

IN THE HIGH COURT OF SINDH BENCH AT SUKKUR
Constitution Petition No. D- 881 of 2025
[Muhammad Hassan Khoso vs. P.O Sindh & others]

Before;-

Mr. Justice Adnan-ul-Karim Memon
Mr. Justice Abdul Hamid Bhurgri

Hearing of case (Priority)

1. For orders on office objection at flag 'A'
2. For hearing of main case

09.06.2026

Syed Zafar Ali Shah Bukhari, Advocate for the petitioner

Mr. Israr Ahmed Shah, Assistant Advocate General Sindh,
along with Ghulam Murtaza Soomro, Representative for
Respondent No.3 / BISE, Sukkur

ORDER.

Adnan-ul-Karim Memon, J;- Petitioner Muhammad Hassan Khoso filed a Constitutional Petition under Article 199 of the Constitution of the Islamic Republic of Pakistan seeking directions to the Chairman, BISE, Sukkur for treating the intervening period from 22.04.2011 to 05.05.2014 as duty period with all consequential financial benefits, in terms of a judgment of the Hon'ble Supreme Court and a letter issued by the Chief Minister's Secretariat Sindh dated 06.07.2016.

2. It was contended on behalf of the petitioner that the respondents' failure to extend such benefits after his retirement was/is illegal, arbitrary, and violative of his fundamental rights, and that he was lawfully entitled to the claimed financial emoluments of the intervening period.

3. Despite notice, no one appeared on behalf of Respondents No.4; however, the learned AAG submitted para-wise comments outlining the petitioner's service history, including his initial appointment in 1985, subsequent promotions, transfers between different Boards, and eventual retirement, along with the details of his service benefits already transferred. He submits that this matter needs to be remitted to the Chairman BISE Sukkur for decision on merits. The representative of BISE Sukkur is of the same view. The request seems to be reasonable and acceded to.

4. After hearing, we are of the considered view that the matter required determination by the departmental authority at the first instance.

5. Accordingly, in the interest of judicial propriety, the issue is remitted to the Secretary, BISE, Sukkur, for decision regarding the entitlement of the petitioner for the service benefits of the intervening period as discussed supra. The Chairman, BISE, Sukkur, is directed to decide the matter within two weeks after providing the petitioner a meaningful hearing within three weeks.

6. With the consent of the parties, and without touching the merits of the case, the petition, along with pending applications, is disposed of in these terms.

Let a copy of this order be communicated to all concerned for compliance in time.

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