

ORDER SHEET
IN THE HIGH COURT OF SINDH, CIRCUIT COURT, HYDERABAD.

C.P.No.D-2056 of 2019

DATE	ORDER WITH SIGNATURE OF JUDGE
------	-------------------------------

1. For orders on M.A 8727/19
2. For orders on office objection
2. For orders on M.A 8007/19
3. For orders on M.A 8008/19
5. For hearing of main case

19.08.2019

Mr. Muhammad Aslam U. Chandio, Advocate for petitioner.

-:-:-

1. Granted.

2to5. Learned Counsel for the petitioner has filed a statement along with a bunch of documents; taken on record.

Petitioner is a civil servant posted as Taluka Education Officer, Tando Allahyar, District Tando Allahyar and is aggrieved by a Notification dated 31.07.2019, whereby respondent No.4 has been posted as Taluka Education Officer Primary Male, Tando Allahyar. His grievance is that respondent No.4 and he both have been posted on one and same post and in view of such fact he is apprehending his transfer to some other place.

The question of transfer of a civil servant comes within the terms and conditions of service and, therefore, cannot be entertained under Article 199 of the constitution of Islamic Republic of Pakistan, 1973 in view of bar over jurisdiction of this court under Article 212 of the Constitution. If the petitioner is aggrieved by the impugned notification, whereby respondent No.4 has been posted at his place, and / or is apprehending his transfer in view thereof, he can avail a remedy before the proper forum. Accordingly, this petition is dismissed in limine being non-maintainable alongwith listed applications.

JUDGE

JUDGE