

Order Sheet

**IN THE HIGH COURT OF SINDH,
BENCH AT SUKKUR**

C. P No. D – 1586 of 2021

Date	Order with Signature of Hon'ble Judge
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Fresh case

1. For orders on CMA No.7674/2021 (U/A)
2. For orders on office objection at flag 'A'
3. For orders on CMA No.7675/2021 (Ex.A)
4. For hearing of main case

02-11-2021

Mr. Qurban Ali Kalwar Advocate for the Petitioner

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1. Urgency granted.

2,3&4. Through this Petition, the petitioner has sought the following prayers;-

- (a) To direct the Respondents to release / award the pensioner benefits of petitioner forthwith as per the law of equal opportunity, as the petitioner and his family members are passing the days of starvations.
- (b) To direct the respondents to decide the application of petitioner and release his pensioner benefits.
- (c) To grant any other relief, which this Honourable Court deems fit and proper in circumstances of the case.
- (d) To award the costs of the petitioner.

2. From the perusal of the memo of petition, it appears that not once but twice the Petitioner has been dismissed from service lately on 30-08-1988. It further appears that after more than 20 years, he approached to the Chief Minister with some mercy application. As per record, he has never been reinstated but now has come-up with the claim of pensionary benefits and only ground urged is that some other employee, who has been dismissed along with the Petitioner, was reinstated. We are afraid that this is no ground for seeking pensionary benefits, as the Petitioner was required to challenge the order of his

dismissal in accordance with the law, whereas, more than (03) three decades have passed; but the order has never been challenged nor recalled. No case for pensionary benefits is made-out, whereas, the Petition is hit by laches as well. Accordingly, the same is dismissed along with pending application with costs of Rs.2000.00 (Two thousand) to be deposited in the High Court Clinic.

Judge

Judge

ARBROHI