

**Order Sheet**  
**IN THE HIGH COURT OF SINDH,**  
**BENCH AT SUKKUR**

C.P.No. D- 207 of 2022

Date of hearing	Order with signature of Judge.
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**Hearing of Case**

1. For orders on withdrawal statement dt.08.2.2023
2. For orders on CMA 2599/22
3. For hearing of main case

**12-04-2023**

Mumtaz Ali Solangi, attorney of petitioner Mst. Sohailan Khatoon present in person.

Mr. Ali Raza Baloch, Assistant A.G a/w Darya Khan Chandio, Assistant Commissioner, Kotdiji.

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In compliance of order dated 16.02.2023, the Assistant Commissioner, Kotdiji submits compliance report, which reflects that after conducting spot inquiry, all the legal heirs of deceased Habibullah Solangi including Mst. Sohailan Khatoon w/o of late Habibullah appeared before him and gave their affidavits that at present following legal heirs of deceased Mst. Sehat Khatoon w/o late Habibullah Solangi are alive and they also produced family registration certificate, issued by NADRA authority along with their original CNICs. The version of the legal heirs has also been supported by two Nekkards of the locality, namely, Badaruddin s/o Allah Dino Solangi and Abdul Ghaffar s/o Shafi Muhammad Solangi.

S.No.	Name of deceased	Name of Legal heirs	Relationship with deceased
1	Mst. Sehat Khatoon w/o Habibullah Solangi	Manzooran Khatoon	Daughter (Married)
2		Mumtaz Ali	Son (Married)
3		Ghulam Fareed	Son (Married)
4		Mujeeb-ur-Rehman	Son (Married)

5		Shamshad Khatoon	Daughter (Married)
6		Zulfiqar Ali	Son (Married)
7		Azizan Khatoon	Daughter (Married)
8		Parveen Khatoon	Daughter (Married)
9		Anwar Khatoon	Daughter (Married)
0		Sohailan Khatoon	Daughter (Un-Married)

Besides, respondent No.2 (Additional Finance Secretary (Admn), Finance Department, Government of Sindh has submitted comments, which are reproduced as under:

“It is respectfully submitted as per petition, the petitioner’s mother Mst. Sehat Khatoon was receiving family pension of her deceased husband, who was employee of Irrigation Department. After her death, pension was stopped. Petitioner being their unmarried daughter approached to the respondents for transfer of family pension in her name.

In this regard, the Finance Department has conveyed the advice to the District Accounts Officer, Khairpur vide letter No.FD(SR-III)3-1033/2021 dated 07.04.2022 under the Law Department advice vide letter No.OP-5(44)/2022/193 dated 11.03.2022, as under:

“To finalize the family pension cases on the basis of old Heirship certificate instead of revised/fresh Heirship certificate of deceased government servant”.

Accordingly, Finance Department has also further advised the District Accounts Officer, Khairpur Mirs to finalize the pension case in the light of advice/opinion of Law Department subject to fulfillment all codal formalities after obtaining the following documents vide advice/letter dated 24.01.2023.

- i. No-Marriage Certificate issued by the Assistant Commissioner concerned after spot inquiry.
- ii. FRC (by Marriage) issued by NADRA in favour of applicant.
- iii. Ascertaining the status that the other daughters of deceased pensioner are not eligible

for the pension due to being married or any other reason.

In view of the above, it is prayed to the Honourable Court that Executive Engineer Irrigation West Division Khairpur may be directed to provide the required documents to District Accounts Officer, Khairpur to process case in accordance with law”.

In view of aforementioned compliance reports, this petition stands **disposed of** by directing to respondents to pay the family pension of deceased Habibullah Solangi in favour of the petitioner Sohailan Khatoon. The petitioner is directed to produce aforementioned documents to the District Accounts Officer, Khairpur (respondent No.4) to enable it to fulfill all the codal formalities.

**JUDGE**

**JUDGE**

Ahmad