

ORDER SHEET
IN THE HIGH COURT OF SINDH BENCH AT SUKKUR
Constitution Petition No. D-140 of 2024

(M/s Qadri Jilani Company & others Vs. Federation of Pakistan & others)

DATE OF HEARING	ORDER WITH SIGNATURE OF JUDGE
-----------------	-------------------------------

1. For Orders on office objection.
2. For hearing of CMA No. 582/2004. (Stay/A)
3. For hearing of main case.

22-02-2024.

Mr. Sakhiullah Chandio advocate for the petitioners.
 Mr. Ghulam Murtaza Korai, Legal Advisor Fouji Fertilizer Company Limited.
 Mr. Jamshed Ahmed Faiz, Advocate for respondent No.2.
 Mr. Muhammad Aslam Jatoi, Assistant Attorney General, Pakistan.

1. Over ruled.
- 2&3. The facts in brief necessary for disposal of instant petition are that a grievance petition was filed by the private respondents, it was allowed by Member National Industrial Relation Commission Bench at Sukkur vide order dated 20-07-2022, it was impugned by Fouji Fertilizer Company Limited by preferring an appeal before full Bench of National Industrial Relation Commission, Islamabad at Karachi. The petitioners on coming to know of filing of such appeal moved an application u/o 1 Rule 10 CPC for joining them as party in that appeal with an assertion that the private respondents were actually their employees. It was dismissed by full Bench of Industrial Relation Commission, Islamabad at Karachi vide order dated 05-12-2023, which is impugned by the petitioners before this Court by preferring the instant petition.

At the very outset, it is stated by learned counsel for the petitioners that he would not press the disposal of instant petition

before this Court on merits provided Member National Industrial Relation Commission Bench at Sukkur is directed to dispose of application u/s 12 (2) CPC which is filed by the petitioners before him prior to disposal of the main appeal filed by Fouji Fertilizer Company Limited by the full Bench of the National Industrial Relation Commission Islamabad at Karachi, which is not opposed by learned counsel for the other side.

In view of above, it is directed that application u/o 12 (2) CPC filed by the petitioners before Member National Industrial Commission Bench at Sukkur to be disposed of by him preferably within 30 days and it should be prior to disposal of main appeal filed by Fouji Fertilizer Company Limited by full Bench of National Industrial Commission Islamabad at Karachi.

The instant petition is disposed of accordingly.

Judge

Judge

Nasim/P.A