

THE HIGH COURT OF SINDH, KARACHI

Before:

Justice Mohammad Karim Khan Agha

Justice Adnan-ul-Karim Memon

CP No D- 1982 of 2025

(Syed Aslam Shah v Federation of Pakistan & others)

Date of hearing and order:- 22.5.2025

Syed Shoa-un-Nabi advocate for the petitioner

ORDER

Adnan-ul-Karim Memon, J., The petitioner respectfully prays:

To declare the respondents' act of stopping the medical treatment facility illegal, unfair, mala fide, and a violation of fundamental rights, leading to the cancellation of the letter issued to the medical officer.

To direct the respondents to immediately restore the medical facility and allow the petitioner to continue his treatment as before.

To award the cost of this petition.

To grant any other relief deemed fit and proper in the interest of justice.

2. The petitioner, a retired employee of respondents 2-4 since January 2024, has a critical need for continued medical facilities as a heart patient. Despite an existing CBA agreement and the petitioner's urgent medical requirements, these facilities were abruptly discontinued on July 27, 2024, by the Pakistan State Oil Company (PSO). Attempts to restore this vital support has been ignored by respondents 3 and 4, jeopardizing the petitioner's life and causing significant distress. This cessation of a fundamental right to medical care is a clear violation of natural justice asserted by the petitioner.

3. We have heard the learned counsel for the petitioner on the maintainability of the petition and perused the record with his assistance.

4. The learned counsel for the petitioner heavily relies on **PSO's Medical Policy**, which extends medical benefits to permanent employees (Attachments A & B) and their eligible dependents, including minor children, unmarried unemployed daughters, and parents (with restrictions for those joining after January 1, 2020). He argued that under this policy, employees received Medical Folders for consultations with company doctors at designated dispensaries (PSO House & Makson Kot). He added that the doctors provide dispensary-level treatment, with prescribed patent medicines available from a designated chemist using EMF 11/12 forms. If a medicine is unavailable, a Non-availability Certificate is required for reimbursement. While home visits by company doctors are on the employee's account, medicines are provided free. He further submitted that the Company doctors can also refer patients to panel specialists, pathologists, and

radiologists for tests, with expenses covered by PSO. Specialists' recommended medicines are supplied by designated chemists. Hospitalization and surgical treatment for the employee, spouse, and eligible children are covered by company health insurance via an accepted insurance card. On-duty injury-related hospitalization is also covered. However, the policy excludes ante & postnatal treatment, childbearing expenses, optical/dental care, dentures, hearing aids, and treatment for diseases resulting from neglecting company-arranged preventive inoculations. He lastly submitted that the Medical assistance is also not provided, if an employee is under notice of termination. Finally, a Medical Allowance of Rs. 2,200/- per month is given to permanent employees in locations without medical facilities or Social Security Scheme applicability. He prayed for allowing this petition.

5. Without addressing the case's merits, this petition is settled in the terms that if PSO's medical policy covers retired employees and the petitioner's situation aligns with it, medical benefits shall be provided without discrimination.

6. This constitution petition stands disposed of in the above terms.

JUDGE

HEAD OF CONST. BENCHES