

ORDER SHEET

IN THE HIGH COURT OF SINDH KARACHI

C. P. No. D – 5587 of 2025

(Mst. Nuzhat Shamim v KMC & others)

Date	Order with Signature of Judge
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Before:

Mr. Justice Adnan-ul-Karim Memon

Mr. Justice Muhammad Hasan (Akber)

Date Of Hearing 21.05.2026

Mr. Muhammad Akbar, Advocate for Petitioner

Mr. Asad Ahmed, Advocate for KMC

Mr. Abdul Jaleel Zubedi, Additional Advocate General

ORDER

Adnan-ul-Karim Memon, J. – Mst. Nuzhat Shamim has filed the present petition under Article 199 of the Constitution of the Islamic Republic of Pakistan, 1973, seeking release of family pension and arrears of pension consequent upon the death of her husband, late Shamim Ahmed, who served respondent No.1 as an employee bearing Employee No.528300 and remained in service till his demise on 14.01.2016. The petitioner contends that despite the lapse of considerable time, the pensionary benefits have not been released to the family, which is illegal and unjustified.

2. It appears that the matter has remained pending due to non-completion of certain formalities. Learned counsel for the petitioner is directed to furnish copies of CNIC, Heirship Certificate, FRC, and No-Marriage Certificate, duly attested by a gazetted officer before the Welfare Department of KMC for verification of entitlement to family pension. Upon submission of the said documents, KMC is directed to release the family pension forthwith in accordance with law, failing which appropriate action shall be taken against the delinquent officers. The entire exercise is ordered to be completed within one week. Respondents are further directed to examine any other claim relating to pensionary benefits and decide the same strictly in accordance with law.

3. It is settled law that pension and family pension are not acts of charity or bounty; they constitute vested statutory rights accrued in favour of a deceased employee and his lawful dependents. Once an employee has served the department and retired or died during service, the respondents are under a corresponding legal obligation to ensure the timely release of pensionary benefits to the legal heirs in accordance with law. Unnecessary delay in processing such claims, particularly where the widow of a deceased employee is deprived of sustenance for years, amounts to administrative

apathy and is violative of the principles of fairness, good governance, and protection guaranteed under the Constitution.

4. At the same time, verification of entitlement through production of CNIC, Heirship Certificate, FRC, and No-Marriage Certificate is a necessary procedural requirement to safeguard public funds and ascertain the lawful beneficiary of family pension. Since the petitioner has expressed willingness to furnish the requisite documents, no legal impediment remains for the respondents to process and release the claim expeditiously. The respondents, being public functionaries, are expected to act diligently and cannot withhold pensionary benefits on account of avoidable departmental delays once the formal requirements are fulfilled.

5. Accordingly, with the directions contained hereinabove for submission and verification of documents and release of pensionary benefits within the stipulated period, the grievance of the petitioner stands adequately addressed.

6. The petition, along with pending application(s), is therefore disposed of in the above terms.

J U D G E

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