

Form No: HCJD/C-121.

**ORDER SHEET**

**IN THE ISLAMABAD HIGH COURT, ISLAMABAD**  
**JUDICIAL DEPARTMENT**

**W.P No. 623/2013**

Muhammad Mubeen Niazi & others

***Vs***

FED of Pakistan, etc

<b>S. No. of order/ proceedings</b>	<b>Date of order/ Proceedings</b>	<b>Order with signature of Judge and that of parties or counsel where necessary.</b>
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**20.**            **30-10-2019** Mr. Muhammad Saeed, Advocate for the petitioners.  
Syed Ishtiaq Haider, Advocate for respondents.  
S.M Tayyab, DAG.

Through this consolidated order, this Court shall decide the instant petition alongwith W.P.No.735 of 2013 and W.P.No.1232 of 2013.

2. The petitioners were employees of Heavy Mechanical Complex (Pvt) Ltd. They had opted for Voluntary Separation Scheme. Through these petitions, the petitioners are seeking implementation of the judgment of the august Supreme Court, dated 28.05.2001, passed in Civil Appeals No.394 to 399 of 1999 titled 'Heavy Mechanical Complex (Pvt) Ltd vs Abdul Sattar'.

3. The learned counsel for the petitioners has argued that the calculations made by respondent no.2 were not in accordance with Rule 7 of the State Engineering Corporation Management Fund Rules. He has drawn the attention of this Court to the direction given by the august Supreme Court in paragraph 8 of the judgment, dated 28.05.2001.

4. The learned counsel who has appeared on behalf of respondent no.3 has stated that calculations were made in

accordance with the direction given by the august Supreme Court and, therefore, the judgment stands implemented.

5. It appears to this Court that the grievance of the petitioner is regarding calculations made by respondent no.4. Keeping in view the fact that the petitioners are pensioners, it would be appropriate to direct respondent no.4 to afford them an opportunity of hearing and, thereafter, decide their grievances, inter alia, in accordance with the judgment of the august Supreme Court, dated 28.05.2001. The competent authority is expected to pass a speaking order wherein the calculations made pursuant to the direction of the apex Court are highlighted.

6. This Court expects that respondent no.4 will decide the representations of the petitioners at the earliest, preferably within ninety days after receiving their respective representations.

7. The petitions stands disposed of in the above terms.

**(CHIEF JUSTICE)**

*Asif Mughal/\**