

ORDER SHEET
IN THE HIGH COURT OF SINDH AT KARACHI
C.P. No.D-5584 of 2023

Date

Order with signature of Judge

FRESH CASE:

1. For order on CMA No.25866/2023 (Urgent).
2. For order on CMA No.25867/2023 (Exemption).
3. For hearing of main case.

Dated; 22nd November 2023

Mr. Abdul Rauf, Advocate for Petitioner.

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1. Urgency granted.
2. Exemption granted subject to all just exceptions.
3. Through instant Constitutional Petition, the petitioner has impugned the Order dated 17.08.2023 passed by the Full Bench of National Industrial Relations Commission, Islamabad at Karachi in Appeal No.12A(284)/2022-K, whereby, according to learned counsel for the petitioner, the order passed by the learned Single Member, NIRC, Karachi Bench dated 23.09.2022 has been set aside and the grievance petition of the petitioner has also been dismissed with no order as to costs while treating the certificate of matriculation was bogus, whereas, according to learned counsel for the petitioner, such certificate is not bogus, perhaps there was an error in the date of birth of the petitioner, which has been duly corrected after due process in line with the date of birth shown in the Computerized National Identity Card (CNIC). According to learned counsel, the date of birth of petitioner is 05.04.1979 as per CNIC and the corrected matriculation certificate was issued, however, this aspect has not been taken into consideration by the learned Full Bench of NIRC. Per learned counsel, in terms of Section 33 of the IRA, 2012, which provides that within a period of one month from the date of knowledge, petitioner is required

to be issued show-cause notice by the respondents, whereas, all these documents were available with the respondent.

Let pre-admission notice be issued to the respondents as well as to the D.A.G., to be served through first three modes, for **06.12.2023**, when comments/reply, if any, shall be filed with advance copy to the learned counsel for the petitioner. In the meanwhile, the operation of the impugned order shall remain suspended till next date of hearing.

ACTING CHIEF JUSTICE

J U D G E

Farhan/PS
