

OFFICE OF THE FEDERAL OMBUDSPERSON

FOR PROTECTION AGAINST HARASSMENT OF WOMEN

AT THE WORKPLACE, REGIONAL OFFICE, SINDH

FORM OF ORDER SHEET

Complaint No. 501/2025

Date of Institution: 13.05.2025

Serial No. of Order of Proceedings	Date of order of Proceedings	Order of other proceedings with Signature of Federal Ombudsperson			
		TITLE	MS. MOOMAL GHALIB	VS	MR. SARDAR ABDUL MANAN
		DEPARTMENT: MOVENPICK			
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07	15.08.2025	<u>Subject: Final Order of Dismissal</u> 1. The complaint has been filed under Section 8 of the Protection against Harassment of Women at the Workplace Act, 2010 ("Act") by Moomal Ghalib (hereinafter referred to as "the Complainant") against Sardar Abdul Manan, Director Food and Beverages, Movenpick Hotel Karachi (hereinafter referred to as "the Accused"). 2. The Complainant alleged that the Accused contacted her after receiving her CV, commented on her WhatsApp status, and met her outside the hotel on several occasions on the pretext of helping her get a job for which she had applied.			

		She alleged that during one such meeting, the accused sexually assaulted her in his car after offering her a drugged pan and took photographs of her, which he later used to blackmail her into continuing to meet him. This continued until 13.05.2024, when after the accused left for Abbottabad, she felt some relief and finally disclosed the incident to her husband. 3. The accused denied all allegations, contending that it was the complainant who pursued him, sought private meetings, and sent inappropriate images. He alleged she and her husband later attempted to blackmail and harass him, including contacting his family with false claims of marriage and impersonating another person. 4. In January 2025, the complainant's husband filed a complaint with Movenpick Hotel management. The internal inquiry was conducted by the General Manager and the Director Talent and Culture as designated inquiry officers. The inquiry lasted approximately three months. The complainant and her husband were repeatedly called in for in-person inquiry proceedings. Despite initial assurances, they refused to appear, ignored repeated requests sent by email and text, and withheld the complainant's contact number. The complainant eventually gave a twenty-three-minute telephonic statement on 04.02.2025, reiterating her narrative but providing no satisfactory explanation for repeatedly meeting the accused in public and private settings if she felt exploited. 5. During the inquiry, the accused admitted knowing the complainant and meeting her on three occasions. He produced contemporaneous chat records and pictures, including selfies of the two of them together, which reflected comfort and mutual engagement rather than a coerced or exploitative relationship. The inquiry record also includes the admitted statement by the Complainant's husband that he arranged for a woman named Fozia to 'honeytrap' the accused.
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		6. The designated inquiry officers found that while the accused's personal meetings with the complainant breached professional boundaries, there was no evidence of sexual harassment within the meaning of Section 2(h) of the Act. The facts indicated a consensual personal relationship that later deteriorated. A final written warning was issued by the Hotel Management to the accused for breaching professional boundaries. 7. It is further observed that the designated inquiry officer has furnished proof to this Forum that the complainant and her husband were both previously employed by Movenpick Hotel in 2015 and had left their jobs after their marriage. It was also noted that the husband of the Complainant did not disclose that the victim was his second wife, instead describing her as a "close relative." These facts, while not directly determinative of the core allegations, are relevant in assessing the overall credibility of the Complainant's version and the circumstances surrounding the case. 8. During the preliminary hearing before this Forum, the WhatsApp chat history presented by the Complainant herself clearly reflected mutual romantic exchanges between the parties, inconsistent with the claim of a forced or coerced relationship. The complainant did not disclose to this Forum that she was a former employee of Movenpick Hotel Karachi, nor that, following a complaint lodged by her husband with the Hotel on her behalf, an inquiry had been conducted. Instead, she stated only that no action had been taken following that complaint. 9. The inquiry records received from the Movenpick Hotel Management on 12.06.2025 reflect that in April 2025, while the inquiry was pending, the complainant's husband allegedly contacted the accused's wife and shared pictures and messages involving another woman with the accused, which the accused claims were intended to humiliate and defame him within his family circle. The records also include pictures of
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		the accused and the complainant together, including selfies, which reflect mutuality and comfort rather than a coerced relationship. It is further alleged that in July 2024, the complainant attempted to contact members of the accused's family, including his nephew, with the intention of blackmailing and harassing him, and conveyed to the wife of the accused that she had married him and that they had a daughter together. When asked to produce supporting evidence such as a nikkahnama or DNA test results, the complainant failed to do so. The record also shows that, despite repeated requests by the investigating officer on 03.02.2025 and 04.02.2025 to arrange a meeting with the victim, the complainant's husband refused. When asked to hand over the complainant's phone for forensic analysis, he declined, insisting instead that the accused's phone should be seized, and further inquired of the investigating officer whether she believed his wife, the complainant, had been involved in a consensual relationship with the accused. 10. This Forum, having independently assessed the complete record, concurs with the inquiry findings. The evidence does not establish that the accused subjected the complainant to sexual harassment as defined in the Act. The conduct complained of falls outside the scope of the 2010 Act. 11. The present complaint has been filed under Section 8 of the Protection Against Harassment of Women at the Workplace Act, 2010; however, if the complainant had been aggrieved by the findings of the inquiry conducted by the Movenpick Hotel Management the proper course would have been to file an appeal under Section 6 of the Act. Instead, the complainant improperly approached this Forum seeking initiation of a fresh inquiry which does not fall within the original jurisdiction of this Forum and, in any event, is barred by the principles of <i>res judicata</i>. 12. Allegations such as rape, sexual assault, and blackmail are matters for the police under the Pakistan Penal Code and, where applicable, for the FIA under the Prevention of Electronic
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		Crimes Act, 2016. Nothing in this order affects the complainant's right to pursue remedies before the appropriate forum. 13. For the reasons above, the complaint is dismissed for want of merit and lack of substantiating evidence. 14. It is recommended that the Movenpick Hotel continue to ensure strict compliance with the Protection against Harassment of Women at the Workplace Act, 2010. This includes conducting regular awareness and sensitization sessions for all employees, as well as specialized and periodic training for Inquiry Committee members to ensure their capacity to conduct impartial, thorough, and fair inquiries in accordance with the law. FEDERAL OMBUDSPERSON
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