

ORDER SHEET
IN THE HIGH COURT OF SINDH, KARACHI
C.P. No. D-2743 of 2021

Order with signature of Judge

Fresh Case

1. For order on Misc. No.11863/2021.
2. For order on office objection no.18
3. For order on Misc. No. 11864/2021.
4. For order on Misc. No.11865/2021.
5. For hearing of main case.

21.04.2021

Mr. Raham Ali Rind, advocate for the petitioner.

1. Urgency granted.
2. To be complied with within one week.
3. Exemption application is granted subject to all just exceptions.
- 4-5. Learned counsel states that the husband of the petitioner namely Muhammad Ilyas Baran was working as Primary School Teacher (PST) and he passed away on 05.05.2012, and left behind two widows i.e. petitioner and one Mst. Zainab but the amount of pension commutation has not been released as per her share. He further states that the petitioner is continuously approaching the respondents for her pensionary benefits but no heed was paid thereafter the instant petition has been filed. It is further contended that the Hon'ble Supreme Court in the case of Haji Muhammad Ismail Memon (PLD 2007 SC 35) directed the Chief Secretary, Government of Sindh, to comply with the directions contained in the aforesaid case and finalize the pensionary benefits of the pensioners accordingly, but the respondent-department has failed and neglected to comply with the ratio of the aforesaid decision of the Hon'ble Supreme Court. He further pointed out that so far as the other prayers are concerned, the same may be dealt with in accordance with the law.

Firstly, to ascertain as to whether the respondent-Education and Literacy Department, Government of Sindh, has complied with the directions contained in the judgment passed by the Hon'ble Supreme Court in the case of Haji Muhammad Ismail Memon in its letter and spirit or otherwise. Let notice be issued to the respondents as well as to learned AAG for **11.05.2021** with direction to file comments.

JUDGE

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