

ORDER SHEET
IN THE HIGH COURT OF SINDH,
CIRCUIT COURT, HYDERABAD.

C.P.No.D- 1032 of 2023

DATE ORDER WITH SIGNATURE OF JUDGE

1. For orders on office objection.
2. For orders on MA 4956/2023.
3. For hearing of main case.

06.06.2024.

Petitioner Abdul Haque present in person.
Mr. Ashfaque Ahmed Korejo, Advocate for respondents No.5 & 6.
Mr. Rafique Ahmed Dahri, Assistant A.G, Sindh.
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The petitioner served as Secretary (BPS-17) in Agriculture Marketing Department and retired from service on attaining the age of superannuation on 31.12.2022. Through instant petition, he seeks direction to respondents to make payment of his pensionary benefits, monthly pension, gratuity, commutation and leave encashment.

It appears that during pendency of this petition, the respondents-Department has paid to petitioner some post retirement benefits i.e. L.P.R, part payment of commutation, pension etc yet some arrears towards commutation, pension etc are payable to him.

Under Rule 14 (1) of Sindh Market Committee Unified Grade Service Rules, every Market Committee is under obligation to have a separate pension fund and maintained an account under title as "Pension Fund Account of Market Committee" for the members of service. Under Rule 14 (4) (ibid) where a Member of service retires, the Market Committee concerned shall be responsible for payment of all post retirement benefits to the Member by collecting outstanding amount of pension fund, if any, against the other Market Committee. Hence in the case in hand, it is the responsibility of Market Committee, Hyderabad to pay all the post retirement benefit to petitioner as he lastly served as Secretary, Market Committee, Hyderabad.

In view of the above, we dispose of this petition by directing the Secretary Agriculture, Government of Sindh, Karachi, Director General, Agriculture Marketing Committee Sindh, Hyderabad and Secretary Market Committee, Hyderabad to pay

all the post retirement benefits of the petitioner within sixty (60) days hereof and such compliance report by submitted by them before this Court through Additional Registrar.

The petition stands disposed of in above terms alongwith listed application.

JUDGE

JUDGE

Tufail