

Order Sheet  
**IN THE HIGH COURT OF SINDH,**  
CIRCUIT COURT, HYDERABAD

CP No. D- 2143 of 2019

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DATE	ORDER WITH SIGNATURE OF JUDGE
03.09.2019	

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For hearing of MA 8814/19  
For orders on office objections  
For orders on MA 8815/19  
For orders on MA 8816/19  
For hearing of main case

Mr. Hakim Ali Khan, advocate for petitioner

Petitioner is a primary school teacher / civil servant and is aggrieved by impugned letter dated 7.8.2019 whereby he has been transferred from Government Boys School Camp No. 02 Taluka Nawabshah to Government Boys Primary Ezzo Bhutto Taluka Nawabshah. Learned counsel submits that his transfer is against Rule 21 of Rules of Business whereby the government servant shall be allowed to remain on a particular post for three years, whereas the petitioner after eight months of his previous transfer has been transferred to said place. Learned counsel has however, not been able to satisfy as to how a civil servant can avail a remedy under Article 199 of the Constitution of Islamic Republic of Pakistan, 1973 in presence of bar contained under Article 212 of the Constitution as transfer of a civil servant comes within the terms and conditions of service and can be challenged before a proper forum. This being the position, we are of the view that this petition is not maintainable and is accordingly dismissed in limine leaving the petitioner to avail remedy in accordance with law.

JUDGE

JUDGE