

ORDER SHEET
IN THE HIGH COURT OF SINDH, KARACHI

C.P No. D- 2956 of 2021

Date Order with signature of Judge

Hearing.

1. For order on office objection.
2. For hearing of main case.

19.10.2022.

Mr. Muhammad Irfan Khan, Advocate for Petitioner.
Ms. Afsheen Aman, Advocate for Respondent.
Mr. S. Yasir Ahmed Shah, Assistant Attorney General.

It appears that compliance report has been filed by Pakistan Railways along with Letter dated 08.10.2022, whereby, the Representation of the Petitioner has been decided in the following terms:-

“SUB;- APPLICATION/REPRESENTAION/PAYMENT OF RETIRMENT DUES OR PASS ORDERS TO CONTINUE DUTY.”

With reference to your representation dated 06.03.2021 for payment of retirement dues or to continue duty has been considered by the competent authority, and nominated inquiry officer to hold the inquiry on the fact & available office record to do the justice with the representative. The matter is inquired at large by the nominated inquiry officers and it is recommended that as per available record it is proved that you have changed the name of your brother who left the Railway department in the year 1994 and died in the year 2014 from Punoo to Muhammad Ayub in the service record with the help of AEN office officials as such you are not entitle for any kind of payment of retirement dues.

As such your representation dated 6-3-2021 on the subject matter is hereby regretted being not maintainable as per recommendation of officers & available office record.”

From perusal of the above, it appears that disputed facts are involved as to the status of the Petitioner, who allegedly has been using name of his brother for obtaining service benefits, which in our constitutional jurisdiction cannot be decided. Accordingly, Petition is not maintainable, and is hereby dismissed; however, the Petitioner is at liberty to seek appropriate civil remedy in accordance with law.

J U D G E

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