

**ORDER SHEET**  
**IN THE HIGH COURT OF SINDH, KARACHI**

**C.P No.S-423 of 2022**

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Order with signature of Judge(s)

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Hearing of case

1. For orders on office objection
2. For hearing of main case

**30.01.2024**

Mr. Riasat Ali, Advocate for the petitioners  
Ms. Noshaba Haq Solangi, Additional Advocate General  
Mr. Nisar Ali Naushad, Assistant Attorney General  
Mr. Naveed-ur-Rehman, Financial Consultant, Privatization  
Commission, Islamabad,  
Mr. Reejhumal S. Sajrani, Law Officer, Labour Department and  
Syed Athar Ali Shah, Commissioner for Workmen's Compensation  
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**Zulfiqar Ahmad Khan, J:-** Statements have been filed on behalf of Privatization Commission, which are taken on record. After hearing the matter at length, consensus emerges that the Privatization Commission had admitted and absorbed the liability of Rs.3.4 million (as evident from page-157) in respect of workmen's compensation and despite the original award of Workmen Compensation Authority dated 23.12.2002 (page-43) having been challenged up to the Hon'ble Supreme Court, no interference was ordered to be made in that order, however, wrongly an order was passed by the Commissioner for Workmen's Compensation & Authority under the Payment of Wages Act, West Division, Karachi dated 03.05.2021 and it has been admitted by the Presiding Officer of the Authority that the said order is wrong having no legal merits. Order is accordingly *set aside* being *void* having no legal effect.

Seemingly with the passage of time while there were 231 claimants, at the moment it appears that most of them have since expired and survived by legal heirs, but before this Court 24 claimants are present as petitioners. In the circumstances at hand, it is therefore ordered that the Privatization Commission through Respondent No.3

Commissioner for Workmen's Compensation & Authority under the Payment of Wages Act, West Division, Karachi ("the Authority") should start making payment to the present petitioners as well as other claimants or their legal heirs from the list available at pages 43, 45 and 47 of the instant petition (totaling 231) of their principal amount as well as compensation of one and half time of the principal amount, alongwith 20% simple interest, initially to the present petitioners and thereafter let notices be published in the newspapers and through electronic means approaching remaining petitioners and or their legal heirs to place similar claims before the above Authority.

It is anticipated that this exercise at least with respect of the petitioners at hand would be completed in the next 30 days.

As soon as claims duly authenticated by the Authority are forwarded to the Privatization Commission a consolidated sum in respect of such claims (alongwith compensation of one and half time and 20% simple interest) be sent forth by the Privatization Commission to the said Authority, and such sums be immediately handed out to the claimants after proper identification and verification.

This petition is accordingly disposed of in these terms.

JUDGE

B-K Soomro