

ORDER SHEET
IN THE HIGH COURT OF SINDH BENCH AT SUKKUR
Const. Petition No.D-394 of 2021

Date	Order with signature of Judge
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For hearing of main case

14-12-2023

Mr. Ghulam Mujtaba Jakhar, Advocate for the Petitioner
Mr. Ashfaq Hussain Abro, Assistant Attorney General-II
a/w Muhammad Nazir Malik, Director (Admn), Secretary National
Food Security & Research and Managing Director, Pakistan
Oilseed Department, Imran Hussain Section Officer Finance
Division Islamabad

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Muhammad Iqbal Kalhoro, J:- Director (Admn) / Respondent No.4 has come from Islamabad and has filed a statement along with documents which is taken on record. He submits that initially the Pakistan Oilseed Development Board was a corporation where petitioners were appointed in the year 1976, 1982 and 1985 respectively. On 24.10.1994 Pakistan Oilseed Department was created under Ministry of National Food Security & Research, and employees of the Corporation were merged into it, hence they became civil servants.

Thereafter, a clarification was issued from Finance Division regarding service of the employees of the Ghee Corporation of Pakistan to the effect that they would be considered absorbed in Pakistan Oilseed Department with effect from 08.02.1995. Further, an advice was conveyed that services of employees of Ghee Corporation of Pakistan prior to 24.10.1994 and 08.02.1995 would not be considered / counted for the pension as before that they were employees of the Corporation. AGPR has furnished a letter that cases of old/new pensioners may be revised with effect from 08.02.1995. Further, the pension of employees retired after 2019 has been calculated as well as paid by AGPR by counting their services as civil servant w.e.f 08.02.1995 and not from the date when they were taken in to service first time by the corporation.

According to respondent No.4 the services of the petitioners would be counted for the purpose of pensionary benefit w.e.f 08.02.1995 and all the benefits calculated as such would be paid to them within a period of two months. As it is informed that petitioner No.2 meanwhile has expired and

he states that his pensionary benefits will be paid to his widow in accordance with law within such stipulated period.

Let pensionary benefits of the petitioners be calculated in accordance with law and as advised by AGPR, and paid within stipulated period of two months as undertaken and such compliance report be filed after such period for a perusal in chamber. The petition is accordingly disposed of with the consent of leaned counsel for the petitioners in the above terms.

JUDGE

JUDGE

Sulemen Khan/PA

