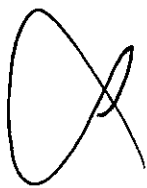



23rd July, 2024

1. Learned counsel for the petitioner present. Mr. Umair Azam
Additional Advocate General present.
2. This petition has been filed on 14.10.2022 for implementation of judgment dated 14.09.2021 passed in Service Appeal No.983/2004. On its first day of hearing, request for adjournment was made by the representative and after that, series of adjournments were made on the requests of this judgment debtors. On 23.01.2024, last chance was given, which was further extended in the shape of warning for coercive steps. Again last opportunity was granted on 08.05.2023 and on 09.06.2023, respondents were warned that in case of non-submission of implementation report, no lenient view would be taken but the respondents got the matter adjourned for 18.07.2023. On 18.07.2023, representative of the respondents stated that the department had submitted summary for approval to the Chief Minister, which was lying on his table, but on the next two dates, they made requests for adjournment, which resulted into attachment of salaries of respondents No.3 & 4. However, the matter was adjourned on different dates but respondents No.3 & 4 did not bother comply with the Court order or to submit any progress report. In the meanwhile, the respondents filed 12(2) against the judgment in question, which was dismissed and a cost of Rs.20,000/- was imposed upon one Shagufta Naveed, the then Secretary to Government of Khyber Pakhtunkhwa for rendering opinion compelling the Government to enter into frivolous multifarious litigations and direction was issued for her



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personal appearance. On 03.06.2024, Miss. Shagufta Naveed had appeared in person and requested for adjournment and on the subsequent date too, adjournment was made. Today, the situation is, as it was. This shows their casual and lathergic attitude towards the compliance of the order of this Tribunal. Therefore, the Tribunal is constrained to impose cost of Rs.50,000/- upon each of the respondent. Ms. Shagufta Naveed is also not in attendance, who had to pay the amount of costs, nor anyone else is present on her behalf, therefore, her salary is also attached. She and all the reepsondents shall appear in person on 31.07.2024 along with implementation report. P.P given to the petitioner's counsel.



23/7/24

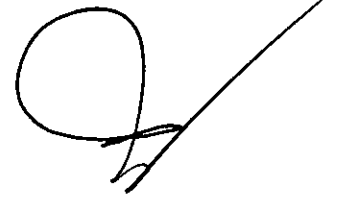
(Kalim Arshad Khan)
Chairman

*Mutazem Shah *

31st July, 2024

1. Counsel for the petitioner present. Mr. Umair Azam, Additional Advocate General alongwith Mr. Yaqoob Nawa, Director General Mines and Mineral Department, Mr. Musarrat Zaman, Additional Secretary Mines and Mineral Department, Mr. Muhammad Javed, SO and Mr. Ihsan Ud Din, Deputy Director, Mines and Mineral Department for respondents present. Learned counsel for Shagufta Naveed is also present.

2. Neither implementation report nor cost of Rs. 50000/- imposed upon the respondents has been submitted. Similarly, Ms. Shagufta Naveed the then Secretary to Government of Khyber Pakhtunkhwa Law and Parliamentary Affairs Department is also not present, therefore, the order regarding attachment of her salary shall remain intact. She be issued show cause notice as to why she should not be proceeded under the relevant law for violating the court orders. This be treated as last opportunity for her appearance before the Tribunal failing which further coercive measures shall be taken against her. To come up for further proceedings as well as implementation report on 22.08.2024 before S.B. P.P given to the parties.



(Kalim Arshad Khan)
Chairman

Adnan Shah

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13/08/2024
PETITIONER