



**OFFICE OF THE FEDERAL OMBUDSPERSON
FOR PROTECTION AGAINST HARASSMENT OF WOMEN
AT THE WORKPLACE, REGIONAL OFFICE, SINDH**

FORM OF ORDER SHEET

Complaint No. 529/2025

MS. KHUSHAMA BUTT

V/S

DR. IMRAN

Date of Institution: 19.09.2025

Name of Organization: PERFECTION CLINIC

ORDER

Date: 06/05/2026

Sr. No: 27

- 1. The Complainant, Khushama Saleem Butt, working as an Aesthetician at Perfection Clinic, PECHS, Karachi, has filed a complaint under the Protection against Harassment of Women at the Workplace Act, 2010 (hereinafter "the 2010 Act"), against Dr. Imran Ayub, Chief Executive Officer (CEO) of Perfection Clinic, PECHS and Medaccess, Faisal Town, Lahore, alleging repeated incidents of inappropriate behaviour, sexually suggestive conduct, and gender-based remarks that rendered her work environment hostile, offensive, and unsafe within the meaning of Section 2(h) of the 2010 Act.*
- 2. The facts as stated by the Complainant are that she was appointed as an Aesthetician at the Perfection Clinic on 04.08.2025 on a monthly salary of Rs. 60,000/-. She alleges that the Accused was rude and arrogant in his conduct and regularly made inappropriate remarks and jokes regarding procedures such as breast augmentation and vaginal plasty, and on one occasion directly asked her: "Why are you so fat?".*

3. *She further alleged that the Accused usually arrived at the clinic at 05:00 PM, played romantic songs, and stared at her in a manner that made her uncomfortable. She stated that the staff at the clinic had conveyed to her that no female employee stayed at the clinic for long, and that even on the day of her interview on 02.08.2025, a former female employee was present at the clinic requesting payment of her outstanding salary. Within four to five days of joining, the Complainant began to sense unusual behaviour on the part of the Accused. She justifies her continuation in employment for approximately 21 days on the ground that one does not ordinarily leave employment unless a serious or physical incident occurs.*
4. *On 27.08.2025, the Accused informed the Complainant that the Health Commission had restricted PRP procedures to dermatologists only, and that she would now assist him in body shaping procedures instead. Later that day, at around 06:00 PM, the Complainant was called into the procedure room, where the Accused remarked: "A girl wants big boobs like yours." He then showed her a video on his mobile phone and, while doing so, suddenly pulled her hand and kissed her on the cheek. The Complainant immediately left the room visibly distressed. At 06:28 PM, shortly after she had walked out, the Accused sent her a WhatsApp message stating: **"Come"** (Ex C-1/2). Riba (HR) noticed her condition and asked: "What happened and what did Dr. Imran do to you? Has he done something to you?", adding that "this has happened to other women as well." The Complainant stated that when she reported the incident to Riba, Abdul Saboor (Media Worker) and Muhammad Amir (Office Boy) were also present.*
5. *The Complainant remained at the reception waiting for her cousin, who arrived at around 09:00 PM, and she left the clinic. At 09:36 PM that same night, after reaching home, she messaged the Accused stating: **"I wont be able to work with you, Kindly transfer my salary, after five days the month will be completed"** (Ex C-1/2). The Accused*

