


27.06.2024

Learned counsel for the appellant present and argued that appellant was promoted as Senior Clerk and posted vide order dated 31.08.2023 as senior clerk in the office of Executive Engineer C&W Division Dir Upper. Learned counsel learned for the appellant further argued that through the impugned order dated 23.05.2024 he was transferred from C&W Division Dir Upper and to report to the Office of Chief Engineer (Centre) C&W Peshawar. He further argued that as per transfer/posting policy normal tenure of posting is two years, while appellant was transfer after about nine months on the basis of outside political interference. He further argued that a respondent No. 5 (Junior Clerk) was posted on the post of Senior Clerk (OPS) in violation of the rules. Appellant filed departmental appeal on 21.06.2024, which was not responded within statutory period of ninety day, hence the present service appeal. Points raised need consideration. Instant appeal is admitted for regular hearing subject to all just and legal objections. Appellant is directed to deposited security fee within seven days, thereafter notices be issued to the respondents for submission of written reply. Respondents be summoned through TCS the expenses of which be deposited by the appellant within three day. Adjourned. To come up for written reply/comments on 16.07.2024 before S.B. P.P given to appellant.

Annexed with the appeal, there is an application for suspension of operation of impugned order dated 23.05.2024 till the final decision of service appeal. Notice of this application be issued to the respondents. In the meanwhile operation of the impugned order shall remain suspended if not acted upon earlier.


(Rashida Bano)
Member (J)