

ORDER SHEET
IN THE ISLAMABAD HIGH COURT, ISLAMABAD
(JUDICIAL DEPARTMENT)

RFA no.610/2023

MSF (Medecins Sans Frontieres) (France) and others
versus
Shahnaz Rafiq and others

S. No. of order/proceedings	Date of order/Proceedings	Order with signature of Judge and that of parties or counsel where necessary.
1	18.10.2023	Mr. Momin Ali Khan, Advocate for the petitioner

This regular first appeal is from the judgement and decree dated 13.07.2023 awarding damages of Rs.5 million to the respondent for her wrongful dismissal.

2 Learned counsel contends that the employment contract included a clause for termination with one month’s notice and this fact had not been factored in the impugned judgement. He contends that, even assuming without conceding, that the inquiry into the respondent’s misconduct was not proper, that made no difference in terms of the reciprocal contractual obligations of the parties because the respondent had no right to continuing in employment for any definite period. He further adds that no computation of special damages as required under settled law was led by the respondent at the trial and the determination of damages in the sum of Rs.5 million was arbitrary and not supported by any evidence. Learned counsel’s submissions demonstrate an arguable case.

3 Admit. Notice. Record.

4 Relist on **12.12.2023**.

5 The parties are directed to file their statements of costs of litigation before the next date of hearing.

CM no.1/2023

Notice. Pending the next date of hearing, the operation of the impugned judgement and decree shall remain suspended.

(Sardar Ejaz Ishaq Khan)
Judge