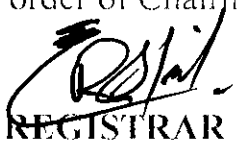


FORM OF ORDER SHEET

Court of _____

Appeal No. 1011/2024

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	23/07/2024	<p>The appeal of Mr. Sajjad Khan resubmitted today by Ms. Nadia Khan Advocate. It is fixed for preliminary hearing before Single Bench at Peshawar on 24.07.2024. Parcha Peshi given to counsel for the appellant.</p> <p style="text-align: right;">By the order of Chairman</p> <div style="text-align: center;">  REGISTRAR </div> <p>Appellant Sajad Khan Patwari alongwith his learned counsel Ms. Nida Khan, Advocate present. Preliminary arguments heard and case file perused.</p> <p>Learned counsel for the appellant contended that vide office order dated 09.07.2024 of the Deputy Commissioner, Charsadda (Respondent No. 2), the appellant was transferred from Patwar Halqa Agra to Patwar Halqa Mera, Prang and private respondent No. 3 namely Muhammad Ayaz Patwari was transferred at the place of the appellant. She next contended that private respondent No. 3 filed departmental appeal before the Respondent No. 1/ Commissioner Peshawar Division, Peshawar, against the order dated 09.07.2024, which was accepted vide impugned order dated 19.07.2024 without providing the chance of hearing to the appellant. She further contended that the</p>

Accepted
Nadia Khan Advocate
Peshawar


24th July, 2024


 24/07/2024

impugned order dated 19.07.2024 was passed mala-fidely in a hasty manner, which is against the gist of Article 10-A of the Constitution of Islamic Republic of Pakistan. She also argued that the impugned order dated 19.07.2024 is against the Transfer/Posting Policy of the Provincial Government, which is liable to be set-aside.

Points raised need consideration, hence the appeal in hand is admitted to regular hearing subject to all legal and valid objections by the opposite side. The appellant is directed to deposit security fee within 02 days. Respondents be summoned through TCS, the expenses of which shall also be deposited by the appellant within 02 days, where-after notices be issued to the respondents. To come up for written reply/comments on 09.08.2024 before the S.B.

Alongwith memorandum of appeal, the appellant has also filed an application for suspension of impugned order dated 19.07.2024 passed by respondent No. 1. In this regard preliminary arguments of the learned counsel for the appellant heard. Notice of the application for suspension of impugned order dated 19.07.2024 be also issued to the respondents for the date fixed. In the meanwhile, operation of impugned order dated 19.07.2024 shall remain suspended till the date fixed, if not already acted upon. Parcha Peshi given to the appellant.


(Aurangzeb Khattak)
Member (Judicial) 2024