

ORDER SHEET
IN THE HIGH COURT OF SINDH AT KARACHI
C.P. No. D-4469 of 2025
(Muqadas 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 Adnan Iqbal Chaudhary

Date of hearing and Order: 15.07.2026

Mr. Muhammad Riaz, Advocate, for the Petitioner.
Mr. Asad Ali, Advocate, for KMC
Mr. Naeem Akhtar, Addl. A.G

ORDER

Adnan-ul-Karim Memon, J. – Petitioner Amanat Masih has filed this petition under Article 199 of the Constitution seeking direction to the Respondents No. 2 to 5 to issue his monthly pension and all his back benefits.

2. Learned counsel for the petitioner submits that the petitioner is a law-abiding citizen and widow of the deceased employee, who served as a Sanitary Worker (BPS-02) under the respondent department and expired on 24.05.2023. He contends that after the death of her husband, the petitioner approached the concerned authorities for release of her lawful pensionary benefits, including family pension, gratuity, leave encashment, benevolent fund and other dues, and submitted all required documents; however, despite fulfilling all formalities, the respondents have failed to process her case. Learned counsel further submits that the pension case of the petitioner has remained pending since 2023 due to the inaction and negligence of the respondents, depriving the petitioner and her children of their legitimate financial support. He submits that the petitioner is a disabled lady and the sole guardian of the deceased employee's children, and the continued withholding of pensionary benefits has caused severe financial hardship. According to the learned counsel, the failure of the respondents to release the pensionary benefits is arbitrary, unlawful and in violation of the petitioner's fundamental rights and principles of natural justice. He therefore prays that directions may kindly be issued to the concerned respondents to process and release the family pension and all outstanding pensionary benefits of the petitioner in accordance with law.

3. Learned counsel for KMC submits that the pension claim of the petitioner, namely Mr. Muqdas, Ex-Sanitary Worker (BPS-02), TMC Orangi Town, has already been received by the Welfare Department, KMC vide Inward No. 62731 dated 09.03.2026, amounting to Rs. 1,962,149/-. He submits that the petitioner is already drawing his monthly pension regularly through HBL. Learned counsel further submits that pursuant to the directions of this Court in C.P. No. D-3393/2023, KMC has undertaken the responsibility of facilitating payment of

pension and arrears of retired employees of TMCs. He contends that the Finance Department, Government of Sindh is providing funds of Rs. 200 million per month for disbursement of monthly pensions of retired TMC employees, and these funds are being utilized accordingly. He further submits that KMC has approached the Provincial Government vide letter dated 07.05.2026, requesting allocation of Rs. 9,862.600 million for clearance of outstanding pensionary dues of retired employees of all TMCs, including the present petitioner. According to the learned counsel, the matter is being processed in accordance with the directions of this Court and the petitioner's pensionary benefits shall be dealt with as per law upon availability of the required funds.

4. We have heard the learned counsel for the parties and perused the available record.

5. It is an admitted position that the petitioner is the legal heir of the deceased employee, who served as a Sanitary Worker (BPS-02) under the concerned local government department. The petitioner has approached this Court for release of her pensionary benefits, whereas the learned counsel for KMC submits that the pension claim has already been received and is under process, and that the petitioner is regularly drawing monthly pension through HBL.

6. The right to receive pensionary benefits is a legitimate entitlement of a retired employee or his/her legal heirs, and the same cannot be withheld indefinitely on account of administrative delays or inter-departmental issues. At the same time, it has been brought on record that KMC is facilitating payment of pensionary dues of TMC employees pursuant to the directions issued by this Court in earlier proceedings, while the Finance Department, Government of Sindh, is providing funds for disbursement of pensions.

7. In view of the above circumstances, no useful purpose would be served by keeping the present petition pending. However, the respondents are directed to ensure that the remaining pensionary benefits/arrears of the petitioner are processed and released strictly in accordance with law and as per entitlement, without unnecessary delay. The competent authority shall complete the requisite exercise and communicate the outcome to the petitioner within six weeks.

8. With these observations and directions, the instant Constitutional Petition stands disposed of. The petitioner shall be at liberty to approach this Court again in case of any grievance regarding non-compliance of the above directions.

JUDGE

JUDGE