

Service Appeal No.1403/2023 titled "Noreen Saba & other Vs. Education Department"

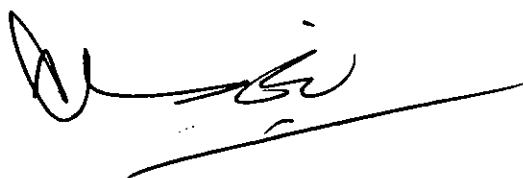
ORDER

13th Nov. 2023 **Kalim Arshad Khan, Chairman:** Learned counsel for the appellant present.

Mr. Habib Anwar, Additional Advocate General for the official respondents present. Mr. Motasim Billah Shah, Secretary to Government of Khyber Pakhtunkhwa, Elementary & Secondary Education (respondent No.2) is present in person. Mr. Ahmad Ali Khan, Advocate present on behalf of private respondent No.10 through video link from D.I.Khan and for the appellant in appeal No.1441/2023.

2. Through this single order, we are going to decide this appeal as well as connected Appeal No.1441/2023 titled "Sonia Nawaz Vs. Education Department" as both are almost interdependent and thus, can conveniently be decided together.

3. At the very outset, respondent No.2 i.e. Secretary Elementary & Secondary Education Department, has informed the Tribunal that the posts, against which the private parties are litigating, are provincial cadre posts. However, in view of the fact that the private parties are ladies, therefore, the department takes all care that they could be accommodated nearer to their home stations. The Secretary further offered that let the matter might be sent to the department, where, he will make all the private parties sit together and he would issue an appropriate order of posting of private parties having regard to the abode, tenure provided in the posting/transfer policy as well as exigency of services and public interest, to which, the learned counsel for the private parties did not object. Therefore, we dispose of these appeals by sending the cases of the private parties of these two appeals to the Secretary

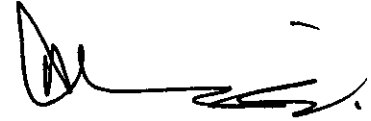


Elementary & Secondary Education Department Khyber Pakhtunkhwa for appropriate action at his end, within 30 days from today. (Copy of this order be placed on file of connected appeal No.1441/2023 titled 'Noreen Saba Vs. Education Department'). Consign.

4. *Pronounced in open Court at Peshawar and given under our hand and seal of the Tribunal on this 13th day of November, 2023.*



(Salah-Ud-Din)
Member (Judicial)



(Kalim Arshad Khan)
Chairman

Mutazem Shah