

ORDER SHEET

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

Constt: Petition No.D- 466 of 2024.

(Mukhtiar Ahmed v. D.A.O, Larkana & Ors)

DATE OF HEARING ORDER WITH SIGNATURE OF HON'BLE JUDGE

BEFORE:

Muhammad Saleem Jessar, J;
Adnan-ul-Karim Memon, J

Date of hearing and Order: 06.3.2025.

Mr. Wakeel Ahmed Shaikh, advocate for the petitioner.

Mr. Liaquat Ali Shar, A.A.G assisted by Mr.Aftab Ahmed Bhutto,
Asstt: A.G. a/w Zafar Abbas Unar, DAO, Larkana, Naeem Ahmed,
Sr.Auditor, DAO Larkana and Gul Bahar Magsi, DEO (Secondary)
Larkana

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ORDER

Adnan-ul-Karim Memon, J:- Petitioner with a disability, certified by the Sindh Persons With Disabilities Protection Authority, is seeking to receive his deceased father's government pension. His father, a former government employee, passed away in 1986, and the pension was subsequently transferred to his mother. The mother passed away in 2022. The petitioner submits that, as a person with a permanent disability, he is entitled to the pension based on a 1988 Sindh government notification. This notification states that pensions are payable for life to permanently physically or mentally disabled children of government employees, provided he/she cannot be gainfully employed, and this is confirmed by a medical board certificate.

2. Learned AAG submitted that petitioner Mukhtiar Ahmed Bhatti, a disabled son, applied for his deceased parents' family pension. He provided all necessary documents, including a disability certificate and a recent Medical Board report. However, his application was rejected because general family pension rules limit dependent sons' eligibility to age 21 (previously 24) or until gainful employment. While a 1989 notification allows lifetime pensions for permanently

"physically/mentally retarded" children unable to work, the Medical Board diagnosed petitioner with "Polic Left Upper & Lower Limb," which the department determined did not meet the "retarded" criteria of the 1989 notification. However, he files a written statement on behalf of respondent No.2 alongwith comments on behalf of respondent No.1. Zafar Abbas Unar, DAO, Larkana, Naeem Ahmed, Sr.Auditor, DAO Larkana, and Gul Bahar Magsi, DEO (Secondary) Larkana, present when confronted with the order dated 13.12.2024, undertake to include the case of petitioner under current Pay Roll and seek disposal of the petition in the aforesaid terms.

3. This court relied on promises or commitments (undertakings) made by government officials who are present during the court proceedings. Essentially, the officials agreed to take certain actions related to the petitioner's disability, and this court disposed of this case based on those assurances.

~~JUDGE~~ JUDGE
6/3/2025