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REGISTERED
No. C.P.1119/2022 - SCJ
SUPREME COURT OF PAKISTAN

Islamabad, dated 27/11/2023

From The Registrar,
Supreme Court of Pakistan,
Islamabad.

To The Registrar,
Khyber Pakhtunkhwa Service Tribunal,
Peshawar.

Khyber Pakhtunkhwa
Service Tribunal

Diary No. 9592

Dated 29/11/23

Subject: **CIVIL PETITION NO. 1119 OF 2022**

Mumtaz Ali

Versus

The Secretary (E&SI) Department, Khyber Pakhtunkhwa, Peshawar and
others

On appeal from the Judgment/Order of the Khyber Pakhtunkhwa
Service Tribunal, Peshawar dated 21/10/2021 in A.-12935/2020.

Dear Sir,

I am directed to enclose herewith a certified copy of the Order/Judgment
of this Court dated 26/10/2023 disposing of the above cited case in the terms stated
therein for information and further necessary action.

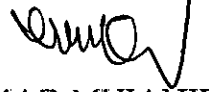
The operative part of the Order is reproduced hereunder:

*"The petitioner is, at liberty to approach the Department for the redressal
of his grievances. In case, the petitioner approaches the Department, his
grievances shall be considered and the matter should be decided strictly in
accordance with law, by a speaking written order.."*

Please acknowledge receipt of this letter along with its enclosure
immediately.

Encl: Order/Judgment:

Yours faithfully,



(MUHAMMAD MUJAHID MEHMOOD)
ASSISTANT REGISTRAR (IMP)
FOR REGISTRAR

IN THE SUPREME COURT OF PAKISTAN
(Appellate Jurisdiction)

Bench

Mr. Justice Jamal Khan Mandokhail
Mr. Justice Muhammad Ali Mazhar
Mr. Justice Syed Hasan Azhar Rizvi

Civil Petition No. 1119/2022

(Against the judgment dated 21.10.2021 KPK Service Tribunal, Peshawar
passed in SA No. 12935/2020)

Mumtaz Ali

...**Petitioner(s)**

Versus

The Secretary (E & SI) Department, Khyber ...**Respondent(s)**
Pakhtunkhwa, Peshawar and others

For the Petitioner(s): Mr. Muhammad Ikhlaque Awan, ASC
Syed Rifaqat Hussain Shah, AOR

For the Respondent(s): Mr. Sultan Mazhar, Addl. AG KPK

Date of Hearing: 26.10.2023

ORDER

Jamal Khan Mandokhail, J. The learned counsel for the petitioner, at the very outset, states that the petitioner has served at the place where he was transferred for a considerable time. According to him, the post of Senior theology Teacher is still vacant in the Government Darul Uloom Islamia (GDUI), Saidu Sharif. He states that if the petitioner is permitted to approach the Department for his transfer against the said vacant post and with further request to release all outstanding dues or salary, he will not press the petition.

2. Learned Additional Advocate General, present in Court on Court's notice, assured that if the petitioner approaches the Department, his grievance would be considered strictly in accordance with law.

ATTESTED



Court Associate
Supreme Court of Pakistan
Islamabad

CP. No. 1119 of 2022

The request is allowed. The petitioner is, at liberty to approach the Department for the redressal of his grievances. In case, the petitioner approaches the Department, his grievances shall be considered and the matter should be decided strictly in accordance with law, by a speaking written order. The petition is disposed of accordingly in these terms.

Sd/- - - - - J
Sd/- - - - - J
Sd/- - - - - J



Certified to be True Copy

Court Associate
Supreme Court of Pakistan
Islamabad

Islamabad,
26th October, 2023
Rizwan

QURAN 10/11/23