

BEFORE THE CHAIRMAN SERVICE TRIBUNAL
KHYBER PAKHTUNKHWA, PESHAWAR

Appeal No. 2213/2023

Abdul Majeed

Khyber Pakhtunkhwa
Service Tribunal

Diary No. 11669

Dated 08-08-2024
Appellant

VERSUS

Govt: of KPK & others

Respondents

WRITTEN ARGUMENTS ON BEHALF OF RESPONDENT NO. 6

Respectfully Sheweth:

1. The matter is regarding transfer of the appeal and it is purely administrative matter which is not based on Malac.
2. That appellant cannot claim a place as of right a place of posting.
3. It is the prerogative's respondent number 4 to transfer any subordinate within the division without discrimination.
4. As he is the competent authority to make transfer orders within the division.
5. The appellant is going to be retired in the year 2025 so therefore it is not justify to claim the place of posting to be his last year.
6. The transfer order is based on administrative grounds and not in favor of any person Even otherwise the appellant has not been transferred outside the division.
7. Being civil servant the appellant can be transferred throughout the province what to talk about within the division.
8. He mostly spent his service life at Paharpur and outside Paharpur he should not be warned as he is holding the post which was required to hold.

9. Previous records will show that the appellant is using political pressure and not the respondent No. 6, On every occasion he did not spend over 3 Months at a place and get transferred to Paharpur by using political influence.
10. If at all transfer order was without lawful justification then the appellate forum should have considered the same.
11. And the Appellate Authority maintained the transfer order which was well reasoned.
12. The order made on administrative grounds should not be interfered because the transfer and posting are the terms and conditions of service and cannot be agitated before any form.

It is therefore respectfully prayed that the appeal of the appellant may please be dismissed.

Dated: 08-03-2024

Abid Hussain Bukhari
AS

S. ABID HUSSAIN BUKHARI
Advocate Supreme Court
(On behalf of Respondent No. 6)