

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

Const. Petition No.D-1762 of 2021

|                 |                                |
|-----------------|--------------------------------|
| Date of hearing | Order with signature of Judge. |
|-----------------|--------------------------------|

**Hearing of Case**  
For hearing of main case

**18-10-2023**

Mr. Abdul Qadeer Khoso, Advocate for the petitioner.  
Syed Israr Ali Shah, Advocate for respondents No.4&5.  
Mr. Zulfiqar Ali Naich, Assistant A.G a/w Niaz Muhammad Qureshi,  
Secretary, Market Committee, Rohri.

\*\*\*\*\*

Secretary, Market Committee, Rohri has filed a statement along with certain notifications showing that the petitioner retired from Market Committee, Kotdiji-Khairpur. The case of the Market Committee, Kotdiji, as articulated by his counsel, is that the petitioner served in the said Market Committee only for last eight months before his retirement. Therefore, Market Committee, Kotdiji is not responsible legally for granting / giving pensionery benefits to the petitioner. However, Secretary, Market Committee, Rohri has filed a notification dated 21.03.2016, sub-paras 2&4 of the said notification are explicit and clear that the pensionery benefits would be paid by the Market Committee from where an employee has retired or expired, as the case may be; same are reproduced below:-

**“(2) All post-retirement benefits admissible under these bye-laws shall be paid by the respective Market Committee from where an employee has retired or expired as the case may be.**

**(4) The respective Market Committee shall complete formalities in respect of payment of pension and gratuity/commutation within three months of retirement of an employee”.**

Faced with this legal position, learned counsel for the respondents-Market Committee, Kotdji seeks time to call the Chairman, Market Committee Kotdiji and resolve the issue of the petitioner.

Adjourned to **08.11.2023**, when the Chairman Market Committee, Kotdji shall be present and explain why the aforesaid notification has not been implemented. Meanwhile, the Chairman is directed to release the monthly pension to the petitioner.

**JUDGE**

**JUDGE**

Ahmad