



DECISION

Complaint No. : POS/1617/2023/NWS-19

Name and address of the complainant : Mst. Azra wd/o Muhammad Iqbal,
R/o House No. 11-B-844, Manoabad, Near Madina Masjid,
Nawabshah, District Shaheed Benazirabad.

Name of the Agency Complained against : DAO SBA / School Education.

Name & Designation of Investigating Officer : Khan Muhammad Zardari,
Regional Director, Shaheed Benazirabad.

Vetted by : Syed Ali Mumtaz Zaidi, (PAS).

Subject : Advisor-F.

COMPLAINT REGARDING FAILURE TO GRANT FAMILY PENSION AND SHARE FROM THE SERVICE DUES IN RESPECT OF THE DECEASED HUSBAND OF THE COMPLAINANT.

THE COMPLAINT:

Mst. Azra filed a complaint dated 21.02.2023 wherein she stated that her husband was Ex-PST (Primary School Teacher) Taluka Nawabshah and a Retired Pensioner, who died on 16.08.2023, leaving behind two wives. She alleged that the first wife has unlawfully got transferred the entire family pension benefits in her name, denying the complainant her rightful share. Aggrieved by that, she solicited intervention of this Institution.

PROCEEDINGS:

2. The complaint was admitted under Section 10 of the Establishment of the Office of Ombudsman for the Province of Sindh Act, 1991 (Amended up to date), after receiving the mandatory Affidavit on Form "A", copy of CNIC, other relevant documents and by condoning the delay.

3. This office issued notice to the District Accounts Officer, Shaheed Benazirabad vide letter dated 29.03.2023 for report. In response, he informed vide letter dated 28.04.2023 that the family pension case in respect of Muhammad Iqbal, Ex-PST had been received from District Education Officer (Primary) Shaheed Benazirabad in favour of his wife Mst. Kaneez Fatima, which was verified and finalized as per Heir ship & FRC Certificate.

4. A copy of Agency's Report was handed over to the complainant for filing rejoinder on 03.05.2023. In response she verbally denied the Agency's report and requested for the verification of the legal Heir ship Certificate from Mukhtiarkar (Revenue) Nawabshah.

5. In order to further investigate the matter, the matter was fixed for hearing the Mukhtiarkar (Revenue) Nawabshah, District Education Officer (Primary) Nawabshah and the complainant and her opponent party. Subsequently, Mukhtiarkar (Revenue) Nawabshah informed vide letter dated 21.05.2024 that Mst. Fatima (First wife of deceased) has filed F.C Suit No. 206 of 2023 before the 2nd Senior Civil Judge, Nawabshah against the complainant & others for "declaration & injunction" which is pending.

FINDING:

6. Further proceedings in this complaint are hereby dropped as the matter is subjudice now.

DECISION:

7. In view of the above and in exercise of powers vested in me under Section 11 of the Establishment of the Office of Ombudsman for the Province of Sindh Act, 1991 (Amended up-to-date), I do hereby close the complaint being subjudice before the Competent Court and consign it to record.

Given under my hand and seal of office

(MUHAMMAD SOHAIL RAJPUT)

Sitara-e-Imtiaz. PAS

Ombudsman Sindh

Karachi, dated 19th November, 2024

