

ORDER SHEET
IN THE HIGH COURT OF SINDH KARACHI
Constitutional Petition No. D – 2045 of 2026
(Warish Masih versus Province of Sindh & others)

DATE	ORDER WITH SIGNATURE OF JUDGES
	Mr. Justice Adnan-ul-Karim Memon Mr. Justice Muhammad Jaffer Raza

Date of hearing & orders: 28.8.2026
Mr. Shahid Hussain, Advocate for the Petitioner.
Mr. Asad Ahmed, Advocate for KMC.
Mr. Ali Safdar Depar, AAG.

ORDER

Adnan-ul-Karim Memon, J:- The petitioner, Waris Masih, has filed the instant Constitutional Petition under Article 199 of the Constitution, seeking release of his retirement benefits, including gratuity and other dues.

2. Petitioner was appointed as Sanitary Worker (BPS-02) on 10.10.1982 and retired on 31.12.2024, but his retirement benefits remained unpaid.
3. Learned counsel for KMC submitted that the petitioner’s pension case, amounting to Rs.2,285,828/-, had been processed and pre-audited, and that he was regularly receiving monthly pension through HBL.
4. Upon this, learned counsel for the petitioner has sought disposal of the petition in terms of KMC’s letter dated 07.08.2026, with a direction to KMC to process the remaining claim within six weeks.
5. In view of the foregoing, and particularly the statement made on behalf of the respondent-KMC that the petitioner’s pension case has already been processed and pre-audited and that he is receiving his monthly pension, no further adjudication on the merits of the claim is called for at this stage. It is, however, an admitted position that the petitioner’s remaining retirement benefits have yet to be finalized and released. Retirement benefits, including pension and gratuity, constitute lawful service benefits and are required to be dealt with by the competent authority in accordance with the applicable law and rules.
6. Primarily, the constitutional jurisdiction of this Court under Article 199(1)(a)(i) extends to issuing appropriate directions to a local authority for performance of an act which it is legally required to perform.
7. Accordingly, without expressing any opinion on the merits or quantum of the petitioner’s remaining claim, and with the consent of learned counsel for the parties, the instant Constitutional Petition is disposed of in terms of KMC’s letter dated 07.08.2026. The respondent-KMC is directed to process, finalize and release

the petitioner's remaining admissible retirement benefits, including gratuity and other dues, strictly in accordance with law and the applicable rules, within six weeks from the date of receipt of a copy of this order.

8. In case any amount is found not to be admissible, the competent authority shall communicate the reasons thereof to the petitioner through a speaking order. No order as to costs.

JUDGE

JUDGE

Nadeem Qureshi PA