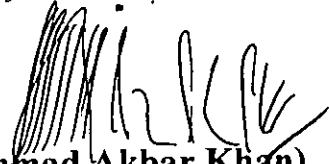


we are not inclined to proceed further and dismiss the instant appeal being infructuous. Consign.

03. *Pronounced in open court at Peshawar and given under our hands and seal of the Tribunal on this 12th day of October, 2023.*



(Rashida Bano)
Member (J)



(Muhammad Akbar Khan)
Member (E)

Service Appeal No. 1423/2022 titled "Sayed Shah Sayed Versus Government of Khyber Pakhtunkhwa through Chief Secretary, Civil Secretariat Peshawar and others"

ORDER

12.10.2023

MUHAMMAD AKBAR KHAN, MEMBER (E):- Learned counsel for the appellant present. Mr. Muhammad Jan, District Attorney for the respondents present. Arguments heard and record perused.

02. Perusal of record reveals that the appellant was initially appointed as Assistant (BS-16) in the Government Printing and Stationary Department on 26.06.2013. He was promoted to the post of Superintendent (BS-17) on 18.10.2016. Consequent upon the merger of Government Printing and Stationary Department with Director General Industry, Commerce Department, Khyber Pakhtunkhwa on 26.04.2022, the appellant was transferred as A.D Statistics in the Office of Deputy Director Industry, Commerce & Trade, Kohat vide order dated 23.05.2022. During the course of arguments it came to limelight that the appellant has been transferred back to Peshawar vide Notification dated 04.05.2023. When confronted with the latest development rendering the appeal infructuous, learned counsel for the appellant admitted it and made request for consideration of retention of accommodation of the appellant in Peshawar. We are not inclined to intervene into the matter of official accommodation as it is not part of terms & conditions of the service of the appellant and neither it has been sought for in the prayer of the appeal. Moreover, the respondents produced copy of Writ Petition before the Peshawar High Court, preferred by the appellant for retention of his official accommodation in Peshawar. In the given circumstances,