


that Inayatullah as well as Abdul Samad, who were included in posting/transfer Notification dated 24.07.2023 also belongs to teaching cadre but they were serving as SDEO (M) SD Sarwakai South Waziristan as well as SDEO (M) SD Ladha South Waziristan respectively.

Points agitated during preliminary hearing needs consideration, therefore, the appeal in hand is admitted to regular hearing subject to all legal and valid objections Appellant is directed to deposit security fee within 07 days. Respondents be summoned through TCS, the expenses of which be deposited by the appellant within seven days. To come up for written reply/comments on 15.01.2024 before the S.B at Camp Court D.I.Khan. Parcha Peshi given to the appellant

Alongwith memorandum of appeal, the appellant has filed an application for suspension of operation of impugned Notification dated 09.08.2023. Notice of the same also be issued to the respondents for the date fixed. Parcha Peshi given to the appellant.


(Salah-Ud-Din)
Member (J)
Camp Court D.I.Khan

Naeem Amin

19.12.2023

Appellant alongwith his counsel present. Preliminary arguments heard.

Learned counsel for the appellant contended that vide posting/transfer Notification dated 01.04.2021, the appellant was transferred from GMS Siplatoi South Waziristan as ADEO (M) at the office of DEO South Waziristan and was later on transferred as ASDEO at Tehsil Sarwerkai District South Waziristan vide posting/transfer Notification dated 14.12.2022; that the said notification was then withdrawn vide Notification dated 29.12.2022; that vide posting/transfer Notification dated 20.04.2023, the appellant was transferred to GMS old Sarwerkai District South Waziristan and was then transferred to GHS Sam District South Waziristan vide Notification dated 08.06.2023; that vide posting/transfer Notification dated 24.07.2023, the appellant was transferred as SDEO (M) SD Sarwakai South Waziristan, however just after 17 days of issuance of said Notification, the same was withdrawn/cancelled void ab-initio vide the impugned Notification dated 09.08.2023 without mentioning any reason; that the appellant has been made rolling stone and has not been allowed to complete his normal tenure of posting. Learned counsel for the appellant was asked that the appellant belongs to teaching cadre and as to whether he could be posted on the post of SDEO (M) SD Sarwakai South Waziristan which is a management cadre post; that in response to the afore-mentioned query, learned counsel for the appellant stated