

03.03.2023

Learned counsel for the appellant present. Mr. Umair Azam, Additional Advocate General for the respondents present.


Reply/comments on behalf of respondents have already been submitted. Preliminary arguments heard.

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

The appeal is admitted to full hearing subject to all just and legal objections by the other side. The appellant is directed to deposit security fee within ten days. To up for arguments on 16.03.2023 before D.B. P.P parties to the parties.

*Rs-100/-*  
Appellant Deposited  
Security & Process Fee


*A. Arshad*  
13/3/23


  
(Muhammad Akbar Khan)  
Member (E)

16<sup>th</sup> Mar, 2023

Learned counsel for the appellant present. Mr. Muhammad Jan, District Attorney for respondents present.

Learned counsel for the appellant requested for adjournment in order to prepare the brief. Adjourned. To come up for arguments on 04.05.2023 before D.B. PP given to the parties.

  
(Salah-Ud-Din)  
Member (J)

  
(Kalim Arshad Khan)  
Chairman

**ORDER**

4<sup>th</sup> May, 2023

**KALIM ARSHAD KHAN, CHAIRMAN:** Learned counsel for the appellant present. Mr. Asif Masood Ali Shah, Deputy District Attorney for the respondents present.

2. Learned counsel for the appellant has at the very outset submitted that impugned order was passed on 02.02.2022 transferring the appellant from the post of Head Master (BPS-17) GHS Akhunzadgan, District Mohmand and posted as S.S (Pak Study) (BS-17) at GHSS Hassanzai, Charsadda. He further submitted that the impugned order dated 02.02.2022 was challenged before the Hon'ble Peshawar High Court, Peshawar in writ petition No. 903/2022 because the Tribunal was dysfunctional on retirement of the Chairman. That the Hon'ble Peshawar High Court, Peshawar had suspended the operation of the impugned order and on 24.03.2022 the Hon'ble Peshawar High Court, Peshawar and sent the file to this Tribunal for its disposal. Learned counsel for the appellant submitted that <sup>the suspension of</sup> the operation of the impugned transfer order <sup>continued</sup> and remained suspended till date when in the meantime normal tenure of the appellant at GHS Akhunzadgan, District Mohmand had been completed rendering this appeal fruitless. Disposed of accordingly. Consign.

3. *Pronounced in open court in Peshawar and given under our hands and seal of the Tribunal on this 4<sup>th</sup> day of May, 2023.*



(Salah ud Din)  
Member (J)



(Kalim Arshad Khan)  
Chairman