

IN THE HIGH COURT OF SINDH AT KARACHI

CP. No. D-5020 of 2021

(Mst. Nasreen Khatoon v Federation of Pakistan & others)

Date	Order with signature of Judge
	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.

Mr. Jaffar Hussain 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 seeks the following relief(s):-

- (a) To direct the respondents to act according to Notification of Cabinet Secretariat Establishment Division, Government of Pakistan , Islamabad in continuation of Notification O.M No. 7/40/2005/E-2, dated 13th June 2005 2006, OM No. 8/10/2013-E-3, dated 20th October, 2014 O.M No. 8/10/2013 (E-II) (PT) dated 25th May of 2015 for Assistance Package for Families of Government Employees, as per its spirit.
- (b) To direct the respondents to release the amounted Rs. 5.00 million in respect of allotment of plot to the petitioner under financial Assistance package for the family of late Zahid Saeed, the deceased husband of the petitioner in accordance with the Prime Minister's Financial Assistance Package for government employees.

2. Writ Petition filed by a widow, seeking the release of an Assistance Package for Families of Government Employees who die in service. The petitioner, whose husband, Late Zahid Saeed, died while serving in Pakistan Railways, is seeking a lump sum grant of Rs. 5,000,000/- in lieu of a plot, as per the amended government policy effective from February 9, 2015. The petitioner's husband, a Ward Keeper (BPS-11) in Pakistan Railways, died in service on May 25, 2017 While some service benefits like gratuity, GP Fund, and family pension have been released, the "Assistance Package" as per the government's notifications, specifically the lump sum grant in lieu of a plot, has not been paid. The relevant notifications cited are O.M No. 7/40/2005/E-2 dated June 13, 2006, O.M No.8/10/2013-E-3 dated October 20, 2014, and O.M No.8/10/2013(E-II)(PT) dated May 25, 2015. The petitioner has repeatedly approached the respondents (Pakistan Railways authorities) for the payment, but without a positive response. The petitioner is facing financial hardship, with family pension being the only source of income.

3. The petitioner's counsel submits that the after death of the petitioner's husband the respondent concluded the service benefits of her late husband and release the funds i.e. Gratuity, G>p. Fund and Family pension, however without

assistance package in accordance with the policy. Per learned counsel as per Assistant Package the family widow of the deceased is entitled for service death claim as per amendment including allotment of plot. He further submitted that petitioner widow is entitled to amount of Rs. 5.00 million in respect of allotment of plot under Financial Assistant Package. He prayed for allowing the instant petition.

4. The respondents' comments indicate that Various payments, including burial charges, family pension, GP Fund, gratuity, group insurance, a lump sum of Rs. 1,200,000/- under the Prime Minister's Assistance Family (PMAF) package, and Benevolent Fund have been paid. One of the petitioner's sons has been appointed as a Junior Auditor (BS-11) in Pakistan Railways under the PMA package. Crucially, they state that the case for the lump sum amount of Rs. 5,000,000/- in lieu of a plot has been prepared and submitted for financial concurrence. The petitioner's case is on serial No. 8 of the priority list for payment, and the payment will be made once funds are released from the headquarters office in Lahore. They confirm that the process for this payment was initiated upon receipt of the application, and necessary verifications regarding prior plot allotment have been completed. The respondents' final comment on the prayer suggests that the "grievance of the petitioner is being redressed shortly," implying they are in the process of resolving the issue. Learned counsel for the Pakistan Railway has submitted that almost grievance of the petitioner's widow had been redressed in terms of paragraphs of the comments filed by Deputy Chief Controller of Stores, Karachi Cantt. He prayed for disposal of the instant petition in terms of comments.

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

6. The grievance of the petition is about payment of RS. 5.00 Million in lieu of plot against the PMA Package which has already been prepared and submitted to DAO /KYC for Financial concurrence. 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.

7. This petition is disposed of in terms of commitment made by Deputy Chief Controller of Store, Pakistan Railway, Karachi Cantt. vide his comments.

JUDGE

Head of the Const. Benches