

**ORDER SHEET**  
**IN THE HIGH COURT OF SINDH BENCH AT SUKKUR**

**Constitution Petition No. D-603 of 2024**  
*(Muhammad Raza Shaikh Vs. Province of Sindh & others)*

**Constitution Petition No. D-604 of 2024**  
*(Barkat Masih Vs. Province of Sindh & others)*

**Constitution Petition No. D-605 of 2024**  
*(Anwar Ali Siyal Vs. Province of Sindh & others)*

**Constitution Petition No. D-606 of 2024**  
*(Bashir Ahmed Chandio Vs. Province of Sindh & others)*

DATE OF HEARING	ORDER WITH SIGNATURE OF JUDGE
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**Before;**

*Adnan-ul-Karim Memon, J;*  
*Muhammad Abdur Rahman, J;*

**Date of hearing and order: 29-05-2024.**

Mr. Sikandar Sadar Siddiqui, advocate for the petitioners.  
 Mr. Shehryar Imdad Awan, Assistant A.G, Sindh.

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**ORDER.**

**Adnan-ul-Karim Memon J:-** Petitioners have approached this Court for enforcement of the judgments passed by the Supreme Court in the cases of *I.A. Sherwani Vs. Government of Pakistan through Secretary Finance Division Islamabad (1991 SCMR 1041)*, *Re. Pensionery Benefits of Judges of Superior Courts (PLD 2013 SC 829)* and *Haji Muhammad Ismail Memon (PLD 2007 SC 35)* on the premise that they were serving in Municipal Committee Khairpur, and retired from service on different dates, however, the respondents have refused to release their pensionery benefits, therefore, they seek directions to the respondent-Municipal Committee Khairpur for release of their service benefits in accordance with law.

Respondents-Municipal Committee Khairpur has failed and neglected to put their appearance though notices have been issued to them, however, learned AAG has put his appearance and states

that these matters may be remitted to the competent authority for appropriate direction including releasing of the pensionary benefits of the petitioners subject to their entitlement under the law.

We have heard the learned counsel for the parties present in Court and perused the material available on record.

This is a matter of grave concern that for several years, the long and unjustified delay in payment of pension has been a source of tremendous hardship and humiliation to retiring official and their families, despite structures passed by the Supreme Court in its various pronouncements and simplify the guideline laid down by the Government, the petitions on account of delay persists.

Prima-facie, the petitioners have requisite length of service to their credit and they have assigned reasons to claim the interest on delayed payments on the premise that he retired long ago from the services of Municipal Committee Khairpur; however, in violation of law they have been denied the pensionary benefits which triggered the cause and hardship to the petitioners to approach this Court.

In the light of foregoing decisions of the Supreme Court, we direct the Chief Secretary Sindh to constitute a committee headed by him and Secretary Local Government Department and head of the concerned Municipal Committee, where the petitioners have served and retired from their respective services. The Accounts Officer of the respondent Committee shall attend the office of Chief Secretary Sindh on the date and time so fixed by him to resolve the issue of pension and service benefits of the petitioners, including arrears, if any, outstanding in its true prospective within one month. However, it is made clear that issue of lack of funds shall not come in the way of the Chief Secretary Sindh and he shall ensure payment of pensionary benefits to the petitioners subject to their entitlement under the law.

These petitions stand disposed of in the above terms.

**Judge**

**Judge**

Nasim/P.A