

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

Const. Petition No.D-1359 of 2022

Date of hearing	Order with signature of Judge.
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**For Directions**

- 1.For orders on CMA 5968/2023
- 2.For hearing of CMA 910/2023

**26-10-2023**

Mr. Zulfiqar Ali Channa, Advocate for the petitioner.  
M/s Qurban Ali Malano and Ghulam Abbas Akhtar, Advocates for respondent No.5.  
Mr.Dareshani Ali Haider 'Ada' Additional Attorney General for Pakistan.  
Tanveer Shakoor Rana, Divisional Accounts Officer, Pakistan Railways Sukkur is present.

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Learned counsel for the respondents has submitted a statement stating that the case of the petitioner has been referred to the Finance Division at Islamabad to release additional grant to the Ministry of Pakistan Railways in order to comply with the directions, issued by this Court for disbursing pensionery benefits to the petitioner.

We have seen, this petition was disposed of on 15.12.2022 in presence of Mr. Ghulam Abbas Akhtar Advocate, appearing for Pakistan Railways, who was accompanied by Muhammad Irfan-ul-Haq, Divisional Superintendent, Sarfraz Ahmed, Divisional Accounts Officer, Mir Hassan, Accounts Officer and Abdul Hassan, Assistant Accounts Officer of Pakistan Railways. These officials were directed to pay commutation of Rs.2,982,494/- and encashment of Rs.1,001,988/- to the petitioner and they did not raise any objection to it. However, it appears, the order could not be complied with and ultimately petitioner filed listed application for issuance of contempt proceedings against alleged contemnors.

In response, officials of Pakistan Railways have been seeking time highlighting some technical issues in the way of paying aforesaid amounts to the petitioner. However, claim of the Pakistan Railways is

inconsistent in that at the time of passing of this order, none of the officials had raised such objection and to the period granted to them by this Court or thought it appropriate to challenge this order before the Supreme Court.

Mr. Malano submits that Pakistan Railways is already in contact with the Finance Division, Islamabad and within 20 days, amount would be released and it would be disbursed to the petitioner. We, therefore, adjourn this matter and in case the amount is not disbursed to the petitioner till next date of hearing, the Divisional Superintendent, Pakistan Railways Sukkur (respondent No.3) shall be present in person and explain as to why the contempt proceedings should not be initiated against him. We have been informed that the Finance Division has already been directed by this Court vide order dated 28.02.2023 in C.P.No.D-1334 of 2022 to release additional grant for disbursing to the pensioners. We are hopeful that the Finance Division would comply with order in letter and spirit.

Adjourned to **22.11.2023**.

**JUDGE**

**JUDGE**

Ahmad