

**ORDER SHEET  
IN THE HIGH COURT OF SINDH, KARACHI  
C.P. No.D- 4066 of 2012**

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<b>Date</b>	<b>Order with signature of Judge</b>
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**Present**

**Mr. Justice Muhammad Ali Mazhar**

**Mr. Justice Abdul Ghani Soomro**

Glaxo Smith Kline Pakistan  
Workers Union ..... Petitioner

V E R S U S

National Industrial Relations  
Commission & others ..... Respondents

**Date of hearing 01.09.2016**

Syed Shoa-un-Nabi advocate for the petitioner a/w Ainuddin  
General Secretary of the petitioner's union.

M/s. M.A.K. Azmati and Fayyaz Ahmed advocates for the  
Respondent No. 4.

M/s. Masood Ahmed Khan and Sanaullah Mirza advocates for  
Respondent No.5.

Shaikh Liaqat Hussain Standing Counsel

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**Muhammad Ali Mazhar, J:** In the year 2012, the proceedings initiated by the N.I.R.C were considered corrum-non-judice on the ground that before expiry of CBU certificate, the referendum proceedings were illegal, therefore, the petitioner approached this Court.

2. Today, learned counsel for the petitioner has pointed out an order passed by the N.I.R.C. on 30.09.2013 and argued that the CBU certificate issued to the petitioner was further extended for three years in terms of Section 62-A of I.R.A. 2012. It was further observed in the order that same shall continue for such period until the fresh CBU is determined by

the commission. Now for all practical purposes, the CBU of the petitioner is valid up to 30.09.2016.

3. Learned counsel for the Respondent No. 5 argued that at present four CBU are in existence in the establishment of Respondent No. 5 and the referendum for the determination of CBA may be conducted in accordance with law. So far as learned counsel for the Respondent No.4 are concerned, they also admit this fact that during pendency of this petition, the referendum proceedings were kept in abeyance.

4. After arguing at some length by the learned counsel appearing for the parties, they have agreed the disposal of this petition in the following terms:-

- i. The CBU certificate of the petitioner is admittedly valid up to 30.09.2016, thereafter, for further determination of CBU the N.I.R.C will act strictly in accordance with law.
- ii. The Unions may also approach for holding referendum to the N.I.R.C. and after complying with all requisite formalities, the referendum will be held in the Respondent No.5 establishment in accordance with law.

Pending applications are also disposed of in the above terms.

JUDGE  
JUDGE