

31st July, 2023

1. Appellant alongwith counsel present and submitted an application for placing on file necessary documents. Application is allowed and documents are placed on file.

2. Learned counsel for the appellant argued that appellant was transferred vide impugned order dated 10.05.2023 against which he filed departmental appeal on 12.05.2023 which was rejected on 25.07.2023. The appellant filed instant service appeal on 31.07.2023 under Section 4 of Khyber Pakhtunkhwa Service Tribunal Act, 1974. He argued that despite ban imposed by Election Commission of Pakistan, appellant was prematurely transfer without completing normal tenure which is also against the transfer/posting policy. He further argued that the appellant was transferred on political influence and not in the public interest. The appeal in hand is admitted to full hearing subject to all legal objections. The appellant is directed to deposit security fee within 10 days. Thereafter, notices be issued to respondents for submission of written reply/comments. Respondents be summoned through TCS the expenses of which be deposited by the appellant. To come up for written reply/comments on 21.08.2023 before S.B. P.P given to learned counsel for the appellant.

3 Alongwith the appeal there is an application of suspension of operation of impugned order dated 10.05.2023. In the meanwhile, operation of impugned order is suspended, if not already acted upon.



(Rashida Bano)
Member (J)

FORM OF ORDER SHEET

Court of _____

SCANNED
KPOT
Peshawar

Appeal No. 1556/2023

S.No.	Date of order proceedings	Order or other proceedings with signature of judge.
1	2	3
1-	27/07/2023	The appeal of Mr. Irshad Khan presented today by Mr. Noor Muhammad Khattak Advocate. It is directed for preliminary hearing before Single Bench at Peshawar on 01-08-2023
		By the order of Chairman  REGISTRAR