

**ORDER SHEET
IN THE HIGH COURT OF SINDH AT KARACHI**

C.P. No.D-2415/2009 and 550/2014

IDBP Retired Officers Welfare Association & others
AND Abdul Hakim & others

Versus

Federation of Pakistan & others

Date	Order with signature of Judge
------	-------------------------------

Dated: 26.01.2021

Mr. Harchand Rai for petitioners in CP No.D-2415 of 2009.
None for petitioners in CP No.D-550 of 2014.
Mr. Salman Hamid for respondent No.2 in both the petitions.

-.-.-

These petitions of the petitioners are in respect of post-retirement benefits as being pensionable post. Petitioners have attempted to claim such benefits despite entering into a settlement of retirement voluntarily with the respondent No.2.

We have heard learned counsel for petitioners appearing in petition No.D-2415 of 2009 as well as learned counsel appearing for respondent No.2 and perused the material available on record. In connected petition no one has appeared on behalf of the petitioners however since it is also premised on same set of facts and law hence is being decided along with the main petition.

We have carefully examined the contents of petitions and also gone through the settlement deal signed by the petitioners. They have understood the contents of the bank's offer and signed the same without any duress or coercion. Petitioners were given certain benefits which were not even matured at the time of this settlement. They have in fact bartered their rights, which could have been matured subsequently or were matured at the relevant time, with the benefits offered by

respondent No.2 Bank at the time of settlement. Ultimately they (petitioners) signed the agreement/settlement meaning thereby that they shall not be entitled to any other pensionary benefits. Indeed, at one hand they have enjoyed financial benefits in terms of the settlement and on the other they now after almost more than 15 years are seeking post-retirement benefits, which in fact were bartered with the benefits realized from the bank at the time of signing of the settlement.

These petitions are otherwise hit as not maintainable in terms of the order passed in CP No.D-1204 and D-1205 of 2009 which were dismissed as the respondent No.2 did not enjoy statutory rules of service. Reliance was placed on the case of PIAC v. Tanveer-ur-Rehman reported in SBLR 2010 SC 303.

In view of above facts and circumstances, no case for any indulgence is made out and hence both the petitions are dismissed along with pending applications.

Judge

Judge