

ORDER SHEET
IN THE HIGH COURT OF SINDH, KARACHI

C.P. Nos.D-5631 & 8911 of 2018
C.P. Nos.D-1051, 7208, 7505 & 8511 of 2019
C.P. Nos.D-1951, 3367 & 4056 of 2020
C.P. Nos.D-2088 & 4431 of 2019

<i>Date</i>	<i>Order with signature of Judge</i>
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*Before: Justice Irfan Saadat Khan,
Justice Agha Faisal.JJ*

1. *For orders on Reference No.04 of 2021 (Official Assignee)*
2. *For orders on Reference No.05 of 2021 (Official Assignee)*
3. *For hearing of Misc. No.1161 of 2021*
4. *For hearing of Misc.4707 of 2019*
5. *For hearing of main case*

10.11.2021

Mr. M. Arhsad Khan Tanoli, Advocate in C.P. No.D-1051 of 2019.
Syed Sultan Ahmed, Advocate in CP Nos.D-7208 & 8511 of 2019,
C.P. Nos.D-1951, 3367 & 4056 of 2020.
Mr. Muhammad Waseem Samo, Advocate in C.P. Nos.D-7505 of
2019 & 2088 of 2021.
Mr. Ghulam Shabbir Pathan, Advocate in C.P. Nos.D-4431 of
2021.
Dr. Ch. Muhammad Waseem Iqbal, Official Assignee.
Mr. Ali Safdar Deepar, AAG Sindh.
M. Altaf Ahmd Sahar, Advocate for KDA along with D.G. KDA, Asif
Ali.
Mr.Waleed Khanzada, Advocate for KW&SB.

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Irfan Saadat Khan, J. 1&2. The references of the Official Assignee are taken on record subject to all just exceptions.

3to5. These petitions have been filed on the ground that pensionary benefits have not been released to the petitioners by the Respondents/KDA. Notices were issued to the Respondents and in response thereto several statements were filed. The present status of the case is that substantial amounts have been deposited in the pensionary account after sale of the plots, by the KDA authorities. The counsel and the D.G., KDA appearing in the instant matters state that said amount would be released if directions are issued by this Court. We have also been apprised that matter of granting loan to the KDA for disbursing pensionary amount through a summary was moved before the Chief Minister for grant of loan, however, the Chief Minister converted the said request of loan into a grant and now the matter is subjudice

before the Chief Secretary and finance Secretary for disbursing the amount of the grant to the KDA.

We have heard all the learned counsel present before us at length and after hearing them decide the instant petitions with their consent as under:

- i. That the amount in the pensionary account of the KDA would be released/dispursed to the petitioners in accordance with law and as per their entitlement within a period of 15 days' time from today.
- ii. That the amount of grant, as approved by the Chief Minister Sindh, be taken up on an urgent basis by the Chief Secretary and Finance Secretary and the amount of grant already approved by the Chief Minister, after fulfilling the legal and codal formalities, would be released to the KDA preferably within a period of one month's time from the date of receipt of this order.
- iii. That after receipt of the grant by the KDA authorities, they would in turn release the said amount to the petitioners/pensioners, after fulfilling the legal and codal formalities strictly in accordance with law within a period of one month's time.

With these directions all the instant petitions along with all the listed and pending applications stand disposed of. Office is directed to place copy of this order in the connected petitions as well.

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