

06.03.2024

Learned counsel for the appellant present and requested to submit amended memo of appeal. Granted. To come for amended appeal as well as preliminary hearing on 18.03.2024 before S.B. Parcha Peshi given learned counsel for the appellant.

SCANNED  
BY  
Peshawar

\*Kamranullah\*

(Muhammad Akbar Khan)  
Member (E)


18<sup>th</sup> Mar. 2024

1. Appellant alongwith his counsel present.
2. Vide impugned transfer order dated 05.10.2023 appellant was transferred from DHQ Hospital Charsadda to DHQ Hospital Shangla, against which he filed departmental appeal on 06.10.2023, which was not responded within stipulated period of ninety days, hence, the instant service appeal. The appeal is admitted to full hearing subject to all just and legal objections by the other side. The appellant is directed to deposit security fees within 10 days. Appellant has submitted amended appeal also. Notice of the same be issued to the respondents for reply. The respondents be summoned through TCS, the expenses of which be deposited by the appellant within three days. To come up for reply/comments on 28.03.2024 before S.B. P.P given to the counsel for appellant.
3. As to the application for suspension of the operation of the impugned order dated 05.10.2023, learned counsel for the appellant submitted that in compliance with the impugned order of transfer, the appellant had submitted arrival report at DHQ Hospital Shangla but the

Medical Superintendent DHQ Hospital Shangla put a note on the arrival report that there was no vacant post available at DHQ Shangla on which the appellant could be accommodated. The learned counsel submits that the appellant was posted at DHQ Hospital Shangla vide the impugned order and no one was posted against his post as is evident from the very impugned order, therefore, it was necessary for the purposes of salaries etc. that the impugned order should be suspended. Let the operation of impugned transfer order dated 05.10.2023 to the extent of appellant be suspended.

*Mutazem Shah*

*\*Mutazem Shah\**



(Kalim Arshad Khan)  
Chairman