ORDER SHEET
IN THE HIGH COURT OF SINDH AT KARACHI

C.P. No. D-3567 of 2026
(Mst.Hero Bai v Province of Sindh & others)
C.P. No. D-3568 of 2026
(Mst.Surriya Bibi v Province of Sindh & others)
C.P. No. D-3569 of 2026
(Yousuf Masih v Province of Sindh & others)

Date	Order with signature of Judge(s)

Before:
Mr. Justice Adnan-ul-Karim Memon
Mr. Justice Adnan Iqbal Chaudhary

Date of hearing and Order: 14.07.2026

Mr. Muhammad Riaz, Advocate, for the Petitioners.
Barrister Asad Ali advocate for KMC.
Mr. Jahangeer Kalhoro advocate for Respondent No.3
Syed Ali Ahmed Zaidi, Addl. A.G
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O R D E R

Adnan-ul-Karim Memon, J. – The petitioners have approached this Court under Article 199 of the Constitution seeking directions to the respondents for release of their pensionary benefits, gratuity, leave encashment, and other post-retirement dues.

2. Learned counsel for the petitioners submits that the petitioners were employees of the municipal authorities and retired from service after attaining the age of superannuation. One of the petitioners, who served as a Sanitary Worker (BPS-02), retired on 23.03.2021, while another petitioner retired from Municipal Corporation West on 30.06.2025. It is submitted that despite completion of their service tenure and submission of all requisite documents, their pension cases, monthly pension, gratuity, leave encashment, and other admissible benefits have not been released by the respondents. Learned counsel further submits that the petitioners repeatedly approached the concerned authorities for processing and release of their pensionary dues, but no positive response was received and they were made to face unnecessary delay and hardship. It is contended that withholding of lawful retirement benefits has caused serious financial difficulties to the petitioners and their families, even though such benefits are vested rights of retired employees. Learned counsel argues that the inaction of the respondents is arbitrary, unlawful, and contrary to the principles of natural justice and constitutional guarantees. He therefore prays that the respondents be directed to release the outstanding pensionary benefits, including monthly pension and other post-retirement dues, from the date they became payable till the date of actual payment.

3. Learned counsel for Karachi Metropolitan Corporation (KMC) submits that the pension claims of the petitioners have already been received and processed by the Welfare Department, KMC. In the case of petitioner Mr. Yousuf Masih, the pension claim amounting to Rs.2,604,703/- was received through Inward No.63297 dated 09.07.2026, whereas in the case of petitioner Mst. Hiroo, the claim amounting to Rs.2,011,249/- was received through Inward No.61207 dated 03.09.2025 and duly pre-audited by the competent authority. Learned counsel further submits that both petitioners are already drawing their monthly pension regularly through HBL, while their remaining pensionary/retirement dues are pending due to financial constraints. It is submitted that KMC is making payments to retired employees of Town Municipal Corporations (TMCs) in compliance with the directions passed by this Court in C.P. No.D-3393/2023, whereby KMC has undertaken the responsibility to facilitate payment of pensions and arrears of TMC employees. Learned counsel submits that the Finance Department, Government of Sindh, is providing Rs.200 million per month to KMC for disbursement of monthly pensions to retired employees of TMCs. However, for clearance of outstanding pensionary liabilities of retired employees of all 25 TMCs, KMC has approached the Provincial Government vide letter dated 07.05.2026, requesting allocation of funds amounting to Rs.9,862.600 million. It is therefore submitted that the delay in payment of remaining pensionary dues is not intentional but due to non-availability of sufficient funds, and the claims of the petitioners shall be cleared in accordance with their entitlement upon availability of funds and in terms of the mechanism already established pursuant to the orders of this Court.

4. We have heard the learned counsel for the petitioners and learned counsel appearing on behalf of Karachi Metropolitan Corporation (KMC), and perused the available record. It is an admitted position that the petitioners were employees of the municipal authorities and retired from service after completing their respective periods of service. It is also not disputed that their pension cases have been processed by the competent department, their entitlement towards pensionary/retirement benefits has been acknowledged, and they are already receiving monthly pension through HBL. The only issue requiring consideration is the release of their remaining post-retirement dues.

5. The record reflects that the claim of petitioner Mr. Yousuf Masih amounting to Rs.2,604,703/- and the claim of petitioner Mst. Hiroo amounting to Rs.2,011,249/- have been received and duly processed/pre-audited by KMC. Thus, there remains no dispute regarding the entitlement of the petitioners or completion of necessary formalities. The delay in payment is attributed by KMC solely to financial constraints and non-availability of sufficient funds.

6. It is a settled principle of law that pensionary and retiral benefits are not a matter of grace or charity but constitute a vested right of a retired employee, earned after rendering services to the State or its instrumentalities. Such benefits cannot be withheld indefinitely on account of administrative difficulties or financial constraints. Public authorities are under a legal obligation to ensure timely payment of lawful dues of retired employees, as any unreasonable delay defeats the very purpose of pensionary benefits and causes undue hardship to retired persons and their families.

7. At the same time, this Court is mindful of the mechanism already established in C.P. No.D-3393/2023, whereby KMC has undertaken the responsibility for facilitating payment of pensionary benefits of retired employees of Town Municipal Corporations, with financial assistance being provided by the Finance Department, Government of Sindh. The material placed on record also indicates that KMC has approached the Provincial Government for allocation of additional funds for clearing outstanding pension liabilities of retired employees.

8. In view of the admitted entitlement of the petitioners and the absence of any lawful justification for withholding their dues, the instant petitions are disposed of with directions to the respondents, particularly KMC, and other concerned department to ensure release of the outstanding pensionary/retirement benefits of the petitioners strictly in accordance with their entitlement and seniority, through the mechanism already operating pursuant to the orders passed by this Court in C.P. No.D-3393/2023 and connected matters.

9. The respondents shall make all possible efforts to arrange necessary funds and process the claims of the petitioners without unnecessary delay. The petitioners shall be paid their outstanding dues as and when funds are released, without requiring them to initiate any further proceedings. Compliance report shall be submitted before the learned Registrar of this Court within a reasonable period.

10. These petitions stand disposed of in the above terms.

JUDGE

JUDGE

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