

NATIONAL INDUSTRIAL RELATIONS COMMISSION
LAHORE BENCH LAHORE

Case No.4B(02)/2026-L

Before: MUHAMMAD SIRAJ-UL-ISLAM KHAN, MEMBER

Talab Hussain

Vs. Daewoo Pakistan

Present: Mr. Zafar Hussain Khan, Advocate alongwith petitioner.
Mr. Basit Waheed Watto, Advocate for respondents No.1 to 3.
Mr. M. Naeem Iqbal, Advocate for respondent No.4.

O R D E R

18.02.2026

This petition has been received by the learned Labour Court No.3, Lahore vide order dated 05.01.2026.

2. The brief facts of the case are that the petitioner joined Daewoo Pakistan Express Bus Services Ltd. in the year 2019 and working as a Driver under their supervision in Lahore Feeder Project (Speedo Bus). The learned counsel for the petitioner has contended that the petitioner served with the respondent department with utmost honesty and dedication at the Railway Station Lahore Terminal. The petitioner was unlawfully terminated in August, 2023, against which writ petition No.38/2023 before the Hon'ble Lahore High Court, Lahore and the Hon'ble Lahore High Court, Lahore vide its judgment dated 04.03.2024 declared the termination of the

petitioner illegal and reinstated the services of the petitioner with all back benefits. But, the respondent department after reinstating the petitioner into service, with altered the petitioner's employment status in the following manner:-

- a. The petitioner's original service card was taken for renewal and unlawfully original employee ID (14992) changed to a new ID (22974).
- b. The petitioner's original date of appointment (2019) was fraudulently recorded as 2024 in new service card.
- c. The petitioner was denied the back benefits explicitly granted by this Hon'ble Court.
- d. The petitioner was forcefully assigned to workshop driver duty for a period of 7 to 8 months, instead of his original posting on general bust duty. During this period:-
 - His mess allowance was unlawfully deducted.
 - He was denied access to the mess facility, in violation of service rules.

3. The learned counsel for the petitioner has further argued that when the petitioner demanded his rightful back benefits in the light of above said judgment, the respondents with malafide intention transferred the petitioner on 27.05.2025 from Railway Station, Lahore Terminal to Green Town Terminal, situated approximately 35 km away. This transfer was not administrative in nature, but a punitive act intended to harass the petitioner for

asserting his legal rights. The learned counsel for the petitioner has further submitted that the petitioner served the grievance notice on 20.05.2025 to the respondents, but the respondents did not bother at all. Hence, this petition with the following prayer:-

"In view of the above, it is most respectfully prayed that this Hon'ble Court may graciously be pleased to:

- a. Direct the respondents, particularly respondents No.2 and 3 to reinstate the petitioner at Railway Station, Lahore Terminal on General Bus Driver Duty, where he was previously posted.
- b. Declare that the petitioner's service ID remains 14992 and his service length shall be reckoned from 2019, not 2024.
- c. Direct the respondents to pay all back benefits in light of the Hon'ble Court's earlier judgment dated 04.03.2024, including unlawfully deducted mess allowance.
- d. Restrain the respondents from taking any coercive or retaliatory action against the petitioner in the future."

4. The instant grievance petition has been contested by the respondents through their written reply, wherein they have submitted that the instant grievance petition has been filed without serving of grievance notice. The impugned transfer order was issued on 27.05.2025, whereas the grievance notice was served on 20.05.2025, so this petition is not maintainable. The petitioner has been transferred due to administrative reason by the competent

authority. The learned counsel for the respondents has placed his reliance upon 1994 PLC 140. Respondents have denied the other averments and prayed for dismissal of the instant petition.

5. I have given my anxious consideration to the submissions advanced by the learned counsels for both the parties and have perused the record with their able assistance.

6. The petitioner filed this petition on multiple grounds. Firstly, he prayed that his dues/back benefits be paid to him as per the reinstatement order dated 04.03.2024 passed by the learned Labour Court No.3, Lahore. It is a settled principle of law that the reinstatement of an employee would be considered that he was never terminated/dismissed from service, so he has a lawful right to be reinstated and join his duties on the same place where he was dismissed/terminated.

7. No doubt to hold that the employer has prerogative to transfer any of its employee at the place where he deems to fit in accordance with the abilities/qualifications of such employees.

8. In the light of the above, the instant petition is disposed of with the direction to the respondents to reinstate the petitioner at

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the place where from he was terminated/dismissed from service. The respondents are further directed to pay all the due amount of the petitioner without wasting further time in accordance with law. The intervening period from the dismissal and joining shall be treated as leave kind due. No order as to costs. File be consigned to record room after its due completion.

(Muhammad Siraj-ul-Islam Khan)
Member

Announced
18.02.2026