


07.09.2023

1. Learned counsel for the petitioner present. Mr. Asad Ali Khan learned Assistant Advocate General alongwith Shad Mohammad, DFC and Shehbaz, Deputy Director for the respondents present.

2. This application is for initiating COC proceedings due to non compliance of this court order dated 24.08.2023 by respondent No. 3. Perusal of order reveals that operation of impugned transfer order dated 24.05.2023 was suspended to the extent of petitioner till date fixed, if not already act upon. Representative of respondents present and submitted charge assumption/arrival report of the petitioner dated 05.06.2023 as well as his counterpart Ms. Nabeela Alam on 30.05.2023 also submitted attested copies of salary slip for the month of July 2023 of petitioner as well as Ms. Nabeela Alam. In accordance with which salary of the petitioner was started at the new place of posting Mansehra as well as Ms. Nabeela Alam at Abbottabad which means that transfer/posting order dated 24.05.2023 was already acted upon on 30.05.2023 by Ms. Nabeela Alam on 05.06.2023 by the petitioner much before issuance of suspension order on 24.08.2023 wherein it is clearly mentioned that it was remain suspended to the extent of petitioner if not already acted upon. So in my humble view when order was already acted upon then there is no need to initiate any proceeding against the respondent or to direct respondent No. 3 to comply with the order. In the circumstances CM filed by the petitioner is dismissed accordingly. Consign.


(Rashida Bano)
Member (J)

Form- A

FORM OF ORDER SHEET

Court of _____

Implementation Petition No. E16/2023

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1	07.09.2023	<p>The implementation petition of Mr. Abbas Khan submitted today by Mr. Muhammad Arshad Khan Tanoli Advocate. It is fixed for implementation report before touring Single Bench at A.Abad on _____ . Original file be requisitioned. AAG has noted the next date.</p>

**SCANNED
KPST
Peshawar**

By the order of Chairman


REGISTRAR