responded at 09:45 PM with a single word: **"reason?"**. She did not reply that night. The Complainant contacted Riba at approximately 9:38 PM the same night and stated, "Meri video to ni post ki review wali. Nhi krna wo or agr ki hy to del krdo and "Sir ko bol dena meri salary transfer kr dein, wo bhi puri." (Ex C-1/4) At 10:08 PM, the Complainant texted Riba, "Main nahi aaungi kal se." In response, Riba replied, "Arey bhe kya ho gaya, kuch nahi hota." (Ex C-1/4) At around 10:33 PM, the Complainant reiterated, "Bus tum bol dena Sir ko... maine unko message kar diya hai, tum bhi bol dena." Riba responded, "Theek hai, but salary ke liye aap aayen, warna issue karen ge." Riba then stated, "Thora relax ho jaayein, salary ka nuqsan nahi karen." At approximately 10:38 PM, the Complainant stated, "Salary to main nikalwa loongi, bol dena inko behtar hai khud hi send kar dein. Unhon ne khud bola hai agar convert nahi hona to month complete karen. The Complainant reiterated, **"Aur bolna poori salary transfer karen, because it's not my fault... aur yeh bhi bolna reason aap ko pata hai."** Riba then responded, "Yaar dekhein, aise jayengi to issue hoga, salary nahi milegi, mushkil hai. Dr. Tahira ke sath bhi yahi hua tha." The Complainant replied, "Maine unko message kar diya hai, tum bhi bol dena, bhej dein aur bata dena." Riba responded, "Ji, main keh deti hoon aur aap ko bataungi message karke." The Complainant further emphasized, "60,000 se ek rupay bhi kam na ho... aur bolna reason you know very well, so transfer tomorrow." Riba replied, "Main subah baat karti hoon unse." The Complainant concluded by stating, "Aur video post na karna meri, delete kar do review wali." (Ex C-1/4)

6. The following day, on 28.08.2025 at 02:21 PM, the Complainant informed Maira Kanwal, Branch Manager, on WhatsApp: **"Ha mny job chor dia hy" and "Mjhe koi shoq ni aesi jaga pr job krne ka jaha lrkio ko harras kya jata hy"** (Ex C-1/3). Next day, at 04:56 PM, she replied to the Accused's previous message wherein he asked for the reason: **"reason you know very well kl tk salary a jani chaiye**

account me". (Ex C-1/2) As the clinic's mobile phone was still in her possession, she informed him that it would be returned once she received her salary. The Accused threatened her with legal action, to which she responded that she would also initiate legal proceedings. He then directed her to contact Riba, who advised the Complainant to remain calm, not to forgo her salary, and to visit the clinic, warning that the Accused would otherwise "torture her like he did to previous employees such as Tahira".

7. On 30.08.2025, the Complainant visited the clinic to return the mobile phone and collect her salary. The Accused informed her that payment would not be made before the 10th of the month. Upon her indication that she would return the phone at that time, the Accused again threatened her with legal action, and she left the premises.
8. On 01.09.2025, Advocate Sadaf contacted the Complainant on behalf of the Accused to resolve the matter and assured her of salary payment. Relying on this assurance, the Complainant handed over the clinic's mobile phone to an assistant of the said Advocate in front of Lucky One Mall on 03.09.2025, in respect of which WhatsApp correspondence and call records were produced (Ex C-1/5 and Ex C-1/7). Thereafter, the Complainant was repeatedly asked to wait on various pretexts, including that the Accused was unwell or out of Karachi. On 05.09.2025, Advocate Sadaf communicated to the Complainant that the Accused **"had an ego"** and that she should wait. An assistant of Advocate Sadaf subsequently informed the Complainant that a police complaint had been lodged against her, that her location had been traced, and that her arrest was imminent. Though she was later told this had been cancelled. (Ex C-1/5) On 17.09.2025, the Complainant again informed the Advocate Sadaf that her salary remained unpaid and that she intended to initiate legal proceedings, after which she stopped responding.

9. *The Complainant also stated that on 25.08.2025, at the request of Riba, she recorded a promotional video pertaining to treatment at the clinic. Upon her resignation, she requested its removal from all digital platforms. Riba removed it from the clinic's Facebook and Instagram pages on 30.08.2025 in her presence. However, on 26.09.2025, the Complainant discovered that the promotional video was still up on the clinic's Google Reviews page despite her request for its removal.*
10. *In light of the foregoing, the Complainant has prayed that this Forum initiate an inquiry into the matter, recommend appropriate disciplinary action against the Accused, direct payment of compensation for emotional distress and mental trauma, order release of her outstanding salary of Rs. 60,000/-, and order removal of the said promotional video from all digital platforms of the clinic.*
11. *The Complainant reiterated her allegations verbatim during final arguments, consistent with her complaint and evidence.*
12. *The Accused has denied all allegations of harassment and submitted that the complaint is false and filed with mala fide intent to damage his professional reputation. He has asserted that no conduct falling within Section 2(h) of the 2010 Act had occurred. He maintained that the clinic operated in a professional environment, that several female staff members were employed there without any complaint of misconduct, and that he had always conducted himself with professionalism. He has specifically refuted the allegations of body-shaming, vulgar comments, inappropriate calls, physical contact, or any other form of harassment, and stated that no prior complaint of a similar nature had been made against him in over fifteen years of practice in medical aesthetics.*
13. *The Accused submitted that the Complainant was absent from duty for several consecutive days without prior intimation, which disrupted clinic operations. When questioned about her absence and performance, she became hostile and filed the present complaint in retaliation. He*

