

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

Const. Petition No.D-200 of 2011

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

Appl. In d/o case

For hearing of CMA 4243/2016(Review)

08-08-2024

Mr. Muhammad Uzair Shaikh, Advocate for petitioner.
Mr. Ashfaque Ahmed Abro, Assistant Attorney General.

Mr. Rajib Ali Malano, Advocate files power on behalf of respondent No.4, which is taken on record.

Through instant application, a review of this Court's order dated 05.10.2011 is sought, where this petition was dismissed as being not maintainable under then prevailing legal position. Learned counsel states that post 2011, Hon'ble Supreme Court rendered some latest judgments which enables petitioner to his claim of pension.

As review application appears to have serious challenge as to limitation and latches and on the other hand pension being a fundamental right (having been established by Hon'ble Supreme Court in a number of cases), if the petitioner feels that it would be a more efficient way to not press this review application, he may file a fresh petition putting up his case for payment of pension so that matter could be expeditiously considered and decided.

Under these circumstances, learned counsel for the petitioner does not press instant review application, which is dismissed as such, however the petitioner would be at liberty to avail his remedy in accordance with law by presenting a fresh constitutional petition.

JUDGE

JUDGE