

**ORDER SHEET
IN THE HIGH COURT OF SINDH, KARACHI**

C.P. No.D-4399 of 2014

Date	Order with signature of Judge
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Present

**Mr. Justice Muhammad Ali Mazhar
Mr. Justice Abdul Ghani Soomro**

GlaxoSmithKline Pakistan Ltd. Petitioner

V E R S U S

The Member, Sindh Labour Appellate Tribunal
and others Respondents

Date of hearing 08.09.2016

Mr. Muhammad Ali Khan, Advocate for the Petitioner

Mr. M.A.K Azmati, Advocate for Respondent No.2.

Muhammad Ali Mazhar, J: The Petitioner has challenged the order dated 06th August, 2014 passed by the learned Sindh Labour Appellate Tribunal in Appeal No.K-118/2013 whereby the Petitioner/Appellant was directed to deposit the amount of salary of the Respondent No.2 worker from 01.8.2013 onward within 15 days of time. Learned counsel for the Petitioner argued that the written arguments have already been filed by the Petitioner before the learned Appellate Tribunal in the year 2014 but the matter is pending and due to interim orders passed by this Court, learned Tribunal has stopped the proceedings.

2. Learned counsel for the Respondent No.2 argued that it is quite common phenomenon that after allowing the grievance

petition by the Labour Court, if the employer files any appeal in the Tribunal, the Tribunal use to pass order for depositing the back benefits till final disposal of the Appeal but in this case since earlier no orders were passed, therefore, an application was moved by the Respondent No.2 worker for depositing such amount which was allowed after hearing both the sides, but this order has not been complied with and challenged through this petition and by way of interim orders passed by this Court, the order of the Tribunal was suspended and the matter is pending since 2014 without any further progress in the Sindh Labour Appellate Tribunal.

3. The order passed by the learned Labour Appellate Tribunal for depositing the back benefits and or the salary of the Respondent No.2 is nothing new but it is quite common and this type of orders are normally passed by the Labour Appellate Tribunal, if the employer is not willing to implement the order passed by the Labour Court and assail the same in the Labour Tribunal.

4. Apparently there is no illegality in the order, however, after arguing at some length, learned counsel for the Petitioner agrees that the amount of salary will be deposited in the Tribunal in compliance of the order dated 06.8.2014. However, he requests that some directions may be issued to expedite the process and decide the pending Appeal on which the learned counsel for the Respondent No.2 is also agreed.

5. This petition is disposed of alongwith pending applications with directions to the Petitioner to deposit the amount of salary as ordered by the Tribunal within 20 days time and it is expected that learned Tribunal will decide the pending Appeal of the Petitioner preferably within 45 days. The amount deposited in the Tribunal shall not be paid to the Respondent No.2 till final disposal of the Appeal.

JUDGE

JUDGE

Ayaz Gul