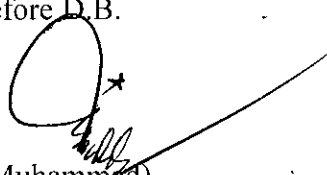


09.06.2022

Special Power of Attorney in respect of Gohar Ali son of Aman Ullah Khan has been submitted by the appellant, which is placed on file. Mr. Kabirullah Khattak, AAG alongwith Mr. Abdul Aziz ADEO for respondents present.

Learned AAG requested for adjournment on the ground that reply in COC is prepared and pending for signature of respondent No. 2 which will be submitted on the next date. Last chance is given to both the parties to make sure full fledged arguments on main appeal as well as COC application on 04.07.2022 before D.B.



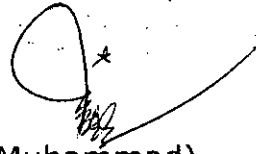
(Mian Muhammad)  
Member (E)  
Camp Court Swat

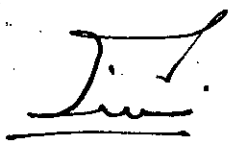


(Kalim Arshad Khan)  
Chairman  
Camp Court Swat

12.05.2022

Mr. Maaz Madni, Advocate for the petitioner present. Mr. Sultan Nabi, Litigation Officer alongwith Mr. Noor Zaman Khattak, District Attorney for the respondents present and requested for time for submission of reply. Adjourned. To come up for submission of reply as well as arguments on 06.06.2022 before the D.B at Camp Court Swat.

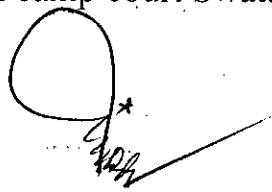
  
(Mian Muhammad)  
Member (E)  
Camp Court Swat


  
(Salah-ud-Din)  
Member (J)  
Camp Court Swat

06.06.2022

Husband of the appellant on behalf of the appellant present: Mr. Kabirullah Khattak, Addl: AG alongwith Mr. Sultan Nabi, Litigation Officer for respondents present.

On the call of Khyber Pakhtunkhwa Bar Council, District Bar Association is observing strike today, therefore, learned counsel for the appellant did not appear before the court. Adjourned. To come up for arguments on 09.06.2022 before the D.B at camp court Swat.

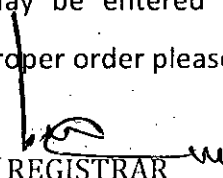


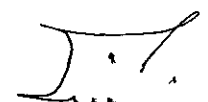
  
(Mian Muhammad)  
Member(E)

  
(Kalim Arshad Khan)  
Chairman  
Camp Court Swat

# FORM OF ORDER SHEET

Court of \_\_\_\_\_

C.O.C application No. 256/2022

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1	22/04/2022	<p>The C.O.C application of Mst. Samina submitted today by Mr. Noor Muhammad Khattak Advocate, may be entered in the relevant Register and put up to the Court for proper order please.</p> <p style="text-align: right;"> REGISTRAR</p>
2-	<p><i>Noted</i> <i>Noor Mohd Khattak</i> <i>9/26/22</i></p>	<p>This C.O.C application be put up before S. Bench at Peshawar on <u>09-05-22</u>. Original file be requisitioned. Notices to the parties be also issued for the date fixed.</p> <p style="text-align: right;"> CHAIRMAN</p> <p><i>09-05-22 Due to non-availability of the Bench, the case is adjourned to 10-5-2022 for the same as before.</i></p> <p style="text-align: right;"> Reader</p>
10.05.2022		<p>Petitioner in person present. Mr. Kabirullah Khattak, Additional Advocate General for the respondents present.</p> <p>Learned Additional Advocate General shall contact the respondents to submit reply and to come up for arguments before the D.B on 12.05.2022 at Camp Court Swat.</p> <p style="text-align: right;"> (Salah-Ud-Din) Member (J) Camp Court Swat</p>

**BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,**  
**PESHAWAR**

C.O.C NO. 256 /2021

IN

APPEAL NO: 4824/2021

MST, SAMINA

V/S

EDUCATION DEPTT:

**INDEX**

S.N O	DOCUMENTS	ANNEXURE	PAGE
1	Memo of implementation	.....	1 - 2
2	Order dt: 17.12.2021	A	3-4
3	Wakalat Nama	.....	5

Dated: \_\_\_\_ .04.2022

**APPELLANT**

Through:

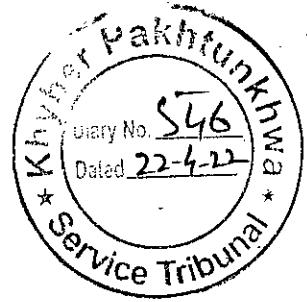
**NOOR MOHAMMAD KHATTAK**  
**ADVOCATE**

**0345-9383141**

①

**BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL**  
**PESHAWAR.**

COC NO. 258 /2022  
IN  
APPEAL NO. 4824/2021



Mst. Samina, SST (BPS-16),  
Govt. Girls Middle School, Shakar Dara, District Swat.

