HIGH COURT OF SINDH, CIRCUIT COURT, HYDERABAD

C.P. No.D-95 of 2026
[Majnoo vs. Province of Sindh and others]

Before:
JUSTICE ADNAN-UL-KARIM MEMON
JUSTICE MUHAMMAD JAFFER RAZA

Petitioner:	Through Mr. Muhammad Saleem, Advocate
Respondents:	Through Mr. Rafique Ahmed Dahri Additional A.G Sindh
Date of hearing	04.11.2026
Date of Decision	04.11.2026

O R D E R
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ADNAN-UL-KARIM MEMON J The petitioner, a retired Admin Officer (BPS-16) of Municipal Committee Qasimabad, has filed this Constitutional Petition seeking release of his monthly pension and arrears with effect from November 2025.

2. Learned counsel submits that the petitioner retired on 30.11.2011 and regularly received his pension until October 2025, when it was stopped due to alleged shortage of departmental funds. He adds that despite submitting an application dated 09.01.2026, his pension has not been restored, causing financial hardship.

3. Respondent No.05 (Local Fund Audit) submits that it has no role in processing or disbursing pension and performs only audit functions; therefore, its name may be deleted from the array of respondents. The Finance Department also submits that the matter falls within the domain of Local Government Department, while it regularly releases the OZT share and grant-in-aid to HMC.

4. HMC submits that, pursuant to the Provincial Local Government Commission's meeting dated 17.02.2026, pensionary liabilities of former Municipal Committee Qasimabad employees shall be borne by the successor TMC Qasimabad. The Local Government Department seeks four weeks to resolve the pension-related issues and submit a compliance report.

5. We have considered the submissions of learned counsel for the petitioner, learned A.A.G. and the statements submitted by the concerned departments.

6. It is an admitted position that the petitioner retired from service on 30.11.2011 and had been regularly receiving his pension until October 2025. Pension is a legitimate and vested post-retirement entitlement earned through years of service and cannot be withheld merely on the ground of shortage of funds or administrative and financial disputes between the concerned municipal authorities. The petitioner, having already rendered his services and attained retirement, cannot be made to suffer on account of internal arrangements or lack of coordination between the departments.

7. The statement of HMC further reflects that, pursuant to the decision of the Provincial Local Government Commission dated 17.02.2026, the pensionary liabilities of former employees of Municipal Committee Qasimabad are to be borne by the successor TMC Qasimabad. Consequently, the concerned successor municipal authority, in coordination with the Local Government Department, is under an obligation to ensure uninterrupted payment of the petitioner's pension and clearance of his outstanding arrears. Any dispute regarding allocation or transfer of financial liabilities shall be resolved by the competent authorities themselves and shall not prejudice the petitioner's lawful entitlement.

8. In view of the above, this petition is disposed of with directions to the Secretary, Local Government Department, Government of Sindh, and the Municipal Commissioner, TMC Qasimabad, to ensure release of the petitioner's entire outstanding pension arrears with effect from November 2025, along with restoration of his regular monthly pension, within two months from receipt of this order. The competent authority shall also conduct an inquiry to identify the officers/officials responsible for the unjustified stoppage and delay in payment of the petitioner's pensionary dues, fix responsibility in accordance with law, and initiate appropriate disciplinary proceedings against those found responsible, under intimation to this Court through a compliance report for placing the same before this court through Additional Registrar of this Court.

9. Needless to observe that the petitioner shall not be deprived of his legitimate pensionary benefits subject to his entitlement under the law on account of any administrative or financial dispute between the concerned departments.

JUDGE

JUDGE

Karar_Hussain/PS*