


16.01.2024

Appellant alongwith his counsel present. Preliminary arguments heard.

Learned counsel for the appellant contended that vide order dated 10.03.2023, the appellant was posted as Settlement Naib Tehsildar Mansehra-I, Baffa Circle, however vide the impugned Notification dated 13.12.2023, his services were placed at the disposal of Commissioner Hazara Division without allowing him to complete is normal tenure of two years as prescribed under Posting/Transfer Policy; that private respondent No. 3 namely Muhammad Saleem is serving in BPS-11 as Kanungo, however he was posted at the place of appellant in his own pay and scale, which is violation of judgments of Supreme Court of Pakistan; that the appellant filed departmental appeal, which was filed being meritless vide order dated 11.01.2024 without assigning any reason, hence the instant appeal.

Points raised need consideration, hence the appeal in hand is admitted to regular hearing subject to all legal and valid objections. The appellant is directed to deposit security fee within 03 days. Respondents be summoned through TCS, the expenses of which be deposited by the appellant within three days.

Regarding the application submitted by the appellant for suspension of operation of the impugned office orders dated 13.12.2023 and 11.01.2024, learned counsel for the appellant stated that as the posting/transfer notification has already been acted upon, therefore, he would not press the said application. He, however requested for short date, therefore, to come up for written reply/comments on 30.01.2024 before the S.B. Parcha Peshi given to learned counsel for the appellant.


(Salah-Ud-Din)
Member (J)