

be issued to the respondents and in the meanwhile operation of the said office order shall remain suspended till the date fixed. Respondents have failed to submit reply/comments despite several opportunities being given to them, therefore, last opportunity is granted subject to payment of cost of Rs. 10000/-. To come up for reply/comments of the application as well as main appeal and payment of cost of Rs. 10000/- on 28.03.2024 before the S.B. Parcha Peshi given to the parties.


(Salah-ud-Din)
Member (J)

14.03.2024

Learned counsel for appellant present. Mr. Yousaf Jamal, Assistant alongwith Mr. Asad Ali Khan, Assistant Advocate General for the respondents present and again sought time for submission of reply/comments.

2. Available on the record is an application submitted by the appellant through office on 13.03.2024, whereby suspension of operation of office order dated 08.03.2024 has been sought, vide which the services of the appellant have been placed at the disposal of District Health Officer Swat for further posting. Learned counsel for the appellant contended that despite suspension of the impugned order dated 07.12.2023 as well as order dated 23.02.2024, respondent No. 2 Director General Health Services, K.P Peshawar has passed another order dated 08.03.2024 for the purpose of frustrating suspension orders earlier issued by this Tribunal.

3. A perusal of the record would show that vide impugned order dated 07.12.2023, the appellant was transferred to the office of DHO Dir Upper, which was challenged by the appellant through filing of instant service appeal and operation of the said impugned order was suspended vide order dated 01.02.2024 passed by this Tribunal. Representative of the respondents was present before this Tribunal on 13.02.2024 but even then another order dated 23.02.2024 was issued, whereby the appellant was transferred and posted in the office of District Health Officer Mardan. The said order was also suspended by this Tribunal vide order dated 05.03.2024, however another order dated 08.03.2024 has^{now} been passed by the Director General Health Services, K.P Peshawar/respondent No. 2, whereby his services have been placed at the disposal of DHO Swat. Notice of application for suspension of operation of the office order dated 08.03.2024