

PRESENTED

11/18/2011

①

ADDITIONAL REGISTRAR

IN THE HIGH COURT OF SINDH BENCH AT SUKKUR

Constitution Petition No D 282 of year 2011

Abdul Ghani s/o Allah Bux by caste,
Channa, Adult, Muslim, Secretary Union
Council Tarai Taluka Salehpatt District
Sukkur

PETITIONER

VERSUS

1. Province of Sindh, through
Secretary to Government of
Sindh, Local Government
Department Karachi
2. Secretary Sindh Local
Government Board, Local
Government Department,
Sindh Secretariat Karachi
3. District Officer, Monitoring
& Evaluation, Local Government
Department, District Government
Sukkur
4. Jan Mohammed Panhyar, Secretary
Union Administration, office of
District Officer Monitoring &
Evaluation Sukkur

RESPONDENTS

10-11
Office of the
Advocate General Sindh
at Sukkur

ORDER SHEET

37

THE HIGH COURT OF SINDH BENCH AT SUKKUR

C.P. No. D- 2821 of 2011.

1. For katcha peshi.
2. For hearing of CMA 9903-11.

16th October, 2012.

Mr. Nisar Ahmed Bhambhro for the petitioner.
Mr. Noor Hassan Malik, State Counsel.

Learned State Counsel files comments on behalf of respondent No.3, which are taken on record and copy whereof has been provided to learned counsel for the petitioner.

Grievance of the petitioner pertains to his transfer from Union Council Tarai Taluka Rohri, vide order dated 6th October, 2011, issued by respondent No.2. It appears that the petitioner was serving as Secretary, Union Council Tarai taluka Rohri and the respondent No.2 has issued the impugned transfer order.

Per learned State Counsel, the transfer of the petitioner from one place to another falls within the definition of terms and conditions of his service and in view of Article 212 of the Constitution, this court cannot entertain this petition.

In the given circumstances, instant petition is dismissed. However, petitioner is at liberty to approach the proper forum for redressal of his grievance, if so advised.


JUDGE,

JUDGE,

Ahmad