

# THE HIGH COURT OF SINDH, KARACHI

**Before:**  
**Justice Mohammad Karim Khan Agha**  
**Justice Adnan-ul-Karim Memon**

## **CP No D-1563 of 2022**

(Muhammad Shoaib-ul-Manan & others v. Province of Sindh & others)

Petitioners : through Syed Shoa-un-Nabi advocate  
Respondent Nos. 2&3 : through Snaullah Noor Ghouri advocate  
Respondent No. 1 : through Ms. Wajiha Mehdi Assistant  
Attorney General  
Date of hearing : 20-05-2025  
Date of order : 20-05-2025

## **ORDER**

**Adnan-ul-Karim Memon, J.**, The petitioners request this court to declare their entitlement to the same salary and benefits as respondent No. 2 employees and respondent No. 3 employees, based on prior court judgments and the Board of Directors' decision, even after their retirement. They seek a directive for the respondents to pay the difference in salary according to the revised scales from 01.07.2011 until their retirement, including back benefits.

2. The petitioners, former employees with unblemished service at respondent No. 3 (a 100% subsidiary of respondent No. 2), faced illegal retrenchment or retirement. They had been promised that their benefits would be equivalent to those of the respondent No. 2 employees. Notwithstanding respondent No. 2's implementation of revised pay scales in 2011 and 2020, the petitioners did not receive these adjustments. This court has already adjudicated similar cases in favor of other employees, mandating parity with respondent No. 2, a decision affirmed by the Supreme Court. Moreover, respondent No. 3's Board of Directors resolved in 2020 to revise its pay structure to match respondent No. 2's, effective February 1, 2020.

3. Highlighting the injustice, the petitioners' counsel maintained that the respondents' refusal to grant revised pay scale benefits defies both prior court orders and their own Board's decision. The primary plea was for a court declaration affirming the petitioners' right to parity in salary and benefits with respondent No. 2 employees, consistent with judicial precedent and the board's resolution. Additionally, counsel sought an order mandating the respondents to remit the differential pay from July 1, 2011, until retirement, including back benefits.

4. We have heard the learned counsel for the parties and perused the record with their assistance.

5. Given PSM's precarious financial state, with over Rs. 100 billion in losses and Rs. 110 billion in liabilities, this Court deemed it inappropriate to grant the petitioners' financial benefits in terms of revised pay scales in 2011 and 2020. Consequently, this petition is dismissed as not maintainable.

JUDGE

HEAD OF CONST. BENCHES

SHAFI