

**ORDER SHEET**  
**IN THE HIGH COURT OF SINDH, KARACHI**  
**C.P. No.D-5732 of 2015**

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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 Arshad Hussain Khan**

M/s. Sui Southern Gas Company Ltd..... Petitioner

V E R S U S

Anna Safdar Ameer & another ..... Respondents

**Date of hearing 30.09.2016**

M/s. Asim Iqbal and Farmanullah advocates for the petitioner  
Sheikh Liaqat Hussain Standing Counsel.

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**Muhammad Ali Mazhar, J:** In fact the petitioner has challenged the order dated 08.06.2015 passed by the learned Member N.I.R.C. at Karachi in case No. 4A(201)/2015-K (24(207)/2015-K), whereby, as an interim measure, the petitioner Sui Southern Gas Company Ltd. was restrained from taking any adverse action against the Respondent No.1 on the basis of show cause notice dated 18.05.2015 till next date. However, the Management was left at liberty to conduct inquiry, if any.

2. Learned counsel for the petitioner argued that inquiry has been completed but since interim orders are operating, therefore, no final action could be taken by the Management. To a question raised by this court whether any appeal was filed against this order before the Full Bench of N.I.R.C.? Learned counsel argued that the commission has no jurisdiction to hear the case of the Respondent No.1 who is in executive cadre. He further argued that more than one year has been passed but stay application has not been finally decided. In this regard, he referred to annexure P-20 available at page 101 which is a Standing Order No.1 of 2015 issued by the Registrar, N.I.R.C.

under the directions of the Chairman, N.I.R.C. in which general directions have been issued to dispose of the application for interim relief within two weeks from the date of ad-interim order and if it is not possible to decide the same within aforesaid period then the application for interim relief/stay shall be finally decided after hearing parties within two to four weeks. Learned counsel submits that in terms of this Standing Order, some directions may be issued to the learned Member N.I.R.C. at Karachi to decide the stay application expeditiously.

3. Notice has been issued to the Respondent No.1. For last one year this petition is pending but neither any comments have been filed nor any person is representing the Respondent No.1. Since the petitioner is seeking some directions to expedite the trial, therefore, this petition is disposed of with the directions to the learned Member N.I.R.C. Karachi to dispose of the stay application of the Respondent No.1 within a period of one (01) month after providing ample opportunity of hearing to the parties. Copy of this order be transmitted to the learned Member N.I.R.C., Karachi for compliance.

JUDGE

JUDGE

Aadil Arab

