



Petitioner was a regular employee of Pakistan Steel Mills and was erroneously dismissed from service on the purported allegations, though his colleagues were reinstated in service and he was the only person left out; that the allegations were denied by the Petitioner with certain defense pleas, thus, the purported action taken by the respondent-department was illegal, however, the same could not be adjudicated due to changing of the legal forum available to the petitioner as discussed supra, for which the Petitioner could not be held responsible.

We queried from the learned Counsel about the inordinate delay to approach this Court against the impugned action on the part of respondent-Pakistan Steel. We also confronted him with the inquiry report dated 25.8.2009, whereby he was finally found guilty of the charges. However, he emphasized the learned FST abated his appeal on the grounds as discussed supra and he was nonsuited by the learned Labour Court as well as by the learned NIRC. We again confronted him with the legal position that as to why he did not assail the order dated 26.1.2021 before the Full Bench of NIRC; he replied that since the petitioner was dismissed from service under Special Powers Ordinance, 2000 as such the learned benches of NIRC were/are not competent to adjudicate the matter against the statutory dispensation i.e. RSO, 2000. He prayed for notice to the respondents.

To appreciate the aforesaid legal position of the case, let at the first instance the notice be issued to the respondents as well as to learned DAG for a date to be fixed by the office in the 3<sup>rd</sup> week of this month, with direction to file comments on or before the next date of hearing.

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