

ORDER SHEET

IN THE HIGH COURT OF SINDH, CIRCUIT COURT, LARKANA.

Constt: Pett: No. D- 2636 of 2011.

Date Order with signature of Hon'ble Judge

For hearing of main case.

26.9.2018.

Mr. Bashir Ahmed Dargahi, advocate for the petitioners.

Mr. Ali Raza Pathan, State Counsel.

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The petitioners, who are working under the control of respondents/WAPDA on different cadre and are posted at WAPDA Hospital Guddu, have maintained this petition for the following relief:

- a) That this honourable Court may be pleased to direct the respondents that petitioners may be treated at the par with other employees, working under their control, in same cadre and basic pay scale.
- b) That to direct respondents to pay generation allowance to the petitioners, as being paid to other generation and non-generation employees working under their control in same grade.
- c)

The respondents No.1 and 4 have filed their comments wherein it has been stated that under Section 17 of the WAPDA Act the Authority may employ its officers and servants on such terms and conditions as it may deem fit and in exercise of such powers, the Authority has granted certain allowances to its officers and employees working in different cadres, depending on the nature of work and duties, as there are more than 40 cadres of officers and employees in WAPDA. It has further been stated that the employees working in the hospitals are availing the allowances

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as per details given at page No.4 of the parawise comments filed on behalf of respondents No.2, 3, 5 and 6 and similarly the generation cadres and other cadres are allowed allowances relating to their respective duties and nature of work. As such, the generation allowance is admissible only to the persons working in the Power Houses, whereas the employees working in hospitals had their own different allowances.

It is an admitted position that the petitioners are serving in hospital services of WAPDA in different cadres under different basic pay scales and their scheme of allowances and nature of their duties is quite different than that of employees of Generation cadres working in the power houses of WAPDA, within the policies framed by the WAPDA. Thus, in our view the petitioners being employees working in hospital cadre cannot be held entitled for the allowances of the employees of Generation cadre as, they are admittedly availing different medical allowances, which the employees of generation cadre are not availing. Since no case of discrimination has been made out, this petition being devoid of merits is dismissed accordingly.

