

IN THE HIGH COURT OF SINDH, KARACHI

C. P. NO. D-1961 / 2026

(Nazakat Ali & Others Vs. Government of Sindh & Others)

Present:

Mr. Justice Adnan-ul-Karim Memon

Mr. Justice Muhammad Jaffer Raza

Date of hearing and order:- 19.08.2026.

M/s. Muhammad Fahim Zia & Sawan Meghwar &
Pervez Ahmed Bhatti, Advocates for Petitioners
Mr. Abdul Jalil Zubedi, Assistant Advocate General Sindh.
M/s. Naseer Ahmed and Rehmat-un-Nisa, Advocates for Respondent /
KDA

Adnan-ul-Karim Memon, J. The Petitioners have filed these petitions under Article 199 of the Constitution seeking release of their outstanding post-retirement and pensionary benefits. They contend that, despite their entitlement under the applicable rules and the judgment of the Supreme Court in *Haji Muhammad Ismail Memon*, only partial payments towards LPR and monthly pension have been made, while the remaining dues have been withheld for more than one year, causing financial hardship. They therefore seek directions for immediate payment of all outstanding dues.

2. Respondent No.2/KDA, in its counter-affidavit, does not dispute the petitioners' entitlement and submits that their retirement dues, including LPR, Provident Fund, Commutation and Gratuity, have already been determined. However, payment has been delayed due to KDA's severe financial constraints. It is stated that pursuant to earlier proceedings in C.P. No. D-1051/2019 and connected matters, KDA has already disbursed substantial amounts to retired employees through a designated bank account under the supervision of the Official Assignee. The respondents maintain that the delay is neither intentional nor discriminatory and that KDA is taking measures to improve its financial position through increased government releases, auction of properties and recovery of outstanding receivables. They undertake to clear the petitioners' dues as soon as funds become available and seek disposal of the petitions in terms of the earlier orders, with reasonable time for compliance.

3. We have heard the learned counsel for the parties and perused the available record.

4. The issue involved in the present petition has already been considered and decided by this Court vide order dated 13.05.2026 in the aforesaid connected

matters, wherein it was held that retirement and pensionary benefits are vested legal rights and cannot be withheld merely on account of financial constraints of KDA. Since the liability towards LPR, Provident Fund, Commutation, Gratuity and other retirement dues is admitted, the same are required to be paid in accordance with the entitlement and seniority of the retired employees through the payment mechanism already devised by this Court in C.P. No. D-1051/2019 and connected matters.

5. The case of the present petitioners is squarely covered by the said decision. Accordingly, Respondent/KDA is directed to ensure payment of the outstanding retirement and pensionary benefits of the petitioners, strictly according to their entitlement and seniority, preferably within two months, through the existing payment mechanism. In case of failure without lawful justification, the petitioners shall be at liberty to seek appropriate remedy in accordance with law.

6. In view of the above, the petition stands disposed of alongwith listed / pending application(s).

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