further alleged that the Complainant unlawfully accessed and took confidential patient data from clinic records. He also contended that the complaint lacks evidence, as no witnesses, CCTV footage, messages, or documents have been produced, and that mere verbal assertions do not meet the evidentiary threshold.

14. On the specific facts, the Accused stated that he did not recall whether he had messaged the Complainant on WhatsApp on 27.08.2025, and that he did not recall whether he had called her into the procedure room on that date. He stated that since the Complainant used to sit in the procedure room, he must have gone to her. He denied that the Complainant resigned on 27.08.2025 and stated that he became aware of her departure only the following day, when she did not report for work and conveyed through others that she did not wish to continue and requested clearance of salary. He acknowledged that the Complainant visited the clinic on 29.08.2025, and admitted that Advocate Sadaf had communicated that salary would be released upon return of the mobile phone. He denied that the Complainant ever returned the phone, and maintained that salary was therefore withheld on that ground alone. He further stated that a complaint was lodged at Ferozabad Police Station regarding the theft of the clinic's mobile phone, and that the same had been lodged by his staff. He also acknowledged that a promotional video recorded by the Complainant was posted on the clinic's social media platforms, and that it had not been removed despite her subsequent withdrawal of consent and repeated requests for removal.

15. In final arguments, the Learned Counsel for the Accused submitted that the real dispute between the parties concerned the alleged unauthorized retention of the clinic's mobile phone and sensitive client data, and that the harassment complaint was a pressure tactic to evade that liability. Counsel contended that the allegation of physical harassment was improbable, inasmuch as the Complainant remained

at the clinic until 09:00 PM after the alleged incident, failed to disclose the reason for her resignation in her message to the Accused, and produced no independent witness or corroborative material. Counsel further submitted that the Complainant's own admission that she sensed inappropriate behaviour within days of joining yet continued in employment for 21 days undermines the credibility of her allegations.

16. The Accused has prayed that the complaint be dismissed as false and malicious; that he be exonerated; that proceedings be initiated against the Complainant for filing a false complaint; and that appropriate legal action be directed against her for the alleged theft and misuse of confidential patient data.

17. During the course of proceedings, the Complainant furnished a list of witnesses, namely Abdul Saboor, Maira Kanwal, Riba, and Advocate Sadaf, all of whom were summoned by the Forum as Court Witnesses. Of these, only Abdul Saboor appeared. Maira Kanwal, Riba, and Advocate Sadaf failed to appear despite the issuance of multiple notices and warrants.

*18. Abdul Saboor (CW-2) deposed that he was employed at the clinic as a Graphic Designer from June 2025 for approximately four months and was no longer in the Accused's employment at the time of his testimony, owing to his salary having been delayed. He stated that he worked in a separate department and mostly remained within his designated workspace, which limited his interaction with both the Complainant and the Accused. **He categorically stated that he did not personally witness any incident of harassment and that his knowledge of the alleged events was based on information conveyed to him by the Complainant and Riba.** He denied that the Accused had body-shamed the Complainant or told her that female employees do not stay at the clinic for long. He also denied being present when the Complainant returned the mobile phone, though he confirmed she visited the clinic on that occasion and expressed*

uncertainty as to whether the phone was in fact returned or not. **He confirmed, however, that the Complainant informed him she resigned due to harassment and that this fact was generally known within the office.** He further confirmed that the Accused was present at the clinic on the day of the alleged incident, seated in Consultation Room No. 2, while the Complainant was seen sitting outside on a sofa.

