

BEFORE THE KPK SERVICE TRIBUNAL PESHAWAR

CM. NO _____ 2024

In

APPEAL NO.401/2024

Khyber Pakhtunkhwa
Service Tribunal

Diary No. 11761

Dated 15/3/24

Naveed Akhter

V/S

Health Deptt:

**APPLICATION FOR SUSPENDING THE OPERATION OF
ORDER DATED 29-1-2024 TILL THE DISPOSAL OF MAIN
APPEAL.**

RESPECTFULLY SHEWETH.

1. That the above mentioned appeal is fixed for to day 15-3-2024.
2. That impugned transfer order is passed due to prematurely and in violation of posting transfer policy.
3. That the appellant was transfer/posted by Director Health Service which is not competent authority for the appellant which means that order passed is illegal, unlawful and void-ibi-intio and has no legal effect in the eyes of law.
4. That the appellant belong to Peshawar District and performing his duties as driver in Director General of Health from last 10 years ,with full zeal and Zest , meanwhile the appellant was transfer from the Distt Kohat to Peshawar on date 14-11 -2023 but tha same was turned down illegally with out lawful authorities on vide order date 29-1-2024. which is clear violation of posting transfer policy and principle of justice.
5. That the grounds of main appeal may also be considered as integral part of this application.
6. That the appellant has a good prima facie case and all the three ingredients are in favour of the appellant.

It is therefore most humbly prayed that the operation of the order dated 29-1-2024 may be suspended till the decision of main appeal.

Naveed
APPELLANT

THROUGH:

M. Asif Yousafzai
M.ASIF YOUSAFZAI
(ADVOCATE SUPREME COURT)

& *Noman Ali Bukhari*
(SYED NOMAN ALI BUKHARI)

ADVOCATE HIGH COURT

Hilal Zubair
HILAL ZUBAIR

ADVOCATE PESHAWAR

AFFIDAVIT.

It is solemnly affirmed that the contents of this application are true and correct and nothing has been concealed from this august Tribunal.

[Signature]
DEPONENT

