

*Order Sheet*  
IN THE HIGH COURT OF SINDH KARACHI  
**Constitutional Petitions No.D –7530 of 2019, D-2193 / 2019,  
D-5817/2019, D-98/2019, D-5057/2017, D-1625/2020,  
D-5083/2020, D-3178/2019 and D-6389/2020**

Date	Order with Signature of Judge
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**Priority.**

1. For hearing of Misc No.33127/2019.
2. For hearing of main case.

**09.02.2021 :**

Mr. Gazain Zafar Magsi, advocate for the petitioners in C.P No.D-7530/2019.  
Syed Shoa-un-Nabi, advocate for the petitioners in C.P No.D-6389/2020.  
Syed Abrar Ahmed Bukhari, advocate for the petitioners in C.P No.D-98/2019.  
Mr. Ali Safdar Depar, Assistant Advocate General Sindh along with Mumtaz Ali Shah, Chief Secretary Sindh, Najam Ahmed Shah, Secretary Local Government, Shahab Qamar, Special Secretary Finance, Sikandar Hassan, DS (Legal) Finance Department, Saeed Ahmed Qureshi, Focal Person to Chief Secretary Sindh, Khaleeq Ahmed Shaikh, Section Officer, Local Government.  
Mr. Umar Farooq, advocate.  
Ms. Fozia Muneer advocate.  
Mr. Iqbal Khurram advocate for KMC.  
Mr. Ahmed Zameer, advocate for DMC West.  
Mr. Muhammad Idrees, advocate for DMC West.  
Mr. Arshad Jamal Siddiqui, advocate  
Mr. Saeed Akhtar, Sr. Director KMC.  
Mr. Muhammad Afzal Saeed Khan, Law Officer DMC Central Karachi.

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At the very outset, the Chief Secretary submitted an unconditional apology that inadvertently he could not appear before this Court since he was of the view that perhaps compliance is in the way. Although these kind of excuses are not tenable and we do not expect this kind of excuses from the Chief Secretary, who is well aware and conversant with the proceedings of this Court that an excuse of the nature as above could hardly be acceptable, however, since he has tendered unconditional apology as well, we accepted, and is directed to be careful in future. The notice dated 20.01.2021 stands withdrawn.

Insofar as the summary that was floated and is pending for a decision is concerned, learned AAG submits that the cabinet sits twice in a month and perhaps in the next possible meeting this summary would be placed and most

likely be approved accordingly and soon thereafter the amount be disbursed to KMC for appropriate release of the funds to pensioners. We have already observed that such release of funds to the pensioners shall be monitored strictly and mechanism be carved out and only those who deserve the pensionary benefits in accordance with law shall be given preference. Not even a single release of pensionary amount go unattended and all such releases may be subjected to scrutiny and probe if require. The cabinet shall approve the way and method for the disbursement of this pensionary benefits if they so desire and / or direct KMC in this regard.

So far as the leading case i.e. C.P. No.D-7530/2019 is concerned, this petition shall be heard on the next date and appropriate order shall be passed. Office is directed to tag C.P. No.D-6243/2020 with these matters.

To come up after two (02) weeks. All the officials in attendance are not required to appear any further unless otherwise required.