19. Additionally, the Accused has produced one witness, namely Muhammad Amir, who has appeared before the Forum. Muhammad Amir (DW-1) deposed that he had been working with the Accused for four years as a staff nurse and office boy. He confirmed he was present at the clinic on the date of the alleged incident, though not inside the procedure room at the relevant time. He stated that no unusual incident occurred in his presence and that he never witnessed any inappropriate remarks, harassment, or suspicious conduct by the Accused. Regarding the events of 30.08.2025, he stated that the Complainant visited the clinic to return the mobile phone and discuss her salary. He further stated that the Complainant's working hours were from 12:00 PM to 8:00 PM but that she frequently arrived late, between 12:30 PM and 1:00 PM, and that appropriate action was taken when this became habitual, which the Complainant has allegedly portrayed adversely.

20. After hearing the arguments advanced by both parties and examining the available record, the following questions arise for determination before this Forum:

- a. Whether the conduct of the Accused falls within the ambit of "harassment" as defined under Section 2(h) of the Protection against Harassment of Women at the Workplace Act, 2010?
- b. Whether the Complainant has established, on the balance of probabilities and on the basis of available evidence, testimony,

and surrounding circumstances, that the alleged acts of harassment were committed by the Accused?

- c. Whether the adverse inference from the non-appearance of material witnesses, namely Riba (HR), Maira Kanwal, and Advocate Sadaf, may be drawn against the Accused, and what evidentiary weight is to be accorded to the testimony of the witnesses who did appear?*

21. The determination of Point No. a requires this Forum to assess whether the alleged acts attributed to the Accused fall within the definition of “harassment” as provided under Section 2(h) of the 2010 Act, which encompasses any unwelcome sexual advance, request for sexual favours, or other verbal, written, or physical conduct of a sexual nature, as well as any sex-based discriminatory conduct that interferes with work performance or creates an intimidating, hostile, or offensive work environment.

22. The allegations in the present complaint, taken at their highest, encompass: (a) repeated body-shaming remarks including a direct comment on the Complainant's physical appearance and body parts; (b) sexually suggestive remarks made in a private room referencing a female patient's desire for "big boobs like yours"; (c) physical contact in the form of pulling the Complainant's hand and kissing her on the cheek without consent; (d) a pattern of conduct designed to create an uncomfortable and hostile work environment, including playing music, staring, and making inappropriate remarks. If established, each of the above, particularly acts (b) and (c), would fall squarely within the definition of harassment under Section 2(h). The first point is accordingly answered in the affirmative, subject to evidentiary satisfaction.

23. With respect to the second issue, the standard of proof in proceedings under the 2010 Act is the balance of probabilities. This Forum is not bound by the strict rules of evidence applicable to criminal courts; it is,

however, required to base its findings on credible and reliable material available on record [Ref: **2025 LHC 8888 / W.P 25636/2025** and **PLD 2023 SC 588**]. In **PLD 2022 SC 353** in a case titled **Salamat Ali & Ors. versus Muhammad Din & Ors.** wherein the Supreme Court held that:

Evidential standards of proof applicable in civil cases

12. ...In order to prove a fact asserted by a party, it does not require a perfect proof of facts, as it is very rare to have an absolute certainty on facts. This provision sets the standard of a 'prudent man' for determining the probative effect of evidence under the 'circumstances of the particular case'. The judicial consensus that has evolved over time is that the standard of 'preponderance of probability' is applicable in civil cases, the standard of 'proof beyond reasonable doubt' in criminal cases, and the in-between standard of 'clear and convincing proof' in civil cases involving allegations of a criminal nature. All these three standards are, in fact, three different degrees of probability, which cannot be expressed in mathematical terms, and are to be evaluated 'under the circumstances of the particular case', as provided in clause (4) of Article 2 of the Qanun-e-Shahadat, 1984.

(Emphasis added)

24. The Complainant's case rests primarily on her own testimony, undisputed WhatsApp messages, and call records. No direct eyewitness testimony of the specific incident of 27.08.2025 has been produced, as that incident occurred in a private room. However, the law recognises that harassment, by its very nature, often occurs in private [Ref: **Clause xii of Code of Conduct of the 2010 Act**]; it would be an unjust standard to require direct eyewitness corroboration of every act committed behind closed doors.
25. What the evidence does establish is significant. The Complainant's immediate distressed reaction upon leaving the room on 27.08.2025 was witnessed by Riba and Abdul Saboor. Although Saboor has

denied direct knowledge, he has confirmed that the Complainant communicated her resignation due to harassment. This constitutes corroboration of the Complainant's emotional state immediately following the incident, lending credibility to her account.

