

ORDER SHEET
IN THE HIGH COURT OF SINDH BENCH AT SUKKUR
Const. Pett. No.D-2123 of 2025

DATE OF HEARING	ORDER WITH SIGNATURE OF JUDGE
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Fresh case

- 1. For orders on CMA No.8446/2025 (U/A)
- 2. For orders on office objections at flag 'A'
- 3. For orders on CMA No.8447/2025 (Ex/A)
- 4. For orders on CMA No.8448/2025 (S/A)
- 5. For hearing of main case

16.12.2025

Mr. Imtiaz Ali Abbasi, Advocate for petitioner

1. Granted.

2to4. Through the instant Constitution Petition, the petitioner has sought a declaration to the effect that the action of the respondents in transferring him from Government GRA Degree College, Kandhiyāo, to Government Boys Degree College, Mehrabpur, is illegal, unlawful, and without lawful authority, particularly in view of the ban on transfers imposed vide order dated 25th November, 2025, issued by the Secretary to Government of Sindh.

A perusal of the available record reveals that matters relating to transfer and posting of Government servants are essentially administrative in nature and fall within the exclusive domain and discretion of the competent authority. It is a settled principle of law that the superior Courts ordinarily do not interfere in such administrative decisions unless the same are shown to have been made in violation of statutory provisions, are tainted with mala fides, or suffer from patent illegality. In the present case, the petitioner has not been able to demonstrate, through cogent material, that the impugned transfer order is actuated by mala fide intentions or is in clear breach of any mandatory provision of law warranting interference by this Court in its constitutional jurisdiction.

Furthermore, the petitioner admittedly falls within the definition of a civil servant. In view of the constitutional bar contained under Article 212 of the Constitution of the Islamic Republic of Pakistan, 1973, read with the relevant service laws, this Court is precluded from entertaining matters relating to the terms and conditions of service of civil servants,

for which an adequate and efficacious alternate remedy is available before the competent Service Tribunal or other prescribed forum.

In the circumstances, the present Constitution Petition being not maintainable is accordingly ***dismissed*** along with all pending applications. However, this shall not preclude the petitioner from availing the alternate remedy available to him under the law by approaching the appropriate forum for redressal of his grievance, if so advised.

J U D G E

J U D G E

M. Ali*