

*Form No: HCJD/C-121.*  
**ORDER SHEET**  
**IN THE ISLAMABAD HIGH COURT, ISLAMABAD**  
**JUDICIAL DEPARTMENT**

Writ Petition No. 34 of 2021

Moetesum Khurshid, etc.

Vs

Authority under Payment of Wages Act, etc.

S. No. of order/ proceedings	Date of order/ proceedings	Order with signature of Judge and that of parties or counsel where necessary.
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08-01-2021.

Mr. Javaid Iqbal Banday, Advocate for the petitioners.

Through this petition the petitioners have impugned order, dated 28.10.2020 of Payment of Wages Authority established under the Payment of Wages Act, 1936.

2. Learned counsel for the petitioners states that the impugned order is devoid of any reasoning; that respondent no.2 is not a workman; that the authority had no jurisdiction to adjudicate on the issue of non statutory gratuity being paid under the company's policy; that disputed questions regarding the employment status of the employee or his termination fall beyond the jurisdiction of the authority.

3. Issue notice to respondent No. 2, who shall file parawise comments by or before 26<sup>th</sup> January, 2021, with an advance copy to be shared with the learned counsel for the petitioner. The petitioner shall be free to file

rejoinder within a period of one week thereafter.

4. Relist on **08.02.2021**.

**C.M. No. 02-E of 2021.**

Exemption sought for is allowed, subject to all just and legal exceptions.

**C.M No. 02 of 2021.**

Notice. Meanwhile, operation of the impugned order shall stay suspended till the next date of hearing.

(BABAR SATTAR)  
JUDGE

*Saeed.*