

while the learned Deputy District Attorney controverted the same by supporting the impugned order(s).

6. Through this appeal, the appellant seeks transfer and posting of her own choice. There is no original or appellate order from which the appellant could be said to have been aggrieved. The authority is not bound to give choice posting to a civil servant. Similarly, a civil servant cannot invoke the jurisdiction of the Tribunal to seek a direction to the authorities for posting against choice post.

7. This appeal being devoid of any merit, dismissed. Consign.

8. *Pronounced in open Court at Abbottabad and given under our hands and the seal of the Tribunal on this 25<sup>th</sup> day of October, 2023.*



**KALIM ARSHAD KHAN**  
Chairman



**FAREEHA PAUL**  
Member (Executive)

## JUDGMENT

**KALIM ARSHAD KHAN CHAIRMAN:** The facts gathered from the memorandum and grounds of appeal are that the appellant was appointed as PST (BPS-12) and was posted at GGPS Kalsoona Mada Khail, District Torghar vide order dated 11.03.2015. Accordingly, her services were regularized in the year 2018 w.e.f the date of her appointment. She was serving there. After serving for four years, in the said school, she requested to the authorities for her transfer to the area near the road, but her request was refused and on proposal of SDEO (Female), the appellant was transferred to Savay Narang vide order dated 13.08.2018, which was also hard area.

2. Feeling aggrieved, she filed departmental appeal but fiasco, hence, she filed the instant service appeal

3. On receipt of the appeal and its admission to full hearing, the respondents were summoned. Respondents put appearance and contested the appeals by filing written reply raising therein numerous legal and factual objections. The defence setup was a total denial of the claim of the appellant.

4. We have heard learned counsel for the appellant and learned Deputy District Attorney for the respondents.

5. The Learned counsel for the appellant reiterated the facts and grounds detailed in the memo and grounds of the appeal

**KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,**  
**PESHAWAR**  
**AT CAMP COURT, ABBOTTABAD**

BEFORE: **KALIM ARSHAD KHAN**  
**FAREEHA PAUL**

...**CHAIRMAN**  
... **MEMBER (E)**

*Service Appeal No.1629/2022*

Date of presentation of appeal.....03.11.2022  
Date of Hearing.....25.10.2023  
Date of Decision.....25.10.2023

**Sadia Bibi wife of Imran**, resident of Mongan, Tehsil & District  
Mansehra .....**Appellant**

Versus

1. **DEO** Female Education Department, District Torghar.
2. **DDEO** Female Education Department, District Torghar.
3. **SDEO** Female Education Department, District Torghar.
4. **Director** Education Department, Peshawar.
5. **Secretary** Education Department, Peshawar.

Present:

Mr. Azhar Zahoor Tanoli, Advocate.....For the appellant  
Mr. Asif Masood Ali Shah Deputy District Attorney.....For Respondents

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APPEAL BEFORE SERVICE TRIBUNAL UNDER  
SECTION 4 OF THE KHYBER PAKHTUNKHWA SERVICE  
TRIBUNAL ACT, 1974, THAT PETITIONER AS PER  
SPOUSAL POLICY, MAY KINDLY BE ACCOMMODATED  
AND TRANSFERRED FROM DISTRICT TORGHAR TO  
DISTRICT MANSEHRA UNDER ESTA CODE KHYBER  
PAKHTUNKHWA REGARDING POLICY OF POSTING OF  
SERVING HUSBAND/WIFE IN THE SAME STATION.

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