


12th Oct. 2023

1. Learned counsel for the petitioner and Mr. Assad Ali Khan, Assistant Advocate General for the respondents present.
2. The petitioner was transferred to the post of SDEO (Male) Takht-e-Nusrati, Karak vide order dated 30.12.2021, but after few days of his transfer, he was transferred from the post of SDEO (Male), Takht-e-Nusrati to the post of SDEO (Male) Mir Ali, North Waziristan. The petitioner had impugned the transfer order dated 10.01.2022 in Service Appeal No.143/2022 on the ground that, that was issued against the posting/transfer policy by not allowing the petitioner to complete his normal tenure. It was, inter-alia, prayed in the appeal that the respondents might be directed not to transfer the appellant prematurely in violation of the posting/transfer policy. The appeal of the appellant was allowed as prayed for, by a Division bench of the Tribunal on 24.02.2022, meaning thereby the petitioner was to complete tenure of two years as SDEO (Male) Takht-e-Nusrati, Karak provided under the posting/transfer policy as SDEO, Takht-e-Nusrati, Karak till 29.12.2023, but not only against the judgment, but also against the posting/transfer policy of the Government, the petitioner was transferred from the post of SDEO Takht-e-Nusrati and was directed to report to the Directorate of Elementary & Secondary Education Khyber Pakhtunkhwa, Peshawar. Let the respondents be put on notice to respond to the question as to why the judgment was not honored in its true spirit and why the petitioner was transferred allowing him to complete his normal tenure of two years. To come up for implementation report on 18.10.2023 before S.B. P.P given to the parties.


(Kalim Arshad Khan)
Chairman

Mutazem Shah