

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,
PESHAWAR

Appeal No. 1620/2024

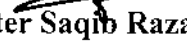
Bakht Zaman ...V/S... Secretary LG&RDD etc.

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RESPONDENT NO. 5

Through


Barrister Saqib Raza

Advocate Supreme Court of Pakistan

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,
PESHAWAR

Khyber Pakhtunkhwa
Service Tribunal

Appeal No. 1620/2024

Diary No. 16948

Dated 21-10-24

Bakht Zaman ...V/S... Secretary LG&RDD etc.

REPLY FOR AND ON BEHALF OF RESPONDENT NO.5 TO THE APPLICATION FILED BY THE APPELLANT FOR SUSPENSION OF OPERATION OF IMPUGNED TRANSFER ORDERS DATED 05/7/2024, 02/09/2024, 06/09/2024 AND 13/9/2024 AND APPELLATE ORDER DATED 25/9/2024

RESPECTFULLY SHEWETH

Preliminary Objections

- a. That the present application is based on mala fide.
- b. That the application is not maintainable as the same is based on un-true facts and no solid legal basis.
- c. That the present application is clearly a manifestation of misrepresentation and concealment of true and correct facts. Hence liable to be dismissed on this score lone.
- d. That the appellant has no vested rights for the posting against the impugned post, hence, the application is liable to be dismissed outright.

ON FACTS:-

1. No comments.
2. No Comments.
3. Incorrect, hence denied. That the applicant/appellant has neither cause of action nor locus standi. Furthermore, the balance of convenience also does not lie in the favour of the applicant/appellant. Moreover, That as per the KPK ESTA CODE-2011 the maximum tenure of posting/transfer of a civil servant at a station is 2 years for settled areas whereas 1 ½ year for unattractive areas, however, the appellant has spent over 8 years at one station, thus, he has even otherwise completed his tenure.
4. Incorrect, hence denied. The transfer orders have been passed in accordance with law and the rules in vogue on the subject matter.

It is, therefore, most humbly prayed that the present application being devoid of merits may kindly be dismissed with cost.


Respondent No.5

Through


COUNSEL

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,
PESHAWAR

Appeal No. 1620/2024

Bakht Zaman ...V/S... Secretary LG&RDD etc.

AFFIDAVIT

I, Tariq Aziz S/O Mirza Khan, R/O Post Office Pattan, Kayal, Tehsil Pattan, District Kohistan lower, presently posted as Village Secretary Kayal Village Tehsil Pattan, District Kohistan lower do hereby solemnly affirm and declare that the contents of the attached reply are true and correct to the best of my knowledge and belief and that nothing has been concealed or with held from this Honourable Tribunal.

Tariq Aziz

DEPONENT

CNIC No. 13403-0821930-5