26. The contemporaneous WhatsApp record materially supports the Complainant's version of events. The Forum verified directly from the Complainant's mobile phone that the "Come" message and the earlier reference images relied upon by the Complainant were both dated 27.08.2025, thereby establishing the nexus between the messages and the alleged incident. The "Come" message at 06:28 PM, sent shortly after the Complainant had walked out of the procedure room, is itself telling, since there would be no occasion for the Accused to summon her back had she not left the room abruptly in the manner she described. Equally significant is his response at 09:45 PM to her resignation message — a clipped, one-word query "reason?" — wherein he neither sought clarification nor expressed any surprise at her abrupt decision to leave, conduct inconsistent with that of an employer receiving an unexplained resignation from a recently-hired employee. Most importantly, on 28.08.2025 at 02:21 PM, well before any legal proceedings were contemplated and before she had even told the Accused what the "reason" was, the Complainant disclosed to Maira Kanwal, Branch Manager, in unambiguous terms that she had resigned because of harassment at the workplace. This contemporaneous disclosure, made within twenty-four hours of the incident and to a senior staff member internal to the organisation, negates any suggestion that the harassment narrative was a later construction or an afterthought introduced for the purposes of these proceedings.

27. Compounding the above, the Accused's own statement contains material inconsistencies that undermine his credibility. He stated, on one hand, that he does not recall messaging the Complainant on

WhatsApp on 27.08.2025. On the other hand, he admitted that he became aware of her resignation only the following day, contending that he believed her to be merely absent. These two positions are difficult to reconcile. If, as the Complainant alleges, the Accused himself messaged her that evening asking her to return to his room and she responded by communicating her resignation, his claim of learning about it the next day is implausible particularly as the WhatsApp communication exhibited before this Forum stands undisputed on record.

28. In addition, the police complaint filed at Ferozabad Police Station, which the Accused claims was lodged by his "staff," bears his own signature on the document submitted before this Forum. This misrepresentation is not without bearing on the overall reliability of the Accused's account. Further, the Accused denied in his initial statement having threatened the Complainant with legal action. However, in cross-examination, he admitted in unambiguous terms that he threatened the Complainant with legal action if she did not return the mobile phone. A reversal of this nature, on a material aspect of the case, has a direct bearing on the weight that can be placed on the Accused's testimony.

29. With regard to Muhammad Amir's testimony, a careful evaluation of his statement reflects multiple self-contradictions which adversely affect his credibility. Firstly, he initially stated that the Complainant discussed salary matters with Riba on 30.08.2025, but subsequently altered his version by asserting that the discussion was with Maira. Secondly, while he claimed that he was present inside the clinic on 27.08.2025, the testimony of Saboor contradicts this assertion by confirming that Amir was in fact outside the clinic. Thirdly, Amir stated that the Accused had already left the clinic at the time the Complainant was seated outside; however, this is inconsistent with Saboor's statement, which confirms that the Accused was present in Consultation Room

No. 2 on the said date. Moreover, the Forum itself has observed on record that Amir “does not appear to recall the exact members present on the day of the incident, despite having been quite certain about the members present earlier.” In light of these contradictions, the testimony of Amir does not inspire confidence and cannot be relied upon without independent corroboration.