..... PETITIONER

**VERSUS**

- 1- The Secretary (E&SE) Department, Khyber Pakhtunkhwa, Peshawar.
- 2- The Director (E&SE) Khyber Pakhtunkhwa, Peshawar.
- 3- The District Education Officer(Female) Swat.
- 4- The District Account Officer, District Swat.

..... RESPONDENTS

**APPLICATION UNDER SECTION 3 & 4 OF THE**  
**CONTEMPT OF COURT ORDINANCE, 2004 FOR**  
**INITIATING CONTEMPT OF COURT PROCEEDINGS**  
**AGAINST THE RESPONDENTS/CONTEMNORS**

**RESPECTFULLY SHEWETH:**

- 1- That the applicant/appellant has filed the service appeal No. 4824/2021 before this August service tribunal which is pending adjudication and is fixed for hearing on 09-05-2022.
- 2- That this august tribunal vide order dated 17-12-2021 has directed the respondents/ contemnor to release the monthly salaries of the appellant/ applicant, the operative part of the order is reproduce for ready reference:  
**"As the appellant has not relinquished the charge and still serving against the same post, interim relief to release monthly salary to her, is ordered till decision on the main appeal."** Copy of the order dated 17-12-2021 is attached as annexure ..... A.
- 3- That in spite of the clear direction of this Honorable tribunal the respondents/ contemnor are not willing to release the monthly salaries of the appellant till date and this act of the respondents/ contemnors fall within the ambit of the contempt of court thus liable to be proceeded under the contempt of court proceedings.

- 4- That the acts and actions of the Respondents/Contemnors squarely fall within the ambit of the Contempt of Court and as such they are liable to be proceeded for the Contempt and for the punishment under the law.
- 5- That the respondents/ contemnors continue to disregard the order, and knowingly transgress the law and constitution.

It is therefore, humbly prayed that on acceptance of this application, the Contempt of Court proceedings may graciously be initiated against the Respondents/Contemnors and may be punished accordingly.

APPLICANT/ APPELLANT

*[Signature]*  
Mst. SAMINA

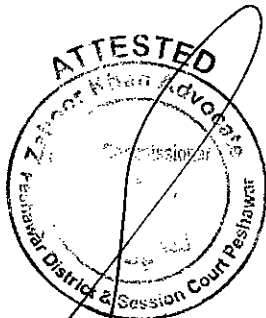
Through:

*[Signature]*  
**NOOR MUHAMMAD KHATTAK**  
A.S.C OF PAKISTAN

**AFFIDAVIT:**

It is certified that the instant CoC is the 1<sup>ST</sup> CoC on the subject matter and no other such like Contempt of Court petition is pending between the parties.

*[Signature]*  
**DEPONENT**



**BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL**  
**PESHAWAR**

APPEAL NO. 4824 /2021

Khyber Pakhtunkhwa  
Service Tribunal

Diary No. 4839

Dated 12/4/2021

Mst. SAMINA, SST,  
Govt. Girls Middle School Shakar Dara, District Swat.

..... APPELLANT

**VERSUS**

- 1- The Government of Khyber Pakhtunkhwa through Secretary (E&SE), Khyber Pakhtunkhwa Civil Secretariat, Peshawar.
- 2- The Director (E&SE), Khyber Pakhtunkhwa, Peshawar.
- 3- The District Education Officer (Female), Swat.
- 4- Mst. Jehan Begum, SST, under transfer to GGMS, Shakardara *swat*

.....RESPONDENTS

**APPEAL UNDER SECTION 4 OF THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL ACT, 1974 AGAINST THE IMPUGNED ORDER DATED 10-03-2020 WHEREBY THE APPELLANT HAS BEEN TRANSFERRED FROM GOVT. GIRLS MIDDLE SCHOOL SHAKARDARA TO GOVT. GIRLS HIGH SCHOOL, BANDAI ON ADMINISTRATIVE GROUNDS AGAINST THE PREVAILING LAW & RULES AND AGAINST THE APPELLATE ORDER DATED 24-03-2021 WHEREBY DEPARTMENTAL APPEAL OF THE APPELLANT HAS BEEN REGRETTEED ON NO GROUNDS**

**PRAYERS:**

That on acceptance of this appeal the impugned transfer order dated 10-03-2020 and appellate order dated 24-03-2021 may very kindly be set aside and the respondents may be directed to retain the appellant on his original place of posting at GGMS Shakardara. Any other remedy which this august Tribunal deems fit that may also be awarded in favor of the appellant.

Filed to-day

Registrar

12/4/2021

**R/SHEWETH:**

**ON FACTS:**

Brief facts giving rise to the present appeal are as under:-

- 1- That appellant is the employee of the respondent Department and presently working as SST Shakardara and since then appellant is performing her duty with full zeal & zest.

