

ORDER SHEET
IN THE HIGH COURT OF SINDH, KARACHI

C.P No.D- 4440 of 2016

DATE	ORDER WITH SIGNATURE OF JUDGE
------	-------------------------------

Present

Mr. Justice Muhammad Ali Mazhar
Mr. Justice Arshad Hussain Khan

Muhammad Jaffar.....v/s.....Government of Sindh & others

Date of hearing 30.09.2016

Mr. Ghulam Abbas Baloch advocate for the petitioner alongwith petitioner.

Mr. Abdul Jalil Zubedi A.A.G alongwith Noor Ahmed Solangi, Assistant Director and Incharge Litigation, Directorate of Primary and Secondary Education, Government of Sindh and Muhammad Jamil Khan, OSD (Litigation) Education and Litigation Department, Government of Sindh.

Muhammad Ali Mazhar, J: We directed the Director Education Department to appear in person but his representative submits that he is unwell today.

The petitioner has approached for the directions to release his full and final dues and pensionery benefits. The petitioner was retired from his services on 11.11.2014 and since then he is continuously approaching the respondents for the grant of his retiring benefits but no positive action was taken, therefore, he has approached this Court.

The representative of the Education Department namely Mr. Noor Ahmed Solangi, Assistant Director / Incharge Litigation, Directorate of Primary and Secondary Education, Government of Sindh did not deny the retirement of the petitioner but simply referred to page 19 of the petition and

states that parentage of the petitioner is mentioned as Jam Baloch in the Secondary School Certificate (Part-II), while his father's name is mentioned as Muhammad Jam Jagirani (page 21) in the certificate of University of Sindh. Due to this anomaly the pension papers could not be completed. It is quite strange that since 1973 the petitioner was performing his duty and after his retirement the department just to avoid his pensionery benefits raises this frivolous objection. The petitioner has also attached salary slip issued by Accountant General Sindh available at page 49 with his Pers Number. It is quite strange that during the entire tenure of service without raising any such objections the salary was being paid to the petitioner online. The petitioner also attached extract of Municipal Register High School, Kambar (General Register) page 27, in which his name is mentioned at Serial No.949 as Muhammad Jaffar S/o Jam, while the next column relates to the "Caste with Sub caste", in which he is stated to be `Baloch` while his sub-caste is `Jagirani`. This was verified by Headmaster, Government High School, Kambar with his seal and signature. The delay of pensionery benefits is grave injustice with a person who has served valuable portion of his life and at the same time it is height of inefficiency on the part of the Education Department.

Learned AAG submits that the petitioner's case will be processed for the pensionery benefits and other full and final dues. This undertaking is taken on record, which has been given on the assistance of Noor Ahmed Solangi, Assistant

Director and Incharge Litigation, Directorate of Primary and Secondary Education, Government of Sindh.

In view of the above, this petition is disposed of with the directions to the respondents to complete the pension papers of the petitioner after fulfilling all the required codal formalities and to ensure payment of pension within two months. If some documents are required to be submitted by the petitioner, he will also submit the same within a week.

Copy of this order may be transmitted to learned AAG for information and compliance.

JUDGE

JUDGE

S.Soomro/PA;