Director Industries/ CPC, District Peshawar	Assistant Director Industries/ CPC, District Nowshera
3.	Mr. Niaz Bahadur Assistant Director (BPS-17)	Assistant Director Industries/ CPC, District Mohmand	Assistant Director Industries/ CPC, District Charsadda.
4.	Muhammad Israel, Assistant Director (BPS-17)	Assistant Director Industries/ CPC, District South Waziristan	Assistant Director Industries/ CPC, District Kurram against the vacant post.
5.	Mr. Mazhar Ali Shah Assistant Director (BPS-17)	Newly promoted from Industrial Development Officer (BPS-16)	On promotion, allowed to actualize his promotion against already occupied post of Assistant Director, Industries / CPC, Mardan.
6.	Mr. Shahid Assistant Director (BPS-17)	Newly promoted from Industrial Development Officer (BPS-16)	On promotion, allowed to actualize his promotion against already occupied post of Assistant Director, Industries / CPC, Swabi
7.	Mr. Javed Ahmad Registrar (BPS-17)	Presently working as Assistant Director Industries/ CPC, District Nowshera	Registrar CPC, Swabi
8.	Syed Shah Syed Superintendent (BPS-17)	Assistant Director Statistics (O.P.S) o/o Deputy Director IC&T, Kohat Region.	Assistant Director, Industries / CPC, District Mohmand (O.P.S)
9.	Mr. Abdullah, Assistant (BPS-16)	O/o the Assistant Director Industries/ CPC, District Swat	Assistant Director Industries/ CPC, District Bajaur (O.P.S) against the vacant post.
10.	Mr. Mudassar Iqbal Assistant (BPS-16)	Industrial Development Officer D.I.khan (O.P.S)	Assistant Director Industries/ CPC, District South Waziristan (O.P.S).
11.	Muhammad Ibrahim, Assistant (BPS-16)	Assistant Director, Industries / CPC, District Swat (O.P.S)	Assistant Director, Industries / CPC, District Malakand (O.P.S)

* Consequent upon the transfer of Muhammad Ibrahim from the post of Assistant Director IND/CPC, Swat, Mr. Asif Raza, Deputy Director, Industries, Commerce & Trade, Malakand Region may be entrusted with the look after charge of the post of Assistant Director IND/CPC, Swat till further orders.

**SECRETARY TO GOVT: OF KHYBER PAKHTUNKHWA
Industries, Commerce & Technical Edu: Department**

Attested