

ORDER SHEET
IN THE HIGH COURT OF SINDH, KARACHI

Constitutional Petition No. D-1544 of 2026
(*Mst. Nargis versus Province of Sindh & others*)

Date	Order with signature of Judge
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Mr. Justice Adnan-ul-Karim Memon
Mr. Justice Muhammad Hasan (Akber)

1. For order on office objection
2. For hearing of main case

Date of hearing and order: 26.3.2026

Mr. Shahid Hussain advocate for the petitioner
Mr. Abdul Jalil Zubedi, Assistant AG
Mr. Asad Ahmed advocate for the respondent / KMC

Adnan-ul-Karim Memon, J. Petitioner Mst. Nargis has filed this Constitutional Petition under Article 199 of the Constitution of the Islamic Republic of Pakistan, 1973, seeking following relief: -

- a. *To declare that the petitioner is legally entitled for recovery of retirement benefits Gratuity etc. from the respondents and the respondents are bound to act under the framework provided in the Constitution of Pakistan and to obey the law being the statutory body incorporated under the provincial government.*
- b. *To direct the respondents to release retirement benefits Gratuity etc. forthwith without committing any further delay as the respondents being statutory body is bound to act in accordance with law and recovery of dues is the fundamental right of the petitioner and respondent is bound under principle policy to do so.*

2. The petitioner was appointed as ex-Sanitary Worker (BPS-02) on 02.03.1989 in the Health Services Department, DMC, retired on 30.06.2023 and had not received her pensionary benefits.

3. Learned counsel for KMC submitted that the petitioner is receiving her monthly pension, and her arrears of Rs.1,532,123/- shall be released within two weeks, as per a letter dated 25.03.2026. An excerpt of the letter is reproduced as under: -

“.....In compliance to the above directives, the pension claim of Petitioner has processed and duly pre-audited by the ADLFA, KMC for amounting to Rs.1,532,123/-

"The petitioner is drawing monthly pension from HBL Branch regularly".

Kind attention is also invited to para 12 of the order dated 03.07.2025, wherein the Finance Department, Government of Sindh was directed to provide any shortfall which KMC may have in paying those entitled to pensions within two (02) months of the

date of request from the Mayor, KMC Karachi for the funds which he requires for disbursing such pensions.

The Municipal Commissioner KMC Karachi vide letter No.PS/MC/KMC/2026/10 dated 12/01/2026, addressed to the Additional Chief Secretary Sindh has requested for the Special Grant- in Aid Rs.6,964.183 Million for disbursement of pensioner dues to 2701 retired employees of all Town Municipal Corporation (25 Nos.) However, no funds have been released by the Provincial Government to KMC till todate. As soon as the funds releases by the Provincial Government, the above claims will be settled accordingly.”

4. It is noted that the Finance Department, Government of Sindh, has not yet released the Special Grant-in-Aid of Rs.6,964.183/- million requested by the KMC for pension disbursement.
5. Learned counsel for the petitioner agreed to disposal of the petition in terms of this statement so made by the counsel for the KMC.
6. With the consent of the parties, the Petition along with pending application(s), if any, stands disposed of in the above terms.

JUDGE

JUDGE