

**ORDER SHEET****IN THE HIGH COURT OF SINDH BENCH AT SUKKUR****Const. Petition No. D-1165 of 2021**

Date of hearing	Order with signature of Judge
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For Directions.

1. For hearing of CMA 726/2023 (151)
2. For hearing of CMA 612/2022 (C.A).

**18.10.2023.**

Shahid Ali K. Memon & Aamir Ali Bhutto, Advocates, for the Petitioners. Sarfraz Ali M. Abbassi, Advocate for Respondents Nos.7 to 10. Mr. Shehriyar Imdad, Assistant Advocate General.

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The captioned petition pertains to the subject of Health Risk Allowance announced during the prevalence of Covid-19, and was disposed of vide Order dated 03.11.2021, in view of para-7 of a Summary of the Government of Sindh, Boards and Universities, Department dated 08.10.2021, read in juxtaposition with the approval given thereon by the Chief Minister of Sindh. The relevant excerpts of those documents, as reproduced in the aforementioned Order, reflect that the entitlement, if any, of the Petitioners in that regard was subject to due verification/certification by the Medical Superintendent and Registrar of Medical Universities jointly with faculty Members so as to ascertain that they had worked in the HDUs/ICUs of public hospitals at the relevant time in such a capacity as to be exposed to the risk of Covid.

Subsequently, of the thirty-six petitioners, several have come forward through the listed Applications, alleging that amounts due to them on that score remain unsettled. However, a report has since been filed on behalf of respondents, which *inter alia* reflects as follows.

“3. That, the University /Respondents No.7 to 10 filed their comments while Secretary Health, Government of Sindh through AAG filed comments wherein they categorically stated that Covid Allowance would be given to the persons who performed their duties in HDUs/ICUs of the hospitals and in view of the such comments, this Honourable Court disposed of the captioned petition vide order dated 03.11.2021 (Copy attached)

4. That as per order dated 03.11.2021, the Registrar, SMBBMU Larkana vide letter No.SMBBMU/REG/770 dated 29.03.2022 issued list of 68 faculty members, officers and staff of SMBBMU Larkana and its constituent colleges viz. CMC Larkana and GMMMC Sukkur which was duly signed by concerned Medical Superintendent, Focal person Covid HDU/ICU concerned principals (PS copy of list is attached herewith).

5. That in pursuance of said list, Finance Department, Government of Sindh released an amount of Rs. 2,43,76,000/- (Two crore, forty three lac, seventy six thousand rupees) vide its office order dated 26.10.2022 which has been disbursed/paid to the 68 nominated personals and such compliance report was submitted before this Honourable Court on 22.03.2023 (Copy attached).

6. That, it is matter of record that names of following petitioners were not recommended by the concerned Medical Superintends of hospitals.

- I. Dr. Azhar Ali Shah (Petitioner No.7).
- II. Dr. Imamuddin Balouch (Petitioner No.8)
- III. Dr.Abdul Ghafoor Magsi (Petitioner No.29)
- IV. Dr. Rizwan Tunio (Petitioner No.30)
- V. Dr. Abdul Samee Mirani (Petitioner No.36).”

Under the circumstances and in view of the context of the Order dated 03.11.2021, the listed applications are found to be misconceived and stand dismissed accordingly.

JUDGE

JUDGE