

ORDER SHEET
IN THE HIGH COURT OF SINDH, KARACHI

Constitutional Petition No. D-1958 of 2023
(Hakimzadi v Federation of Pakistan & others)

Date	Order with signature of Judge
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Before:-

Mr. Justice Adnan-ul-Karim Memon

Mr. Justice Zulfiqar Ali Sangi

Date of hearing and order:-14.04.2026.

Mr. Ali Asadullah Bullo advocate for the petitioner

Ms. Wajiha Mehdi, Assistant Attorney General

Mr. Abdul Jalil Zubedi, Assistant AG

Mr. Furkan Ali advocate for respondents No.2 to 4

Mr. Ghazanfar Ali Abbasi, DS-I, LU, Board of Revenue Sindh

Mr. Mushtaque Ali, Focal Person Board of Revenue Sindh

ORDER

Adnan-ul-Karim Memon, J It appears that the instant petition pertains to the service record of the petitioner with the Board of Revenue and his subsequent employment in the National Insurance Company, regarding the payment of his pensionary benefits/share.

2. It is noted that the Senior Member, Board of Revenue, has not submitted a compliance report before this Court; instead, a letter has been issued to the Deputy Commissioner, Hyderabad, for necessary compliance. Such conduct reflects a lack of seriousness in the matter and amounts to apathy on the part of the respondents in complying with the directions of this Court.

3. In these circumstances, the Deputy Commissioner, Hyderabad, was directed to remain in attendance along with the complete record and details of the dues payable to the petitioner.

4. The Deputy Commissioner, Hyderabad, who is present in Court, submitted a compliance report on behalf of Respondent No.5 about the pensionary share of the husband of Mst. Hakimzadi, the widow of late Muhammad Bux Panhwar, a retired Naib Qasid.

5. It was stated that, in compliance with the orders of this Court dated 24.03.2026, a letter bearing No. DC/HYD/Acctt/185 dated 07.04.2026 has been issued to Mst. Hakimzadi, requiring her to furnish certain documents necessary for processing of the pensionary share. The said requisition includes copies of the CNIC of the deceased employee and the widow, photographs, original service book, descriptive roll of the widow, no marriage certificate, heirship certificate, and family registration certificate. It was further informed that the relevant communication, along with the TCS dispatch proof, has been placed on record. It was further submitted that, in addition to the above, the pension case papers about the period from 08.11.1974 to 31.07.1992, along with 180 days LPR bill, have already been prepared in favour of Mst. Hakimzadi and forwarded to the District

Accounts Office, Hyderabad, for further processing and finalization, under covering letter No. DC/HYD/Acctt/2026/189 dated 07.04.2026. The Deputy Commissioner further provided the financial details of the pensionary benefits, including gross pension, net monthly pension excluding allowances, proposed gratuity in lieu of commutation, and the amount of 180 days leave encashment. In view of the above, a request has been made for a direction to the District Accounts Officer, Hyderabad, to process and finalize the pension case at the earliest and ensure that the admissible pensionary share is transferred to the National Insurance Company Limited, Karachi, without further delay.

6. In view of the foregoing facts and circumstances, it appears that although the matter relates to the service record of the petitioner with the Board of Revenue and his subsequent employment in the National Insurance Company, the core grievance pertains to the non-payment of admissible pensionary share to the legal heir of the deceased employee, late Muhammad Bux Panhwar.

7. It is noted with concern that despite earlier directions of this Court, the respondents have failed to submit a compliance report. Such an approach reflects administrative indifference and does not align with the duty of a public functionary to ensure timely compliance with judicial orders. Nevertheless, it is also evident from the record that the process has now been substantially advanced by the Deputy Commissioner, Hyderabad, who has not only corresponded with the legal heir for the provision of requisite documents but has also completed the preparation of pension case papers for the relevant period and forwarded the same to the District Accounts Office, Hyderabad, for finalization.

8. The Court observes that pensionary benefits are a vested and legal entitlement of a retired employee and, upon his demise, of his lawful heirs, and such benefits cannot be withheld or delayed on account of inter-departmental procedural formalities once the entitlement is otherwise established. The purpose of judicial intervention in such matters is to ensure that admitted dues are released without unnecessary delay and hardship to the legal heirs.

9. In the present case, since the requisite pension papers have already been prepared and transmitted to the competent Accounts Authority, no further factual controversy survives requiring adjudication. The remaining step is purely ministerial in nature, to be completed by the District Accounts Office, Hyderabad, in accordance with applicable rules and procedure, within three weeks. The NICL shall take steps when received the certain amount.

10. This petition, along with pending application(s), stands disposed of in the aforesaid terms.

JUDGE

JUDGE