

ORDER SHEET
IN THE HIGH COURT OF SINDH AT KARACHI

C.P. No. D-5649 of 2025

[Mst. Jameela Khatoon V. Federation of Pakistan 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: 21.04.2026

Mr. Qadir Hussain Khan and Ms. Shehla Anjum, Advocates for the Petitioner.

Ms. Wajiha Mahdi, Assistant Attorney General.

Mr. Faisal Ramzan Ali, Branch Manager, NBP Rahimabad Branch.

ORDER

Adnan-ul-Karim Memon, J. – Petitioner Mst. Jameela Khatoon through attorney Mst. Shehnaz Ejaz has filed this Constitution Petition under Article 199 of the Constitution of Islamic Republic of Pakistan 1973, seeking following relief:-

- a. *Direct the Manager National Bank of Pakistan Rahimabad Branch C-Block Federal B Area Karachi Branch for early release of pension of widow lady and oblige.*
- b. *Any other relief which this Honorable Court deems fit.*

2. It is, inter alia, contended that the petitioner is the real sister of late Mst. Shahida Ruksana, who was receiving pension through the National Bank of Pakistan, Rahimabad Branch, Karachi. After her demise, the pension was transferred to their mother, Mst. Jameela Khatoon, an elderly lady aged over 85 years. It is submitted that the said pension was being collected by her son, Mansoor Ibrahim, who used to withdraw the amount from the Bank after intervals of three to four months. However, upon withdrawal, he would hand over only half of the pension to his mother and unlawfully retain the remaining half for himself. It is further stated that when the petitioner, through her daughter (now acting as her attorney), questioned Mansoor Ibrahim regarding his authority to retain a portion of the pension, he refused to continue collecting the pension unless allowed to keep half of it. Thereafter, he stopped withdrawing the pension altogether and also retained, without any lawful justification, the original CNIC of the petitioner, along with the cheque book, pension book, and property documents. Learned counsel submits that due to the wrongful retention of these essential documents by the petitioner's son, the pension has not been disbursed to the elderly lady for more than two years. Despite approaching the concerned authorities, no relief has been provided to the petitioner.

3. This Court summoned the representative of the National Bank of Pakistan, who submitted that he had visited the petitioner's residence for verification;

however, at that time, the petitioner was unconscious. The petitioner's attorney, present in Court, stated that the petitioner's condition had since improved and that she was now in a position to respond to queries for verification purposes. Consequently, the Nazir was directed to collect the pensionary benefits from the Bank. Thereafter, the Bank's representative appeared before this Court on 10.02.2026 and undertook to revisit the petitioner's residence for verification; however, no such verification was carried out. Subsequently, he was directed to deposit all pensionary benefits of the petitioner with the Nazir of this Court. In compliance with the Court's order dated 25.02.2026, a banker's cheque amounting to Rs. 797,040/- (Cheque No. 80465103 dated 06.03.2026) was deposited with the Nazir vide Voucher No. 5244032026. The representative further submitted that additional amounts were lying in the head office account and sought one week's time to deposit the same, which, as per learned counsel, has also been complied with.

4. At this stage, learned counsel for the petitioner requested that the petitioner's attorney be permitted to receive the pensionary benefits on behalf of the petitioner's mother. However, this Court is primarily concerned with ensuring that the amount lying with the Nazir is disbursed directly to the original pensioner. Accordingly, the Nazir is directed to visit the petitioner's residence and deliver the amount, either by cheque or in cash, to the petitioner after due verification and ascertain her health and mental capacity.

5. When confronted with the position of the case, learned counsel for the petitioner seeks disposal of this petition in the aforesaid terms.

6. Having heard learned counsel for the petitioner, the representative of the National Bank of Pakistan, and having examined the record, it is evident that the petitioner is an elderly widow, aged more than 85 years, who is legally entitled to receive her family pension. The material on record further reflects that the non-disbursement of pension for a considerable period was not due to any legal impediment on the part of the Bank, but primarily owing to the unauthorized retention of essential documents by the petitioner's son, which prevented due verification and release of pension.

7. It is a settled principle of law that pension is not a bounty but a vested right, and forms part of the property of a pensioner, protected under the law. Deprivation of such right, particularly in the case of an aged and dependent widow, directly impacts her right to livelihood and dignity. The facts of the present case reveal that the petitioner was unjustly deprived of her lawful entitlement due to circumstances beyond her control, which warranted immediate intervention by this Court.

8. The record further shows that pursuant to directions of this Court, the Bank has already deposited a substantial amount of accrued pensionary benefits with the Nazir of this Court, and there remains no serious dispute regarding the petitioner's entitlement. The only concern that persisted was ensuring proper identification and safe disbursement of the amount to the rightful beneficiary, especially in view of her advanced age and prior vulnerability.

9. In these circumstances, the mechanism devised by this Court requiring deposit of pensionary benefits with the Nazir and subsequent disbursement upon verification strikes a fair and equitable balance between safeguarding the petitioner's rights and ensuring transparency in disbursement. This arrangement also prevents any further exploitation or interference by third parties, including family members, in the receipt of pension.

10. Accordingly, it is held that the petitioner is entitled to receive her pensionary benefits, and the amount already deposited with the Nazir shall be disbursed directly to her after proper verification, preferably at her residence, considering her age and condition. It is further directed that future pension shall also be routed through the Nazir, who shall ensure its disbursement to the petitioner strictly in accordance with law as per her entitlement.

11. With these observations, the petition along with pending application(s) stands disposed of.

JUDGE

JUDGE