

JUDGMENT SHEET
IN THE ISLAMABAD HIGH COURT, ISLAMABAD
JUDICIAL DEPARTMENT

W.P.No.1066 of 2019
Muhammad Ismail Javed and another
Versus

Federation of Pakistan through its Secretary, Ministry of Information
and Technology and another

Dates of Hearing: 20.06.2019, 20.02.2020 & 25.02.2020

Petitioners by: Ch. Muhammad Kashif Gujjar, Advocate

Respondents by: Mr. Arshid Mehmood Kiani, learned Deputy
Attorney-General
Mr. Nadeem Khan Khakwani, learned Assistant
Attorney-General
Mr. Muhammad Matee ur Rehman Manager (Legal)
P.T.E.T.

MIANGUL HASSAN AURANGZEB, J:- For the reasons recorded in judgment of even date, passed in W.P.No.523/2012 titled "Rasool Khan and others Vs. Federation of Pakistan and others", the instant writ petition is also disposed of in the following terms:-

- i. The petitions to the extent of the petitioners who were departmental employees i.e. employees who were employed in P.T.C. after the enactment of the 1991 Act, and who retired from service prior to or after the enactment of the 1996 Act, are dismissed as not maintainable.
- ii. The petitions filed by the petitioners who opted for V.S.S. and received benefits thereunder were dismissed as withdrawn vide orders dated 20.02.2020 and 25.02.2020. The petitions to the extent of the petitioners who have availed the benefits of V.S.S. are dismissed as not maintainable.
- iii. The petitions filed by the petitioners who are departmental employees (i.e. the employees of T&T Department who were transferred to P.T.C. and further transferred to P.T.C.L. by virtue of the provisions of the 1991 Act and 1996 Act) praying for the payment of pension with increases at the same rates paid by the Federal Government to the retired civil servants from time to time are allowed. P.T.C.L. and P.T.E.T. are directed to calculate the arrears in pension payable to such petitioners, and pay the same to

them within a period of sixty days from the date of the receipt of this judgment.

- iv. The petitions filed by the petitioners who are departmental employees praying for the payment of medical allowance, special additional pension (at the rate of the orderly allowance announced by the Government for government servants in BPS-20 and above) family pension and the restoration of the commuted portion of their pension in the same manner as permissible to civil servants, are allowed. P.T.C.L. and P.T.E.T. are directed to calculate the arrears in such retirement benefits to such petitioners, and pay the same to them within a period of sixty days from the date of the receipt of this judgment.
- v. The relief granted herein above shall not be applicable to those petitioners who opted for and obtained benefits under any of the Voluntary Separation Schemes announced by P.T.C.L. Writ petition No.1675/2019, wherein the petitioners having opted for the V.S.S. were being paid pension but were seeking an increase in their pension at the same rate as announced by the government for the civil servants, has been de-clubbed from the petitions listed in "Schedule-A" hereto and shall be decided on its own merits. Writ petitions No.1419/2018, 1638/2018, 4588/2018, 2587/2017, and 1066/2019 were dismissed as withdrawn vide orders dated 20.02.2020 and 25.02.2020 to the extent of the petitioners who had opted for and received benefits under the V.S.S.
- vi. No costs.

(MIANGUL HASSAN AURANGZEB)
JUDGE

ANNOUNCED IN AN OPEN COURT ON 03-03 /2020

(JUDGE)