

Order Sheet
IN THE HIGH COURT OF SINDH KARACHI

Constitutional Petition No.D- 2575 of 2021

Date	Order with Signature of Judge
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1. For order on Misc. No.11159/2021 (Urgency).
2. For order on office objection No.18.
3. For order on Misc. No.11160/2021 (Exemption).
4. For hearing of main case.

19.04.2021 :

Mr. Zafar Iqbal Bhatti, advocate for the petitioner.

1. Urgency granted.
2. To be complied within one week's time.
3. Exemption granted subject to all just exceptions.
4. Through the instant petition, the petitioner has called in question the judgment dated 08.03.2021 passed by the learned Sindh Labour Appellate Tribunal Karachi (SLAT) whereby his Grievance Application No.103 of 2020 for his reinstatement in service with full back benefits was rejected by the learned Sindh Labour Court No. III, Karachi vide order dated 30.11.2020 and the same was maintained. It is, contended, *inter alia*, by the learned counsel for the petitioner that he was a regular employee of Karachi Port Trust, working as Mazdoor (PS-1). It is further submitted by him that during his tenure of service, disciplinary proceedings were initiated against him on the accusation of submitting a bogus matriculation certificate; this act of omission and commission constituted misconduct; and, also unbecoming of a gentleman and finally, his services were dispensed with vide Office Order dated 27.11.2019. He being aggrieved by and dissatisfied with the aforesaid decision filed Grievance Petition before the learned Sindh Labour Court No. V, Karachi under Section 34 of the Sindh Industrial Relations Act, 2013, which was dismissed vide order dated 30.11.2020, thereafter, he preferred a statutory appeal before the learned SLAT, which too was dismissed vide judgment dated 08.03.2021. The grounds agitated by him that the post of Mazdoor is in PS-1 requires qualification of the VIII class only, however, the respondent-KPT kept on saying that petitioner submitted bogus matriculation certificate for the subject post, even otherwise the same was not required to be submitted for any reason of whatsoever nature, thus the false allegations were leveled against him just to get rid of him from the post. He emphasized that he was condemned unheard before the impugned action; and, even no regular inquiry was conducted to probe the allegations. He, therefore, prays for notice.

To appreciate the aforesaid contentions of the learned counsel for the petitioner, we deem it appropriate to issue notice to the respondents as well as to learned DAG with direction to file comments before the next date of hearing. To come up on **27.05.2021**.

JUDGE

JUDGE

Zahid*