

ORDER SHEET

IN THE HIGH COURT OF SINDH BENCH AT SUKKUR

Const. Petition No.D- 2020 of 2024

Date of hearing	Order with signature of Judge
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Fresh case

1. For orders on CMA 7508/2024 (U/A)
2. For orders on office objections
3. For orders on CMA 7509/2024(Ex./A)
4. For orders on CMA 7510/2024(Stay)
5. For hearing of main case

20-11-2024

Mr. Manoj Kumar Tejwani, Advocate along with petitioner.

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1. Urgency is granted.

2to5. The grievance of the petitioner is that after qualifying the test conducted by the IBA Sukkur and on the recommendations of District Selection Committee, she was appointed as PST on U.C-wise basis and posted at her own U.C Syedpur at GGPS Syedpur Taluka Ubauro, District Ghotki and now she has been transferred to a far-flung area at GGPS Tig (U.C. Sui Shareef Wasti Jeewan Shah) through impugned Notification dated 15.08.2024. Counsel states that such a transfer order was challenged before a Divisional Bench of this Court at Circuit Court, Mirpurkhas in C.P.No.D-1135 of 2024, wherein order dated 09.09.2024 was passed that petitioners therein shall not be removed from current position and Secretary, Education was directed to reconsider the decision of the transfer on account of hardship being faced by the said petitioners and two weeks' time was granted to the Secretary to decide the matter.

Counsel states that petitioner is resident of U.C Syedpur having domicile of that U.C and it was condition precedent for the appointment that the candidate should be from same U.C giving emphasis to the individuals hailing from the same U.C so that they could be readily available in the said U.C. However, counsel submits that he would be satisfied if this petition is disposed of in the light of order dated

09.09.2024, passed by learned D.B of this Court at Circuit Court, Mirpurkhas.

Mr. Zulfiqar Ali Naich, Assistant A.G present in Court waives notice of this petition and does not object if this petition is also disposed of with similar directions to the Secretary, Education department to reconsider the case of the petitioner in the like manner and pass speaking order after providing a fair opportunity of hearing to the petitioner.

Accordingly, this petition along with listed application(s) is thus **disposed of** in the same manner, mode and mechanism as adopted in C.P No.D-1135 of 2024, passed by learned Divisional Bench of this Court at Circuit Court, Mirpurkhas, which order to apply *mutatis mutandis* to the instant petition and petitioner shall not be removed from the current position till such decision is made.

Let copy of this order be communicated to the respondents and AAG for compliance.

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