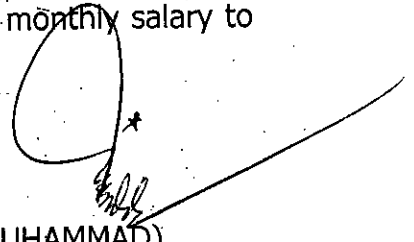
Appeal No. 4824/2021  
Mst. Samina vs Govt

4

17.12.2021

Appellant alongwith her counsel present. Mr. Kabirullah Khattak, Addl. AG alongwith Mr. Sultan Nabi, Litigation Officer for official respondents No. 1,2 and 3 present. Mr. Ajmal Khan, present and submitted power of attorney on behalf of private respondent No.3 alongwith wakalatnama of Mr. Alam Zeb, Khan, Advocate and application for transfer of the instant appeal to camp court Swat.

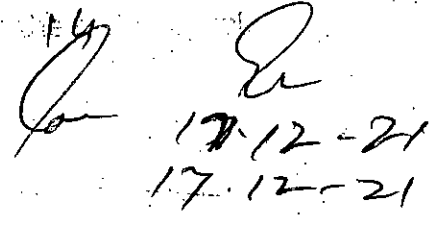
Written reply/comments on behalf of official respondents No. 1,2 and 3 submitted which is placed on file. A copy of the same is also handed over to the appellant. Written reply/comments on behalf of private respondent No.3 not submitted. Requested for adjournment. To come up for written reply/comments of respondent No.3 on 03.01.2022 before S.B at camp court Swat. As the appellant has not relinquished the charge and still serving against the same post, interim relief to release monthly salary to her, is ordered till decision on the main appeal.



(MIAN MUHAMMAD)  
MEMBER (E)



10-800  
4-  
17-12-21



17-12-21  
17-12-21



5

**VAKALATNAMA**

**BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,  
PESHAWAR**

C.O.C NO: \_\_\_\_\_ OF 2022

Mrs. Samina

(APPELLANT)  
(PLAINTIFF)  
(PETITIONER)

**VERSUS**

Education Deptt.

(RESPONDENT)  
(DEFENDANT)

I/We Mrs Samina

Do hereby appoint and constitute **NOOR MUHAMMAD KHATTAK Advocate, Peshawar** to appear, plead, act, compromise, withdraw or refer to arbitration for me/us as my/our Counsel/Advocate in the above noted matter, without any liability for his default and with the authority to engage/appoint any other Advocate Counsel on my/our cost. I/we authorize the said Advocate to deposit, withdraw and receive on my/our behalf all sums and amounts payable or deposited on my/our account in the above noted matter.

Dated. \_\_\_\_/\_\_\_\_/2022

[Signature]  
CLIENTS

**ACCEPTED**

**NOOR MUHAMMAD KHATTAK**

**UMER FAROOQ MOHMAND**

**KAMRAN KHAN**

**HAIDER ALI**

**&**

**KHANZAD GUL  
ADVOCATES**

ابنی مدت جناب DEO (فیمیل) صاحب ایجوکیشن آفیس سید و شریف سوات

اپیل نام (7) 20  
Mr. Riaz Ahmad

جناب عالیہ!

گزارش کیجاتی ہے کہ میں

5-10-17

میں مقیم سید و شریف کی رہنے والی ہوں۔ اور 3 سال SST پوسٹ پر  
پڑتی ہیں۔ اب میں بلڈ پریشر اور شوگر کی مریض ہوں۔ اور  
سکول ڈیوٹی کے دوران ایکسیڈینٹ میں میرا پاؤں اور سر بھی  
زخمی ہو گیا ہے۔ میں نے آپ صاحبان کو GGMS مہنزار  
پر درخواست دی تھی۔ جو کہ روڈ کے کنارے واقع ہے۔ اور  
اپنے لوگوں نے GGMS رحیم آباد پر میرا آرڈر نکالا ہے۔  
لہذا آپ صاحبان کو گزارش ہے کہ  
یا تو میری درخواست پر غور کریں اور یا میرا رحیم آباد  
سکول والا آرڈر کینسل کرائیں۔

شکریہ

منیرہ

5-10-2017

7028  
5/10/17  
SWPT

حضرت جناب ڈی ای او سرانجامہ / اعلیٰ تعلیم ڈی ای او ایف اے ڈی ای او ایف اے ڈی ای او ایف اے ڈی ای او ایف اے ڈی ای او ایف اے

(2) (43)

عنوان! درخواست برائے ٹرالسفر پبلک سروس ٹریفک

جناب عالی! ا

E

مردبانہ گزارش ہے کہ میں گورنمنٹ گرلز میڈل سکول شکرورہ میں SST پوسٹ پر کام کر رہی ہوں میں سید و شریف کے رہنے والی ہوں اور میں نے تقریباً 13 سال ماہر گزارے ہیں اب مستدرائع سے منوں کہا ہے کہ گورنمنٹ گرلز پرائمری سرکار گرلز میڈل کادرس دیا گیا ہے آج سیرمائی آرٹس سہری ٹرالسفر اس سکول میں رات کا حکم صادر فرمادیں

لو میں لوازش ہوگی

شکر ہے

D/O Talib  
of Change in  
12/5/2017

اب ڈی ای او سرانجامہ ڈی ای او سرانجامہ  
ڈی ای او سرانجامہ (SST) گورنمنٹ گرلز میڈل  
سکول شکرورہ

12/5/2017