

Order Sheet

IN THE HIGH COURT OF SINDH AT KARACHI

Constitutional Petition No. D – 6161 of 2019

Date	Order with signature of Judge
------	-------------------------------

Priority :

1. For orders as to non-prosecution of Misc. No.14324/2020
2. For hearing of Misc. No.27352/2019
3. For hearing of main case

10.09.2020 :

Petitioner in person.

Mr. Javed Iqbal, advocate for respondents 2 and 3 a/w Muhammad Yaqoob Khaskheli, Superintendent IR, Pakistan Machine Tool Factory.
Mr. Muhammad Nishat Warsi, DAG.

Learned counsel for respondents 2 and 3 files a statement dated 10.09.2020, which is taken on record. According to the above statement, an amount of Rs.19,67,204.00 is payable to the petitioner by the respondents in full and final settlement of his post-retirement benefits. A cheque for the above amount has been brought by him, which has been received by the petitioner. It is stated on behalf of the respondents that rent up till March 2020 has been recovered from the petitioner out of the dues that were payable to him and now he is liable to pay rent at the rate of Rs.12,000.00 per month with effect from April 2020 till the official premises are vacated by him. Petitioner, who is appearing in person, disputes the above rate of rent and states that the same was increased by the respondents arbitrarily and without his consent. Be that as it may, the above mentioned amount paid to the petitioner today ought to have been paid to him in the year 2017 when he retired from service, and by not doing so, not only the entire said amount was retained by the respondents without any justification, but they also enjoyed the profit accrued thereon since the year 2017. The petitioner undertakes to vacate the premises within three (03) months from today. As the legitimate post-retirement dues have been admittedly withheld by the respondents, they shall not take any coercive action against the petitioner during the next three (03) months, including any action for recovery of rent. It is, however, clarified that if the premises are not vacated by the petitioner within three (03) months, the respondents would be at liberty to seek his eviction strictly in accordance with law.

In view of the above, the petition and listed applications stand disposed of in the above terms with no order as to costs.

J U D G E

J U D G E