

04.07.2024

1. Appellant alongwith counsel present. Mr. Arshad Azam learned Assistant Advocate General for the official respondents present. Mr. Taimur Ali Khan, Advocate present and submitted Wakalatnama on behalf of private respondent No. 3 which is placed on file.

2. Vide order sheet dated 14.06.2024, this Tribunal had given direction that operation of impugned order shall remain suspended if not acted upon earlier. Today from the arguments presented by learned counsel for private respondent No. 3 and the reply that has been submitted by him, it appears that the department issued a notification dated 14.06.2024 vide which they suspended the operation of impugned notification dated 04.06.2024 in pursuance of order of this Tribunal dated 14.06.2024. It has been noted here that the order dated 04.06.2024 had already been acted upon on 06.04.2024 and the department wrongly interpreted the order dated 14.06.2024 of this Tribunal. As the transfer order had already been acted upon on 06.04.2024, then there was no need of issuing the notification dated 14.06.2024 and that too by misinterpreting and using the name of this Tribunal. The department is directed to withdraw the notification, as no such order was issued by this Tribunal to suspend the operation of notification date 04.06.2024, that had already been acted upon. Written reply on behalf of private respondent No.3 submitted which is placed on file. Notice to official respondents not issued due to non-deposit of TCS expenses. Appellant is directed to deposit the same within three days, thereafter, notice be issued to the respondent for written reply. Adjourned. To come up for written reply/comments on 18.07.2024 before S.B. P.P given to the parties.

dated 14-6-2024

SCANNED
KPST
Peshawar

(Fareeha Paul)
Member (E)

18.07.2024

1. Learned counsel for the appellant present. Mr. Arshad Azam, Assistant Advocate General for official respondents No. 1 & 2 present. Learned counsel for private respondent No. 3 present.

2. Reply/comments on behalf of official respondents as well as private respondent not submitted. Learned Assistant Advocate General for official respondents as well as learned counsel for private respondent No. 3 seeks time for submission of reply/comments. Granted. To come up for reply/comments on 05.08.2024 before S.B. P.P given to the parties.



(Muhammad Akbar Khan)
Member (E)

Kamranullah