30. The defence's argument that the Complainant's continued presence at the clinic for 21 days, despite sensing inappropriate behaviour, negates her credibility, is rejected. It is well-established and consistent with general human experience that employees, particularly those in financial need, tolerate a degree of discomfort before reaching the threshold at which they feel compelled to act. The law does not penalise victims of harassment for attempting to persist in employment. It is the escalation to a physical act on 27.08.2025 that constituted the tipping point, and the Complainant's explanation in this regard is consistent and credible. The defence further argues that the Complainant remained at the clinic until 9:00 PM after the alleged incident. This argument is equally without merit. Persons subjected to sudden and unexpected acts of physical violation frequently remain in a state of shock, confusion, or uncertainty as to their next course of action. It is further noted that the Complainant's presence at the clinic until 9:00 PM is entirely explained by the fact that she was awaiting her cousin, who had to pick her up. The clinical literature on trauma response recognises four well-documented involuntary reactions to acute threat, namely fight, flight and freeze and the absence of an immediate flight response, far from undermining a complainant's account, is among the most commonly documented features of how victims of sudden interpersonal violation actually behave. Her subsequent resignation message from home further corroborates the impact of the incident on her.

31. *Three of the four witnesses listed by the Complainant Riba (HR), Maira Kanwal (Branch Manager), and Advocate Sadaf failed to appear before this Forum despite issuance of multiple summons. All three are material witnesses. Riba was present immediately after the incident and, on the Complainant's account, made statements indicating knowledge of a pattern of similar conduct by the Accused. Maira Kanwal, as Branch Manager, was directly informed by the Complainant of the reason for her resignation within twenty-four hours of the incident. Advocate Sadaf, as counsel for the Accused, was in direct communication with the Complainant regarding the return of the mobile phone and the salary dispute, and was uniquely placed to corroborate or deny those communications. All three are employees or agents associated with the Accused's organisation. Their collective non-appearance, despite multiple notices and summons, warrants an adverse inference against the Accused in terms of Article 129(g) of the Qanun-e-Shahadat Order, 1984, which provides that the Court may presume "that evidence which could be and is not produced would, if produced, be unfavourable to the person who withholds it."*
32. *The statement of the Complainant remained consistent, coherent, and confidence-inspiring throughout the proceedings. Despite thorough scrutiny, her testimony withstood cross-examination and remained unshaken on material particulars. The cross-examination failed to expose any inherent contradictions within her account that could undermine its credibility. Considered in the totality of the circumstances, her account appears credible and, when tested on the touchstone of the preponderance of probabilities, is found to be credible and confidence-inspiring.*
33. *Accordingly, this Forum finds, on the balance of probabilities, that the Complainant has established that an act of harassment within the meaning of Section 2(h)(i) of the 2010 Act was committed against her by the Accused on 27.08.2025, and that the overall conduct of the*

Accused throughout the Complainant's tenure constituted a hostile and offensive work environment in violation of Section 2(h) of the Act.

34. In light of the foregoing findings, this Forum is satisfied that the Complainant is entitled to the following relief:

(a) Compensation: *Having held the Accused guilty of harassment within the meaning of Section 2(h)(i) of the 2010 Act, and having regard to the nature of the harassment, the position of authority occupied by the Accused, and his post-resignation conduct in withholding salary, threatening legal action, and lodging a counter-complaint at Ferozabad Police Station, compensation in the sum of Rs. 5,00,000/- (Rupees Five Lakhs only) is awarded to the Complainant under Section 4(4)(i)(d) of the 2010 Act, payable by the Accused directly to the Complainant within thirty (30) days of the issuance of this order.*

(b) Outstanding salary: *The Accused is directed to release the Complainant's outstanding salary dues for the period of her employment at the clinic, as per the terms of her appointment and applicable organizational policy, within thirty (30) days of the issuance of this order.*

(c) Removal of video: *The Accused is directed to forthwith remove the promotional video featuring the Complainant from all digital platforms, including but not limited to the clinic's website, Facebook page, Instagram page, and Google Reviews listing. Compliance shall be confirmed to this Forum in writing, supported by screenshots evidencing removal, within seven (7) days.*

(d) Directions to the organisation: *Section 3 of the Act imposes a mandatory obligation on every organisation to constitute an Inquiry Committee for the resolution of harassment complaints and to display the Code of Conduct contained in the Schedule prominently at the workplace. Given that the present complaint has originated from the workplace operated by Perfection Clinic, and in the exercise of this*

Forum's supervisory jurisdiction under the 2010 Act, Perfection Clinic is directed to furnish a compliance report to this Forum within thirty (30) days of the issuance of this order, evidencing:

(i) the constitution and current membership of the Inquiry Committee under Section 3 of the Act; and

(ii) the prominent display of the Code of Conduct, in both English and Urdu, at all branches of the establishment, supported by photographs.

