

**ORDER SHEET  
IN THE HIGH COURT OF SINDH, KARACHI  
C.P. No.D-5308 of 2016**

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<b>Date</b>	<b>Order with signature of Judge</b>
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**Present**

**Mr. Justice Muhammad Ali Mazhar**

**Mr. Justice Arshad Hussain Khan**

Khizar Hayat ..... Petitioner

V E R S U S

The Province of Sindh & others ..... Respondents

**Date of hearing 10.10.2016**

Petitioner is present a/w his counsel Mr. Mohammad Ramzan advocate.

Mr. Abdul Jalil Zubedi A.A.G.

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**Muhammad Ali Mazhar, J:** The petitioner has challenged the transfer order dated 29.09.2016, whereby, D.I.G Special Branch directed him to report to S.S.P. Mirpurkhas, Special Branch with immediate effect.

2. Learned counsel for the petitioner shown various excuses to defend the transfer particularly that the petitioner is witness in more than 30 cases pending in Anti-Terrorism Courts, Karachi and if he is dislocated he will face various difficulties to attend each and every court on each and every date. To a question raised by this court as to whether he has filed any representation showing all his difficulties to the competent authority? He submits that no such representation has been filed. Learned A.A.G raised the objection against the

maintainability that under Article 212 of the Constitution, 1973 this constitution petition is barred and appropriate remedy is to file representation and then approach to Services Tribunal.

3. After arguing at some length, counsel for the petitioner agrees that petitioner will file representation to the competent authority within three working days and if any such representation is filed learned A.A.G submits that the competent authority shall decide the same within fifteen (15) days after providing ample opportunity of hearing to the petitioner. Petition is disposed of along with pending applications. Copy of this order be transmitted to the learned A.A.G.

Aadil Arab

JUDGE

JUDGE