

HIGH COURT OF SINDH, KARACHI

C.P. No. D-8993 of 2018

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Date: Order with signature of Judge

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For orders as to maintainability

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07.10.2019,

Mr. S. Ansar Hussain Zaidi for petitioner

Mr. Nishat Warsi D.A.G

Mr. Mustafa Ali for respondent No.2

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Learned Counsel for the respondent No.2 submits that this petition can be disposed of as the respondent No2 has already issued directions for restoration of full pension of petitioner w.e.f. September, 2019. However, insofar as the arrears of the pension are concerned, the amount has been deducted on account of occupying the quarter. We have already resolved this question that from the pension amount the outstanding rental accommodation cannot be recovered. The respondent No.2 may have right to recover such dues by initiating independent proceedings but not from the pension amount. We deem it appropriate to dispose of this matter, as far as the arrears are concerned, with directions to the respondent No.2 to decide the issue of payment of arrears of pension of the petitioner in accordance with law and in consideration of the order dated 26.9.2019 passed by this Court in CP No.D-6225/2018.

The petition stands disposed of in the above terms.

Judge

Judge