

**SUPREME COURT OF AZAD JAMMU AND KASHMIR**  
[Appellate Jurisdiction]

**PRESENT:**

**Ghulam Mustafa Mughal, J.**

Civil PLA No.123 of 2020  
(Filed on 21.11.2020)

Rehana Rasheed, PET Teacher, Government Girls High School, Siakh, Tehsil Dadyal, District Mirpur.

.....PETITIONER

**VERSUS**

1. Shumaila Sabir, PET Teacher, Government Girls Secondary Schools, Bhari Bassar, Tehsil Dadyal, District Mirpur.

.....RESPONDENT

2. Divisional Director Schools, Elementary and Secondary Education Schools (Female), Mirpur Division, Mirpur.

3. Assistant Director, Elementary and Secondary Education (Female), Mirpur Division, Mirpur.

4. District Education Officer, Elementary and Secondary Education (Female), District Mirpur.

5. District Accounts Officer, District Mirpur.

.....PROFORMA-RESPONDENTS

[On appeal from the order of the Service Tribunal dated  
21.10.2020 in Service Appeal No.526/2020]

FOR THE PETITIONER: Sh. Masood Iqbal,  
Advocate.

FOR THE RESPONDENTS: Miss Nosheen Iqbal,  
Advocate.

Date of hearing: 25.11.2020

**ORDER:**

**Ghulam Mustafa Mughal, J.**– The captioned petition for leave to appeal has been filed against the order dated 21.10.2020, passed by the Azad Jammu & Kashmir Service Tribunal in Service Appeal No.526/2020. The PLA was not fixed for today and only the application for interim relief was fixed, however, on the request of the learned counsel for the parties the same summoned for disposal.

2. The facts forming the background of the captioned petition for leave to appeal are that the respondent, herein, was appointed as Physical Education Teacher (PET) in Government Girls High Schools Siakh vide order dated 19.11.2018, from where she was transferred to Government Girls Higher Secondary School Behari Basar and at her place the petitioner, herein, was transfer and posted vide order dated 15.10.2020. The respondent, herein, challenged the legality and correctness of the transfer order dated

15.10.2020, through appeal before the Azad Jammu & Kashmir Service Tribunal on 21.10.2020. Along with the appeal, an application for suspension of the transfer order was also filed. The learned Service Tribunal heard the preliminary arguments and while admitting the appeal for regular hearing suspended the transfer order dated 15.10.2020, vide impugned order dated 21.10.2020.

3. The learned counsel for the parties have been heard.

4. As the matter is pending before the Service Tribunal and the impugned transfer order has been suspended till the next date of hearing, therefore, it looks appropriate to leave the matter for decision of the learned Service Tribunal without embarking upon the merits and demerits of the case.

5. The learned Service Tribunal has fixed the next date as 12.11.2020, for hearing and disposal of the appeal. The parties are directed to appear before the Court on the date so fixed and the learned Service

Tribunal is directed to decide the appeal on the same day.

The PLA as well as the application for interim relief stands disposed of in the manner indicated above.

**JUDGE**

Mirpur  
25.11.2020