

her past. We therefore, direct the respondents to issue posting order in respect of the appellant commensurate with her cadre and BPS without further wastage of time.

03. The instant appeal is disposed of on the above terms. Consign.

04. *Pronounced in open court at Peshawar and given under our hands and seal of the Tribunal on this 7th day of November, 2023.*



(Rashida Bano)
Member (J)



(Muhammad Akbar Khan)
Member (E)

Service Appeal No. 1496/2023 titled "Syeda Anjum Versus Government of Khyber Pakhtunkhwa through Secretary Education Department, Peshawar and others"

ORDER

07.11.2023

MUHAMMAD AKBAR KHAN, MEMBER (E):- Learned counsel for the appellant present. Mr. Asif Masood Ali Shah, Deputy District Attorney for official respondents present. Learned counsel for private respondent also present. Arguments heard and record perused.

02. The appellant was transferred from the post of DEO (F) D.I.Khan and the respondent No. 5 was posted as DEO (F) D.I.Khan vide letter dated 14.04.2023, directing the appellant to report to Directorate of E&SE Peshawar. The learned counsel for the appellant has made the aforementioned order impugned on the grounds of tenure of the appellant being immature and the posting of respondent being junior (BS-18) to be posted as DEO which is BS-19 post. Learned Deputy District Attorney and representative of the respondent responded that the impugned order has been issued in the public interest and exigency of service duly covered under Section-10 of the Civil Servants Act, 1973. They further stated at the bar that the case of the respondent for promotion/appointment to BS-19 has been cleared by the PSB in its meeting on 19.09.2023 and formal notification to this effect will be issued within days which is lying approval of the competent authority (Chief Minister). As such we do not find merit to intervene in the routine matter of posting /transfer. However, we take cognizance of the fact that the appellant has not been given posting in accordance with her cadre and Basic Pay Scale despite lapse of around 07 months for no fault on

