

*Order Sheet*  
**IN THE HIGH COURT OF SINDH KARACHI**

Before:

Mr. Justice Nadeem Akhtar

Mr. Justice Adnan-ul-Karim Memon

**Const. Petition No. D –5336 of 2020**

M/s. Alsons Industries (Pvt) Ltd.

*Versus*

Alsons Industries (Pvt.) Ltd., Peoples Employees Union, Labour Welfare  
Society and 09 others

**Const. Petition No. D –5337 of 2020**

M/s. Alsons Industries (Pvt.) Ltd.

*Versus*

Alsons Industries (Pvt.) Ltd., Peoples Employees Union, Labour Welfare  
Society and 11 others

Date of hearing  
& order : 29.10.2020

Mr. Muhammad Humayun, advocate for the petitioners.

**ORDER**

**ADNAN-UL-KARIM MEMON, J.** Through the instant petitions, Petitioner- M/s. Alsons Industries (Pvt) Ltd. is seeking suspension of operation of the orders dated 14.10.2020 passed by the Single Bench of respondent No.10 / National Industrial Relations Commission. It is contended, *inter-alia*, that since the full Bench of NIRC having jurisdiction to adjudicate the matter of the petitioners is not available at Karachi therefore till then the operation of the impugned order dated 14.10.2020 may be suspended. It is further contended that the learned Single Bench of NIRC vide order dated 14.10.2020 dismissed the Grievance Petitions of the petitioner-company on the premise that the petitioner-company does not fall within the definition of Trans-Provincial Establishment. Learned counsel for the petitioner has urged that petitioner applied to the competent authority for permission to display face signboard vide Application Form dated 25.10.2018, which *prima-facie* shows that the petitioner-company falls within the ambit of Trans-Provincial Establishment and the decision of the learned Single Bench of NIRC being erroneous was assailed before the Full Bench of NIRC in appeal. Per learned counsel the matter is still subjudice before the Full Bench of NIRC, which

is not available at Karachi to adjudicate the matter of Petitioner hence immediate indulgence of this Court is required otherwise all the cases of the petitioner-company filed before NIRC against private respondents would become infructuous rendering the petitioner remediless for the time being.

Prima-facie, the petitioners have raised a question of law in its appeal before the learned Full Bench of NIRC which is yet to be decided. This being the position of the case, without touching merits, the instant petitions stand disposed of with no order as to costs along with the pending application(s) with direction to the Full Bench of NIRC to decide the petitioners' Appeal Nos.12(38) of 2020 and 12(39) of 2020 within sixty (60) days in accordance with law. Meanwhile, till such time operation of the impugned orders dated 14.10.2020 passed by the learned NIRC Karachi Bench-I shall remain suspended. Let a copy of this order be communicated to the Full Bench of NIRC at Karachi for compliance.

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