

**BEFORE FULL BENCH,**  
**NATIONAL INDUSTRIAL RELATIONS COMMISSION,**  
**ISLAMABAD**

Before:- **Mr. Abdul Rasool Memon, Learned Chairman**  
**Mr. Shabbir Hussain Awan, Learned Member,**  
**Mr. Abdul Qayyum Khan, Learned Member,**

|      |     |                 |                                      |
|------|-----|-----------------|--------------------------------------|
| FFBL | Vs. | Qasim Jan       | <b><u>Appeal No.12A(84)/2023</u></b> |
| FFBL | Vs. | Shabbir Hussain | <b><u>Appeal No.12A(85)/2023</u></b> |
| FFBL | Vs. | Waheed Akhtar   | <b><u>Appeal No.12A(86)/2023</u></b> |
| FFBL | Vs. | Altaf Hussain   | <b><u>Appeal No.12A(87)/2023</u></b> |
| FFBL | Vs. | M. Ramzan       | <b><u>Appeal No.12A(88)/2023</u></b> |
| FFBL | Vs. | Zahid Mehmood   | <b><u>Appeal No.12A(89)/2023</u></b> |
| FFBL | Vs. | Waheed Rabbani  | <b><u>Appeal No.12A(90)/2023</u></b> |
| FFBL | Vs. | Zahiduddin      | <b><u>Appeal No.12A(91)/2023</u></b> |
| FFBL | Vs. | Shahzad Tabasum | <b><u>Appeal No.12A(92)/2023</u></b> |

Present:- Hafiz Arfat Ahmed advocate for the appellant.  
Kh. M. Arif advocate for the respondent.

**ORDER**  
27-11-2023

By this order we would like to dispose of the above titled nine appeals. Learned counsel for the appellant before proceedings further first has taken us to the order of the honourable Islamabad High Court,

dated 10-07-2023 passed in WP No. 2889/20 wherein in paragraph 16 the honourable Islamabad High Court has held as under:-

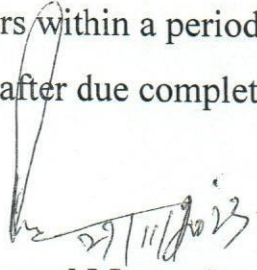
*“In view of the above, the instant petition is allowed; the impugned orders dated 28-01-2020 and 10-07-2020 passed by the learned Member and the learned Full Bench, N.I.R.C are set aside; and the matter is remanded to the learned Member, N.I.R.C. who shall first decide the question whether the grievance notice had been served by respondent No. 2 within the time limit prescribed in Section 33(1) of the I.R.A and then decide, if need be, whether the delay in filing the grievance petition ought to have been condoned on the basis of the grounds taken in respondent No. 2’s application for condonation of delay. There shall be no order as to costs.”*

Learned counsel for the appellant submits that the order dated 10-07-2023 passed by the learned Single Member in petition bearing Nos. 4B(139)2017, 4B(140)2017, 4B(141)2017, 4B(142)2017, 4B(143)2017, 4B(144)2017, 4B(145)2017, 4B(146)2017, and 4B(147)2017 has not dilated upon the application under Section 5 of the Limitation Act, which was pending adjudication before him, and thereby order of the honourable Islamabad High Court has not been complied with in letter and spirit.

Learned counsel for the respondent when was confronted with this situation submits that impliedly the point of limitation was discussed and decided and any observation has not been given on the application for condonation of delay or the grounds mentioned therein, therefore, he recorded no objection for allowing these appeals and remanding the matter to the learned Single Member for decision on application under Section 5 of the Limitation Act, in the light of observations given in paragraph 16 by honourable Islamabad High Court already mentioned above.

In view of the above as no objection recorded by the learned counsel for the respondents these appeals are allowed and the impugned order is set aside and the same are sent to the learned Single Member

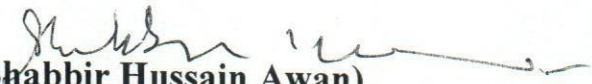
Bench-IV Islamabad alongwith R&Ps for decision afresh in the light of observations given in para-16 by honourable Islamabad High Court in WP No. 2889/20 and then proceed further. The learned Single Member is expected to decide these matters within a period of one months. File be consigned to the record room after due completion.  
Announced.



**(Abdul Rasool Memon)**  
Chairman



**(Abdul Qayyum Khan)**  
Member



**(Shabbir Hussain Awan)**  
Member

Shafique.