

Order Sheet

HIGH COURT OF SINDH, CIRCUIT COURT, HYDERABAD

CP No. D- 746 of 2025
[Pervaiz Maseeh v. Province of Sindh & others]

Before :

Mr. Justice Adnan-ul-Karim Memon
Mr. Justice Riazat Ali Sahar

Petitioner : Through Mr. Shankar Lal Meghwar, Advocate

Mr. Rafiq Ahmed Dahri, Asstt: A.G.

Date of Hearing
& Decision: 11.11.2025

ORDER

ADNAN-UL-KARIM MEMON, J.- Through this Constitutional Petition, the petitioner has mainly prayed as under:-

- (i). Declare the objection raised by Respondent No.3 as illegal, without lawful authority, and of no legal effect;
- (ii). Direct the respondents to immediately release all post-retirement benefits of the petitioner, including pension, gratuity, General Provident Fund (GP Fund), commutation, and any other dues or benefits accrued by virtue of his lawful retirement;
- (iii). Direct the respondents not to withhold or delay any lawful retirement benefits of the petitioner on the basis of an incorrect and irrelevant objection related to age at the time of initial work charge appointment.

2. The petitioner was appointed as Sanitary Worker in the Works & Services Department on 19.09.1979, regularized on 17.10.1985, and was retired on 07.10.2024. After retirement, his pension case was sent to the District Accounts Office, which objected that his initial appointment was irregular.

3. Respondent No.2/ Chief Architect, Works & Services Department stated that the petitioner's pension papers were forwarded to the District Accounts Officer, Hyderabad, on 01.01.2025. The District Accounts Officer submitted that the petitioner joined as a Sweeper (BPS-1) in 1979 at the age of 15 years and that his record shows an appointment date of 15.01.2000. The petitioner claimed regularization in 1982 but did not produce the relevant order. The officer stated

that pension had been processed provisionally and requested the petitioner to provide the regularization order for processing arrears and other dues.

4. Heard counsel and perused the record.

5. In view of the record, it is evident that the petitioner served the department continuously until his retirement on 07.10.2024. His service was regularized in 1985, and he performed duties without interruption for more than four decades. Once an employee has served the government for such a long period and has been allowed to retire in the normal course, any objection regarding the alleged irregularity in his initial appointment cannot be raised at this belated stage. The petitioner, having rendered qualifying service, is lawfully entitled to pensionary and retirement benefits in accordance with law. The competent authority of respondents is, therefore, directed to finalize and release his pension and other dues forthwith preferably within two months.

6. Petition stands disposed of in the above terms.

JUDGE

JUDGE

karar_hussain/PS*