

ORDER SHEET

**IN THE HIGH COURT OF SINDH, CIRCUIT COURT,
HYDERABAD.**

C.P. No. D — 2472 of 2019

C.P. No. D — 2473 of 2019

DATE

ORDER WITH SIGNATURE OF JUDGE

16.08.2023.

FOR ORDERS ON OFFICE OBJECTION.
FOR ORDERS ON M.A.
FOR HEARING OF MAIN CASE.

None present for the petitioners.

Mr. Hameedullah Dahri Advocate for respondents No.2 & 3 along
with Ali Ahmed Khowaja Deputy Secretary STBB.

Mr. Rafique Ahmed Dahri A.A.G.

These two petitions have challenged the concurrent findings of two courts below i.e. the Labour Court and Labour Appellate Tribunal wherein the petitioners had sought regularization of their service. These petitioners were on daily wages and their request for regularization of their service was declined. The jurisdiction was exercised by the two forums below and this petition has challenged the two judgments of the courts below. There is nothing which could take us to conclude that the jurisdiction was not exercised by the two forums below. The Board has also recently declined the regularization, hence, there is nothing in the case which could take us to a conclusion other than held by the two forums below. Some of the employees on daily wages who have not assailed the jurisdiction of Labour Court have approached this Court directly and on the dismissal of their petition, they invoked the jurisdiction of Honourable Supreme Court wherein their petition for leave to appeal was dismissed and they were asked to participate on the basis of advertisement which seeks the employment. These petitioners have not applied despite being in the age limit as stated by the learned counsel for the respondents. It is not even the case of the petitioners that they have crossed the age limit and hence could not participate. No interference, as such, in respect of the concurrent findings of two

forums below is required in relation to the regularization of their service. The two orders i.e. orders passed in C.P. No.1757 of 2017 and orders passed in Civil Petition No.1899 and 376-K of 2019 by Honourable Supreme Court along with the statement and the Minutes of the Board are taken on record.

Petitions merit no consideration and are dismissed.

JUDGE

JUDGE

A.