

ORDER SHEET
IN THE HIGH COURT OF SINDH AT KARACHI

C.P. No. D-5089 of 2025
(Amanat Masih 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. Asada li 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 release gratuity funds, benevolent funds and other back benefits.

2. Learned counsel for the petitioner submits that the petitioner, a retired Sanitary Worker (BPS-02), superannuated from service on 10.04.2025 and is entitled to his lawful pensionary benefits, including monthly pension, gratuity, group insurance, benevolent fund and other retirement dues. He contends that despite repeated approaches and submission of all required documents, the respondents have failed to process and release the petitioner’s pension case and other benefits, which have remained pending since his retirement on the pretext of shortage of funds. Learned counsel further submits that the inaction of the respondents has caused financial hardship to the petitioner and amounts to a violation of his lawful rights and principles of natural justice. He therefore prays that directions may kindly be issued to the concerned respondents to process and release the petitioner’s pension, gratuity, group insurance, benevolent fund and all other outstanding retirement benefits in accordance with law.

3. Learned counsel for KMC submits that the petitioner, Mr. Amanat, Ex-Sanitary Worker (BPS-02), North Nazimabad Town, District Central Karachi, retired from service on 04.10.2025 and his pension case has already been received and processed by the Welfare Department, KMC vide Inward No. 61864 dated 25.11.2025 for an amount of Rs. 1,331,394/-. He further submits that the pension claim has been duly pre-audited by the ADLFA, KMC and the petitioner is regularly drawing his monthly pension through HBL. Learned counsel further submits that KMC is complying with the directions issued by this Court in C.P. No. D-3393/2023 regarding payment of pensionary benefits of retired TMC employees. 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, which are being utilized accordingly. He further submits that KMC has approached the Provincial Government for 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 law and the petitioner's remaining pensionary benefits shall be released as per entitlement upon availability of funds.

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

5. It is an admitted position that the petitioner has retired from service as Sanitary Worker (BPS-02) and is entitled to his pensionary and retirement benefits. The grievance of the petitioner is that despite completion of the requisite formalities, his gratuity, benevolent fund, group insurance and other retirement dues have not been released by the respondents.

6. The learned counsel for KMC, however, submits that the pension case of the petitioner has already been received, processed and duly pre-audited by the competent authority, and the petitioner is regularly drawing his monthly pension. It has further been brought on record that KMC is making efforts for payment of outstanding pensionary liabilities of retired employees of TMCs in pursuance of the directions issued by this Court in C.P. No. D-3393/2023, while funds are being arranged from the Finance Department, Government of Sindh.

7. We are of the view that pensionary benefits are a vested right of a retired employee and cannot be withheld indefinitely due to administrative or financial constraints. At the same time, since the respondents have already initiated the process and the matter is dependent upon the availability of funds and completion of necessary formalities, no useful purpose would be served by keeping the petition pending.

8. Accordingly, the respondents are directed to ensure that the remaining retirement benefits of the petitioner, including gratuity, benevolent fund, group insurance and other admissible dues, are processed and released strictly in accordance with law and entitlement, without unnecessary delay. The competent authority shall complete the requisite exercise and communicate the progress/outcome to the petitioner within six weeks' time.

9. With the above observations and directions, the instant Constitutional Petition stands disposed of. In case of non-compliance, the petitioner shall be at liberty to seek appropriate remedy in accordance with law.

JUDGE

JUDGE