

Order Sheet  
**IN THE HIGH COURT OF SINDH,  
CIRCUIT COURT, HYDERABAD**

CP. No. D- 2296 of 2019

Mohammad Siddique

v. Province of Sindh and others

**BEFORE :**

Mr. Justice Adnan-ul-Karim Memon  
Mr. Justice Adnan Iqbal Chaudhry

Petitioner: Mohammad Siddique through Mr. Faisal Nadeem  
Abro, Advocate

Respondents: Province of Sindh and others through Mr. Allah  
Bachayo Soomro, Addl.A.G.

Date of hearing  
& decision: 26.10.2021

**O R D E R**

**ADNAN-UL-KARIM MEMON, J:-** Through the captioned petition, the petitioner is seeking direction to the respondents to release his past salaries for nine years with effect from 1.6.2008 to 31.1.2018, and pensionary benefits.

2. The case of the petitioner is that he served the respondent-department as Assistant Engineer (BPS-17) and stood retired on attaining the age of superannuation on 31.1.2018, however, no pensionary benefits have been disbursed to him, he also claims his salaries of past service as discussed supra.

3. We have heard learned counsel for the parties and perused the material available on record.

4. Prima-facie the state of affairs of the respondents is very dismal therefore, we would conclude that the respondent Department has no right to withhold or postpone pension or the payment on account of commutation of pension. The respondent-department is bound to release pension to the Petitioner at the time of superannuation i.e. 31.1.2018.

5. At this stage learned A.A.G. has intervened and submitted that the grievance of the petitioner would be redressed as and when he approaches the respondent department. This is not the wish and will of the department to keep the case of pension pending routinely and keep the petitioner on hollow hopes that his pensionary benefits would be released soon based on the premise that some departmental formalities are required to be fulfilled; however, the respondent Department is required to expedite the process of payment of pensionary benefits to the petitioner under the law within two weeks. In case of failure respondent Department shall be liable to payment of interest upon withheld amount with effect from the date of superannuation of the petitioner.

6. The petition stands disposed of in the above terms with cost.

Let a copy of this order be communicated to the competent authority of respondents for compliance.

JUDGE

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