

IN THE SUPREME COURT OF PAKISTAN
(Appellate Jurisdiction)

Present:

Mr. Justice Qazi Faez Isa
Mr. Justice Jamal Khan Mandokhail

Civil Petition No. 748-K of 2019

(On appeal from the judgment of the High Court of Sindh at Karachi dated 02.10.2019 passed in C.P. No. D-3926 of 2011)

M/s Pakistan Steel Mills Corporation

.... *Petitioner*

Versus

Member Sindh Labour Appellate Tribunal and others

Respondents

For the Petitioner:

Mr. Moin Azhar Siddiqui, ASC

For Respondent No.2:

In person

Date of Hearing:

23.12.2021.

ORDER

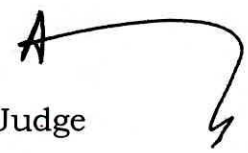
Qazi Faez Isa, J. Respondent No.2, who is former employee of the petitioner, filed *caveat* and is in attendance. And, at the outset states that upon attaining the age of superannuation, he stood retired from the service of the petitioner on 30 January 2012 and that all his dues and outstandings have been paid to him by the petitioner, amounting to six million one hundred and seventy two thousand, nine hundred and fifty rupees *vide* pay order which has been encashed, copy whereof is filed with C.M.A. No. 1242-K of 2021. Therefore, he submits, this petition has become infructuous.

2. Learned Mr. Moin Azhar Siddiqui, ASC, states that on purely sympathetic considerations the said payment was made to the respondent No.2 in full and final settlement of all his dues and outstandings and as the petitioner wants to sever all relationship with him, but the same should not be permitted to be used as a precedent against the petitioner. The respondent No.2 does not object.

3. Therefore, since the petitioner has settled respondents No.2's claim this petition is disposed of and with the observation that the impugned judgment of the High Court will be treated as *per incuriam* and shall not constitute a precedent before this Court.



Judge



Judge

Bench-I
Karachi:
23.12.2021
(K.Anees)

