

ORDER SHEET
IN THE HIGH COURT OF SINDH AT KARACHI
C.P No.D-6113 of 2018

DATE	ORDER WITH SIGNATURE OF JUDGE(S).
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Hearing of case

1. For hearing of main case

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Dated 24.09.2025

None present for the Petitioner.

M/s. Zia-ul-Haq Makhdoom and Faisal Aziz, Advocates for Respondents/PTCL.

Ms. Zehrah Sehar Veyani, Assistant Attorney General.

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No one is in attendance on behalf of the Petitioner and no intimation has been received. A perusal of the Order Sheet reflects that this was also the case on the previous date when a note of caution was recorded. Learned Counsel appearing on behalf of PTCL submits that the legal question underpinning the matter has since been decided by the Supreme Court vide a Judgment dated 10th July, 2025 in Civil Appeal No.1509 of 2021 and other connected cases. Paragraphs 23 and 24 of the aforementioned Judgment read as follows:-

“23. In summation, my considered view is that the employees transferred from T&T to PTC, and subsequently to PTCL, retained not only their right to pensionary benefits but also the character of those benefits as dynamic and evolving rights. While these employees ceased to be civil servants, the statutory framework governing their transfer safeguarded their pensionary entitlements in full: not just as frozen benefits fixed at the time of transfer, but as living rights that were to progress in accordance with prevailing standards applicable to similarly situated public servants. The scheme under Sections 9 of the PTC Act and 36 of the PTCL Act guarantees the continuation of these entitlements, and the administrative mechanism created under the PTCL Act, including the establishment of PTET was intended to facilitate, not frustrate, this guarantee. PTCL and PTET are duty-bound to ensure that the full measure of these entitlements is met, and any interpretation that reduces these rights to static or discretionary payments is contrary to the legislative mandate.

24 Before parting with this judgement, it is necessary to clarify that this conclusion and these dispositions, have not been reached in ignorance of the financial concerns raised by PTCL and PTET. The submissions regarding the financial burden and claims of fiscal unsustainability have been duly

considered. However, financial difficulty does not absolve a statutory entity of its legal obligations. If the existing pension model is incapable of sustaining the financial burden, it is the model that must be recalibrated, not the statutory entitlements curtailed. That said, the practical challenges identified by PTCL and PTET are real, and it is recognized a rigid timeline for disbursement may not be financially viable. Accordingly, PTCL must acknowledge its continuing financial liability towards former civil servants and reflect this as a declared liability on its financial records in accordance with applicable accounting and corporate law principles. Thereafter, PTCL, through PTET, may determine a feasible disbursement schedule for revised pensionary payments, the needful be done within 90 days, and that the payment process remains transparent and equitable in addressing the rightful claims of the affected pensioners.”

Learned Counsel appearing on behalf of PTCL and PTET undertake that the case of the Petitioner will be processed in light of aforementioned Judgment, within a period of ninety [90] days from today. Let the needful be done and a comprehensive compliance report be submitted before this Court through MIT-II.

The petition stands disposed of in the foregoing terms.

JUDGE

JUDGE

Ayaz Gul