

ORDER SHEET

IN THE HIGH COURT OF SINDH AT KARACHI

C.P No. D-8027 of 2018

DATE

ORDER WITH SIGNATURE OF JUDGE

Priority.

1. For order on office objection.
 2. For hearing of CMA No. 35149/18 (stay)
 3. For hearing of Main case.
-

10.08.2022.

Mr. Faizan Hussain Memon, Advocate for petitioner.
Mr. Muhammad Nishat Warsi, DAG.
Mr. Asim Iqbal, Advocate for Respondents No. 3 & 4.

Through this Petition, the Petitioner has impugned order dated 10.08.2018 passed by the Full Bench of NIRC in Appeal No.12(107)/2017-K. It appears that the Petitioner had filed a Petition bearing No.4A(263)/2015-K before a Single Bench of NIRC under Section 54(e) of Industrial Relations Act, 2012, wherein, certain interim orders were passed; however, subsequently the said Petition was dismissed for non-prosecution and in the interregnum the Petitioner was dismissed from service. Subsequently, the said petition was restored by the Single Bench and being aggrieved the Respondent No.3 had filed an Appeal before the Full Bench of NIRC, wherein, the impugned order has been passed and the order impugned therein has been set aside.

We have heard all the learned Counsel as well as learned DAG and by consent this petition is disposed of in the following terms:-

- (i) The Petitioner shall be at liberty to file a Grievance Petition in terms of Section 33 of the Industrial Relations Act, 2012 against the termination order passed during pendency of the present proceedings.

- (ii) The Petitioner shall file a condonation application, which shall be considered by the NIRC sympathetically and in view of the peculiar facts and circumstances of this case, wherein, certain orders have been passed in favour of the Petitioner.
- (iii) Let such Grievance Petition be filed within 30 days from today.

The Petition stands disposed of in the above terms.

Judge

Judge

Ayaz P.S.