

IN THE HIGH COURT OF SINDH AT KARACHI

CP. No. D-5021 of 2021

(Mst. Khoban Jan v Federation of Pakistan & others)

Date	Order with signature of Judge
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Before:

Mr. Justice Muhammad Karim Khan Agha

Mr. Justice Adnan-ul-Karim Memon

Date of hearing and Order: 29.05.2025

Mr. Tariq Hussain advocate for the petitioner.

Ms. Afsheen Aman advocate for respondent Pakistan Railways, along with Hussain Bux Inspector (Legal Pakistan Railways)

Ms. Wajiha Mehdi Assistant Attorney General.

O R D E R

Adnan-ul-Karim Memon, J: The petitioner requests this Court to order the respondents to:

Comply with the spirit of the Assistance Package notifications, specifically O.M. No. 7/502005-E-2 dated June 13, 2006, and O.M. No. 8/102021-E-2 dated October 20, 2014.

Release the full financial Assistance Package for the family of the deceased, PC Sultan Pervaiz, as per the Prime Minister's Financial Assistance Package for government employees.

Grant any other relief the Court deems appropriate.

2. This writ petition is filed by the widow of Late Sultan Pervaiz, a Police Constable (BPS-6) in Pakistan Railway Police, seeking the release of various benefits under the Assistance Package for Families of Government Employees, who died in service. Her husband died on December 26, 2013, after serving for 45 years in Pakistan Railways. The petitioner claims entitlement to:

Lump Sum Grant: Rs. 2,500,000/-

Full pay and allowances until superannuation

Education expenses for all children up to higher education

Cash payment in lieu of plot of land: Rs. 2,000,000/-

Marriage grant for one daughter: Rs. 800,000/-

3. Learned counsel for the petitioner has highlighted that only basic benefits like gratuity, GP Fund, and family pension have been released, and the assistance package, as per the government's notifications (specifically O.M No. 8/10/2021-E-2 dated October 20, 2014, effective from June 15, 2013), remains unpaid. The petitioner cites favorable judgments from this Court, Islamabad High Court and the Supreme Court of Pakistan in similar cases.

4. Learned counsel for the Pakistan Railways submitted that the petitioner has prayed to direct the respondents to release financial assistance package PMAP 2014 for the family members of the deceased. She further submitted that the petitioner, Sultan Pervaiz's widow, claims that her late husband, a Police Constable (BPS-06) in Pakistan Railways, passed away on December 26, 2013,

leaving behind three daughters, a son, and herself. She states that the Prime Minister's Assistance Package (PMAP)-2014, outlined in Establishment Division's O.M. No. 8/10/2013-E-2 dated October 20, 2014, applies to all federal government employees, including her deceased husband.

5. The learned AAG asserts that it has no pending issues regarding this petition and believes Establishment Division has been wrongly impleaded. At this stage, learned counsel for the Pakistan Railways submitted that Pakistan Railways, details the payments already made to Sultan Pervaiz's widow, Mst. Khoban Jan, under the Assistance Package for Families of Government Employees, who died in service (Notification No. 7/40/2005-E-2 dated June 13, 2006). These include Immediate Relief: Rs. 4,531,000/- (paid December 9, 2013) Gratuity: Rs. 2,99,027/- (paid July 23, 2015) GP Fund: Rs. 1,33,775/- (paid May 17, 2014) Encashment: Rs. 1,64,002/- (paid February 12, 2016) Grant of Assistance Package (Compensation): Rs. 300,000/- (paid September 6, 2016). Furthermore, under the revised PMAP-2014, the Railways counsel states that the petitioner's son, Khurram Pervaiz, has been permanently appointed as an LDC on May 21, 2021, Lump Sum Grant (Rs. 2,500,000/-): Rs. 300,000/- has been paid. The remaining Rs. 2,200,000/- is pending with the Divisional Accounts Officer, awaiting funds/authorization from Lahore headquarters. She added that the cash Payment in Lieu of Plot (Rs. 2,000,000/-) has been sent to the Central Police Office, Pakistan Railways Police, Lahore, for budget/sanction. She further submitted that the Marriage Grant (Rs. 800,000/-): has also been sent to the Central Police Office, Pakistan Railways Police, Lahore, for budget/sanction. She lastly submitted that petitioner is not entitled to other allowances including education claim. She prayed for disposal of the instant petition in terms of comments filed by the Superintendent of Pakistan Railway.

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

7. The respondents' counter-prayer indicates that most of the petitioner's grievances have been addressed, and the remaining amounts in shape of lump-sum grant cash payment in lieu of plot and Marriage Grant are "under process" and will be paid upon receiving cash release/authorization. If this is the position of the case, let the same be processed within three months and be disbursed to the petitioner's widow as per her eligibility.

8. This petition stand disposed of in terms of comments filed by Superintendent of Pakistan Railways.

JUDGE

Head of the Const. Benches