

ORDER SHEET
IN THE HIGH COURT OF SINDH AT KARACHI

C.P. No. D-6504 of 2018

[Hikmat Shah and others V. Federation of Pakisgtan and others]

Date	Order with signature of Judge(s)
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Before:
Mr. Justice Adnan-ul-Karim Memon
Mr. Justice Zulfiqar Ali Sangi

Date of hearing and Order: 13.04.2026

Mr. Imran Khan, Advocate for the Petitioners.

Mr. Ch. Azhar Illahi, Advocate for Respondent No.3.

Ms. Wajiha Mahdi, D.A.G.

ORDER

Adnan-ul-Karim Memon, J. – Petitioners Hikmat Shah, Sheer Rehman, Muhammad Bashir Zafar and Manzoor Hussain have filed this Constitution Petition under Article 199 of the Constitution of Islamic Republic of Pakistan 1973, seeking direction to the Respondent Nos.2 and 3 to release the pensionary benefits/ legal dues to the petitioners who were retired from services after attaining the age of superannuation viz 60 years age.

2. Learned counsel for the petitioners submitted that petitioner are lower-grade retired employees who were appointed to various posts by respondent No. 3, namely the Custom House Common Pool Trust. Appointment letters, employment cards, and experience certificates were duly issued to them. Upon attaining the age of superannuation (60 years), the petitioners retired through formal office orders after rendering long and continuous service. However, despite their entitlement, the respondents failed to release their pensionary benefits and other legal dues at the time of retirement. It is further contended that respondent No. 3 operates under the administrative control of respondent No. 2, the Federal Board of Revenue (FBR), which manages the affairs and funds of the Trust. In the absence of any other efficacious or speedy remedy, the petitioners have invoked the constitutional jurisdiction of this Court, seeking directions for payment of their retirement benefits. Learned counsel for the petitioners submits that during pendency of the case petitioner No.1- Hikmat Shah has died, however, he seeks time to file amended title by arraying his legal heirs within one week's time, so that they may pursue their case before constitutional forum.

3. Learned counsel for the respondent No.3 has not opposed the request, however, added that case of the petitioners is pending adjudication before the

Authority under the Payment of Wages Act, South Division Karachi; therefore, direction may be issued for adjudication of the matter on merits within stipulated period. The request seems to be reasonable and acceded to subject to the rider that if the matter is pending the same shall be decided within three weeks.

4. Learned counsel for the petitioner agreed to the proposal and seeks disposal of the petition in that term. However states that time frame be given to the commissioner for wages to take decision.

5. Accordingly, without touching the merits of the case, and with the consent of the parties, the petition stands disposed of along with all pending applications with direction to the Authority under the Payment of Wages Act, South Division Karachi to decide the matter of the petitioners/legal heirs of deceased employee, if approached earlier on merit within three weeks.

Copy of this order be communicated to the Commissioner Wages South Division Karachi for compliance.

JUDGE

JUDGE

Ayaz Gul