

ORDER SHEET
IN THE HIGH COURT OF SINDH, KARACHI

Constitutional Petition No. D-2773 of 2024
(*Mst. Shamim Akhtar & others versus Federation of Pakistan & others*)

Date	Order with signature of Judge
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Mr. Justice Adnan-ul-Karim Memon
Mr. Justice Zulfiqar Ali Sangi

1. For hearing of CMA No.12101/2025
2. For hearing of Nazir report dated 06.2.2025
3. For hearing of main case

03.3.2026

Bibi Zainab advocate for the petitioners
Mr. Asghar Ali Khan advocate for respondents No.2 and 3 / Pakistan Steel Mills Limited

ORDER

Adnan-ul-Karim Memon, J. – The widow and legal heirs of a deceased former employee of Pakistan Steel Mills (PSM) namely Muhammad Rafiq approached this Court seeking a declaration of the deceased's employment status and the recovery of long-standing financial dues. The petitioners alleged that although the deceased had been acquitted of prior charges, the respondents failed to release his salary, gratuity, and pensionary benefits dating back to 2010. Their claim included approximately Rs.3.3 million in back pay, Rs.7.5 million in gratuity, and additional compensation for "financial torture" and damages, all requested with a 10% annual interest rate.

2. During proceedings we have been informed that the deceased was dismissed from PSM in the year 2000. However, during the proceedings, this Court sought legal assistance on the merits of the service-related issues. However, the focus shifted to the funds already held by the Nazir of this Court duly deposited by the PSM in pursuance of the direction of this Court in another proceeding.

3. The petitioners who are present in Court agreed to receive the service dues currently deposited with the Nazir, provided it did not prejudice their right to appeal any related decisions from the Labour Court.

4. PSM's counsel raised no objection to the release of the funds but requested that deductions be made for outstanding rent and electricity dues owed by the deceased, at the relevant time. We are not satisfied with such deduction from the service benefits of deceased at this stage and reject the PSM's request to deduct utility and rent costs from the settlement. The Nazir is directed to

recalculate the deceased's total service benefits and after that exercise, these funds, if deposited, must be released to the legal heirs of deceased as per their entitlement without any deductions for rent or electricity. However, the release of payment is subject to proper identification and verification of the legal heirs and the legal heirs should be at liberty to challenge the validity of the orders passed by the learned Labour Court before legal forum under the law subject to all just exceptions as provided under the law.

5. With these directions, the Constitutional Petition and all pending applications are disposed of.

JUDGE

JUDGE

Zahid/*