


22.02.2024

Appellant alongwith his counsel present. Preliminary arguments heard.

Learned counsel for the appellant contended that vide order dated 11.04.2023 the appellant was transferred from Government Higher Secondary School Muslim Abad Kohat to the office of District Education Officer (Male) Kohat, while private respondent No. 4 namely Muhammad Tahir was transferred to the place of the appellant. He next contended that the aforementioned order dated 11.04.2023 was challenged by private respondent No. 4 through filing of service appeal before this Tribunal, which was dismissed vide judgment dated 28.08.2023 but even then the appellant was not allowed to complete his normal tenure and the order dated 11.04.2023 was wrongly and illegally recalled vide the impugned order dated 22.09.2023. He also argued that the appellant filed departmental appeal, however the same was not responded within the statutory period 90 days, 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 10 days. Respondents be summoned through TCS, the expenses of which shall be deposited by the appellant within three days. To come up for submission of written reply/comments on 05.03.2024 before the S.B.

Alongwith memorandum of appeal, the appellant has also filed an application for suspension of the impugned order dated 22.09.2023 and retain the order dated 11.04.2023. Notice of the same also be issued to the respondents for the date fixed.

  
(Salah-Ud-Din)  
Member (J)

# FORM OF ORDER SHEET

Court of \_\_\_\_\_

Appeal No. \_\_\_\_\_ 170/2024

Sl. No.	Date of order / proceedings	Order or other proceedings with signature of judge
1.	2	3


22/01/2024

The appeal of Mr. Fazal Rehman presented today by Mr. Hassan U.K. Afridi Advocate. It is fixed for preliminary hearing before Single Bench at Peshawar on 13-02-24 Parcha Peshi is given to counsel for the appellant.

By the order of Chairman

  
REGISTRAR

13.02.2024 Learned counsel for the appellant present and requested for adjournment in order to further prepare the brief. Adjourned. To come up for preliminary hearing on 22.02.2024 before S.B. P.P given to learned counsel.

  
(Rashida Bano)  
Member (J)

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