

ORDER SHEET
IN THE HIGH COURT OF SINDH AT KARACHI
C.P. No. D-797 of 2026
[Syed Javeed Shah v. Province of Sindh and others]

Date	Order with signature of Judge(s)
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Before:

Mr. Justice Adnan-ul-Karim Memon

Mr. Justice Zulfiqar Ali Sangi

Date of hearing and Order: 06.05.2026

Mr. Shahid Hussain, advocate for the petitioner.

Mr. Asad Ahmed, advocate for KMC.

ORDER

Adnan-ul-Karim Memon, J. The petitioner has filed the instant Constitutional Petition under Article 199 of the Constitution of the Islamic Republic of Pakistan, 1973, seeking declaration and consequential directions against the respondents for release and payment of his post-retirement benefits, including gratuity, pensionary dues and other admissible retiral benefits, in accordance with law.

2. It is contended on behalf of the petitioner that he was appointed as Pump Operator (BPS-07) in the Engineering Department, KMC on 01.11.1982 and, after rendering long and continuous service, retired from service on 10.02.2025. Learned counsel submits that despite retirement, the petitioner's lawful retiral dues have not been released, causing undue hardship and financial inconvenience to him.

3. On the other hand, learned counsel appearing on behalf of KMC submits that the petitioner retired from service as Electrician (BPS-07), Engineering Department, KMC, and his pension papers were received in the office vide inward No.58049 dated 26.05.2025. It is further submitted that the petitioner's pension case has already been finalized on 02.10.2025 for an amount of Rs.1,881,136/-. Learned counsel further states that the petitioner is regularly receiving his monthly pension through HBL Branch, whereas the amount towards pension commutation shall be released within a period of three weeks. Such statement has also been endorsed by the Director Welfare, Finance & Accounts, KMC. Learned counsel for the petitioner, in view of the statement so made, does not press the petition on merits and agrees for disposal of the matter accordingly.

4. We have heard learned counsel for the parties and perused the available material on record.

5. Since the respondents themselves admit the petitioner's entitlement and submit that his pension case has already been finalized, no justifiable reason

remains for withholding the remaining retirement benefits, particularly pension commutation, which is a vested and accrued right of a retired employee. It is settled law that pensionary and retirement benefits are not a bounty but a lawful entitlement earned by an employee after serving the department for a considerable length of time, and the same cannot be withheld without lawful justification.

6. In view of the statement made on behalf of the respondents, which is taken on record, without touching the merits of the case and with consent of the parties, this petition is disposed of with the direction to the respondents to ensure release/payment of the petitioner's remaining retirement dues, including pension commutation and other admissible benefits, strictly in accordance with law subject to his entitlement and preferably within three weeks from today. In case the amount is not released within the stipulated period, the petitioner shall be at liberty to seek appropriate remedy in accordance with law. Pending application(s), if any, also stand disposed of.

Shahzad Soomro

JUDGE
JUDGE