35. Before parting with this matter, this Forum considers it appropriate to record an observation of broader significance. The 2010 Act is not silent on the evidentiary realities of the very wrongs it was enacted to remedy. The Schedule to the Act contains an explicit legislative acknowledgment that harassment typically occurs in private, between two individuals who are alone, and that it is therefore inherently difficult to produce direct evidence thereof. The Act does not, in consequence, demand the impossible. It does not require an eyewitness to a closed room. What it requires of a victim is that she communicate the incident, immediately, to a person of trust and it expressly provides that any delay in the filing of a formal complaint shall not affect the merits of the case. In cases involving physical contact, the Schedule further provides that a single incident suffices to constitute a violation. And the Act takes specific and deliberate notice of the practice of filing counter-blast complaints against complainants, treating it for what it is: a form of retaliation.

36. The present case is, in almost every respect, a textbook illustration of the dynamics that the legislature anticipated when it inscribed these provisions. Every marker the Act lays down for the recognition of a credible harassment claim is present on this record. The Complainant exited the procedure room in visible distress, observed by at least two

persons. She communicated the incident to a person of trust within minutes of its occurrence. She put her decision to resign in writing that very evening. She stated the reason for her departure as harassment in contemporaneous messages addressed to multiple persons. She appeared before this Forum, subjected herself to cross-examination, and her account did not waver on any material point. The 2010 Act asks for nothing more, and on the facts of this case, nothing more was lacking. What is absent is precisely what the Schedule itself acknowledges will ordinarily be absent: a third-party witness present at the moment of physical violation. To withhold relief on that ground alone would be to read the Act against its own express terms, and to render largely illusory the very protection it was designed to provide for the very cases it was designed to address.

37. What does stand out, in stark contrast, is the quality of silence maintained on the Accused's side of the record. It is not the silence of persons who do not know. Three witnesses of direct materiality to the central controversy collectively declined to receive notices, declined to honour summons, and declined to appear before this Forum. Riba was the first person to whom the Complainant turned after the incident and, on the Complainant's uncontradicted account, made statements that suggest a knowledge of the Accused's conduct extending well beyond the events of 27.08.2025. Maira Kanwal, as Branch Manager, was informed in writing of the reason for the Complainant's departure and responded in the affirmative. Advocate Sadaf was at the centre of the post-resignation communications regarding the mobile phone, the salary, and the police complaint.

38. At this point, it is necessary to record and dispose of a procedural development that this Forum cannot allow to pass without comment. After the conclusion of final arguments, after both parties had addressed this Forum on the entirety of the evidence and the matter had been formally reserved for order, the Accused's side submitted an

application seeking to produce one of the aforementioned Court Witnesses through video link. This application is dismissed and warrants no extended treatment. The right to lead evidence is not a right that may be exercised at a party's leisure, revived after arguments have concluded, and pressed upon a Forum at the stage of pronouncement. The witnesses in question were summoned repeatedly, warrants were issued and went unheeded, and no satisfactory explanation for their non-appearance was offered at any stage during the pendency of the proceedings. To permit evidence to be introduced at this eleventh hour, after the opposing party has addressed the Forum on the record as it stood, and after the case was closed, would be to fundamentally compromise the fairness of the proceedings and to reward deliberate procedural delay with a second opportunity that the law does not sanction. The application is accordingly rejected.

39. The silence of all three witnesses, maintained throughout the proceedings in the face of this Forum's process, and sought to be broken only after the matter was reserved, is a circumstance this Forum cannot disregard.

40. The 2010 Act is a remedial statute, enacted to ensure that workplaces in this country are spaces of dignity and safety for women. This Forum records its conclusion that the Complainant has established her case in precisely the manner the Act contemplates; that the evidential deficiencies pressed by the Accused are, in truth, the very deficiencies the legislature foresaw and expressly provided for; and that those who chose silence before this Forum did so at the Accused's convenience, not for want of knowledge.

41. The complaint is disposed of in above stated terms.

**FAUZIA VIQAR
FEDERAL OMBUDSPERSON**