

ORDER SHEET
IN THE HIGH COURT OF SINDH AT KARACHI
C.P. No. D-2291 of 2025
(Syeda Sunderta Shah & another V. Province of Sindh & others)

Date	Order with signature of Judge(s)
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Before:
Mr. Justice Adnan-ul-Karim Memon
Mr. Justice Zulfiqar Ali Sangi

1. For orders on office objection No.2.
2. For hearing of CMA No.11053/2025.
3. For hearing of Main Case.

10.02.2026

A Rashid Rajpar, Advocate for the Petitioner.

Mr. Abdul Jalil Zubedi, A.A.G., Sindh along with Riaz Hassan Khoso, Director (Excise, Taxation & Narcotics, Hyderabad) and Ms. Tahrim Jawahery, Law Officer.

Adnan-ul-Karim Memon, J. – Petitioners Syeda Sunderta Shah & Syeda Amna Shah have filed this Constitution Petition under Article 199 of the Islamic Republic of Pakistan 1973 seeking the following relief:

- i. Declare the actions of Respondents regarding non-release of pension, pensionary benefits, commutation, leave encashment, financial assistance, group insurance, and gratuity fund as illegal, against the fundamental rights as guaranteed under the Constitution of Islamic Republic of Pakistan, 1973.
- ii. Direct the Respondents to release the pension, commutation, leave encashment, financial assistance and group insurance to the Petitioner along with interest.
- iii. Any other relief(s) this Hon'ble Court may deem fit in the given circumstances and in the great interest of justice.

2. Learned counsel submits that the Petitioners' late father was appointed as Excise Inspector (BPS-14) on 11-02-2002 and tragically died in a road accident on 06-07-2014. At that time, the Petitioners were minors and unable to claim their lawful dues. Their mother had been divorced and later remarried, leaving the Petitioners as the only legal heirs, as established through heirship documents. After attaining majority and obtaining CNICs, the Petitioners requested the release of their father's pension, gratuity, GP Fund, financial assistance, group insurance, and other dues. Despite submitting all documents and making repeated representations over nine years, the Respondents have failed to release the dues, causing financial hardship and mental distress. The inaction is alleged to be arbitrary, illegal, and in violation of Articles 4 and 25 of the Constitution, as well as principles of natural

justice, equity, and Supreme Court precedents. The counsel urges this Court to direct the Respondents to release all pensionary and allied benefits with lawful interest. This Court, vide order dated 27.01.2026, directed the competent authority to release the pension and other dues. Learned A.A.G., Sindh, files a statement confirming the status and details of all family pension benefits of the legal heirs of Late Syed Jahangir Shah, Ex-ETI, which reads as under:—

S. No.	Name of Family Pension Benefits	Present Status
01	Family pension case	Pension case forwarded by the Administrative Department and deposited at the District Accounts Office, Thatta, on 11-12-2025. A photocopy of the Acknowledgement receipts is attached.
02	Final Payment of G.P Fund	Final Payment of G.P Fund case forwarded by the Administrative Department and deposited at District Accounts Office Thatta on 11-12-2025 Photo copy of the Acknowledgement receipts attached.
03	365 days Leave Encashment of LPR	Order issued by the Secretary, Excise, Taxation and Narcotics Control Department, Karachi vide No. SO (A-11)ET&NCD/3(25)/2002 dated 04-02-2026 and bill prepared and deposited at District Accounts Office, Thatta by the ETO Thatta (Copy enclosed)
04	Financial Assistance	Order issued by the Secretary, Excise, Taxation and Narcotics Control Department, Karachi vide No. SOIII(B&E)ET&NCD/7(54)/2026 dated 06-02-2026 and bill prepared and deposited at District Accounts Office, Thatta, by the ETO, Thatta, (Copy enclosed)
05	Group insurance	The Secretary, Excise, Taxation and Narcotics Control Department, Karachi, forwarded the Group Insurance case to the Manager, State Life Insurance Corporation of Pakistan, Group Insurance Department, 6th Floor, State Life Building, No. LI Chundrigar Karachi. vide No. SO (A-II)ET&NCD/3(25)/ 2002 dated 04-02-2026.(Copy enclosed)
06	Benevolent Fund	The Secretary Excise, Taxation and Narcotics Control Department, Karachi, forwarded the Benevolent Fund Case to the Deputy Commissioner, Thatta. vide letter No. SO (Admin-II)ET&NCD/3(25)/2002 dated 04-02-2026, (Copy enclosed)

4. Learned A.A.G., Sindh requests one more month to coordinate with the Deputy Commissioner for the disbursement of the remaining pensionary benefits. The petitioner's counsel agreed and submitted that the petitioners shall coordinate with the office concerned.

5. The request so made by the learned AAG seems to be reasonable and is acceded to, and this Petition, along with pending application(s), is disposed of with the officials' undertaking in Court.

JUDGE

JUDGE

M. Khan