

HIGH COURT OF SINDH, CIRCUIT COURT, HYDERABAD

C.P. No.D-1277 of 2023

[Mst. Shabana Khatoon vs. Province of Sindh and others]

Before:

JUSTICE ADNAN-UL-KARIM MEMON

JUSTICE MUHAMMAD JAFFER RAZA

Petitioner:	By Raja Ghulam Mohiuddin Panhwar advocate
Respondents:	By Mr. Rafique Ahmed Dahri Additional A.G Sindh
Date of hearing	21.10.2026
Date of Decision	21.10.2026

O R D E R

ADNAN-UL-KARIM MEMON J:- The petitioner seeks directions to the Secretary, School Education and Literacy Department, and the Deputy Manager Claims, State Life Insurance Corporation of Pakistan, Hyderabad Zone, to sanction and release the admissible Group Insurance amount, and to the Deputy Commissioner, Hyderabad, to sanction the Benevolent Fund and funeral expenses.

2. The petitioner's father, Late Barkat Ali s/o Nabi Bux Vighio, was appointed as Naib Qasid (BPS-01) in the School Education and Literacy Department on 01.11.1987 and retired on attaining the age of superannuation on 16.03.2018. He subsequently passed away on 01.06.2019. The petitioner was sanctioned family pension by the District Accounts Officer, Hyderabad, but her claims for group insurance, benevolent fund and funeral expenses remain unsettled despite submission and forwarding of the requisite applications to the concerned authorities.

3. Learned counsel for the petitioner asserts that she is entitled to these benefits under the relevant rules and notification and, having no adequate alternate remedy, has invoked the constitutional jurisdiction of this Court.

4. Learned A.A.G. submits that the petitioner's Family Grant case was sanctioned by the District Benevolent Fund Board, Hyderabad, on 24.01.2024, at the rate of Rs.2000/- per month with effect from 01.09.2022. However, payment is subject to submission of the petitioner's duly attested No-Marriage Certificate and account details, for which respondent No.5 has already been requested.

5. We have heard learned counsel for the parties and perused the record with their assistance.

6. The record reflects that the petitioner's father retired from service on 16.03.2018 and passed away on 01.06.2019, whereafter the petitioner was sanctioned family pension. The petitioner's Family Grant was sanctioned by the District Benevolent Fund Board, Hyderabad, on 24.01.2024, at the rate of Rs.2000/- per month with effect from 01.09.2022, subject to submission of a duly attested No-Marriage Certificate and bank account details. Thus, the claim for Family Grant stands sanctioned, and its disbursement remains subject only to fulfilment of the prescribed documentary requirements. The concerned authorities cannot, however, indefinitely withhold payment once the requisite documents have been furnished.

7. As regards Group Insurance and funeral expenses, the petitioner's entitlement is required to be determined in accordance with the applicable statutory rules and the governing scheme. The mere fact that the deceased employee retired before his death does not, by itself, establish or extinguish a claim for Group Insurance; the relevant scheme, its applicability to retired employees and the conditions governing payment must be examined by the competent authority. Equally, the claim for funeral expenses must be decided under the applicable rules and policy. The respondents are under a legal obligation to consider each claim fairly, objectively within two weeks, by passing a speaking order rather than leaving the petitioner's applications unattended.

8. In view of the foregoing, this petition is disposed of with directions to the petitioner to furnish the duly attested No-Marriage Certificate and bank account details to the concerned authority, if not already furnished. Upon receipt thereof, the competent authority shall ensure disbursement of the sanctioned Family Grant without unnecessary delay. The competent authorities shall also examine the petitioner's claims for Group Insurance and funeral expenses in the light of the applicable rules, notifications and scheme, and communicate a reasoned decision within three weeks of receipt of the requisite documents. If the claims are found admissible, the amounts shall be sanctioned and released in accordance with law; if declined, the petitioner shall be informed of the specific legal and factual grounds for such refusal.

JUDGE

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