

**ORDER SHEET**  
**IN THE ISLAMABAD HIGH COURT, ISLAMABAD**  
**JUDICIAL DEPARTMENT**

W.P.No.110/2020  
Raja Muhammad Yasin  
**Versus**

Learned Member, National Industrial Relations Commission and others

S. No. of order / proceedings	Date of order/ Proceedings	Order with signature of Judge and that of parties or counsel where necessary.
	17.01.2020	<b>Mr. Muhammad Asif Gujjar, Advocate for the petitioner.</b>

Through the instant writ petition, the petitioner, Raja Muhammad Yasin, impugns the order dated 28.11.2019 passed by the learned Member, National Industrial Relations Commission ("N.I.R.C."), whereby it was *inter alia* declared that under Article 12(2) of the Constitution of National Organization of Postal Employees' Union, the Senior Joint Secretary will perform the duties of the General Secretary in his absence.

2. The petitioner has already preferred an appeal against the said order dated 28.11.2019 before the learned Full Bench, N.I.R.C., but due to the unavailability of the learned Full Bench, the said appeal has not been taken up for hearing. The petitioner seeks the suspension of the said order dated 28.11.2019 until his appeal is taken up for hearing by the learned Full Bench, N.I.R.C.

3. In cases where the Full Bench of the N.I.R.C. is unavailable to take up the petitioner's appeal against an order of a Member, N.I.R.C., this Court ought not to suspend the order of a Member, N.I.R.C., without forming a *prima facie* view as to whether there is any legal infirmity in such an order.

4. Since the learned counsel for the petitioner has not been able to satisfy the Court as to any illegality in the impugned order dated 28.11.2019, this Court is not inclined to suspend the said order

until his appeal is taken up for hearing by the learned Full Bench, N.I.R.C. As and when the learned Full Bench, N.I.R.C. is available in Islamabad to take up the petitioner's appeal, it is expected that the said appeal be decided with an independent application of mind uninfluenced by the decision of this Court not to grant relief to him.

5. In view of the above, the instant petition is dismissed in *limine*.

Qamar Khan\*

**(MIANGUL HASSAN AURANGZEB)  
JUDGE**