

IN THE HIGH COURT OF SINDH, KARACHI
Constitution Petition Nos. D- 2027 & 2028 of 2022

Date Order with signature of Judge

Present: *Mr. Justice Muhammad Junaid Ghaffar*
Mr. Justice Adnan-ul-Karim Memon.

Petitioner in both Petitions: Mehran Sugar Mills Ltd.
Through Mr. Ghulam Rasool
Korai, Advocate.

Respondents No.1: Muhammad Imran &
Muhammad Saqib
Through Mr. Abdul Majid Rajpar,
Advocate.

Respondents No.2 &3: The Sindh Labour Court &
another
Through Mr. Ali Safdar Debar,
AAG.

Date of hearing: 04.03.2024.
Date of Order: 04.03.2024.

ORDER

Muhammad Junaid Ghaffar, J: Through these Petitions, the Petitioner has impugned Judgment dated 17.03.2022 passed by the Labour Appellate Tribunal, Karachi as well as Judgment dated 28.09.2021 passed by the Labour Court at Hyderabad; whereby, the grievance petition of the Respondents No.1 were allowed with certain directions.

2. Heard learned Counsel for the parties and perused the record. It appears that the Labour Court has recorded a finding of fact that firstly the Petitioner had failed to produce the contract, now which is being relied up by the Petitioner's Counsel during his arguments; and secondly the Respondents No.1 had produced their bank statements reflecting their

salaries and pay slips from July 2013 till 18th June, 2019. Lastly, it has further recorded by the Labour Court that as per Sindh Government Gazette published by authority on 13.02.1975, Petitioner's Mill is non-seasonal establishment and therefore the argument now being raised on behalf of the Petitioner that private Respondents were temporary / seasonal employees does not hold field. The Tribunal has recorded a finding of fact and we do not see any reason to interfere with the same by exercising our constitutional jurisdiction. As a consequence thereof, these petitions are dismissed and the amount so deposited pursuant to ad-interim orders with the Nazir of this Court shall be released to the private Respondents along with profit, if any, upon proper identification and verification.

Office to place copy of this order in the connected petition as above.

J U D G E

J U D G E

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