



DECISION

Complaint No. : POS/ROK-161/(Khp)/2016

Name and address of the complainant : Mst. Sakeena, Wd/o Late Ali Hassan Abbasi,
R/o Village & P.O Saddar Ji Bhatyoon,
Taluka Kingri, District Khairpur.

Name of the Agency Complained against : Works & Services Department

Name & Designation of Investigating Officer : **AHMED BAKHSH GHUMRO,**
Consultant / Incharge, Regional Office Khairpur

Vetted by : **Mr. Ghulam Sarwar, Advisor-J**

Subject : **REQUEST FOR FAMILY PENSION OF THE DECEASED HUSBAND OF THE COMPLAINANT AS WELL AS APPOINTMENT OF HER SON AGAINST DECEASED QUOTA.**

COMPLAINT

Mst. Sakeena Wd/o Ali Hassan Abbasi filed a complaint on 14-11-2016 alleging delay in grant of family pension by Executive Engineer, Highways Division, Khairpur in respect of her deceased husband, a Roller Driver in Works & Services Department who expired on 08-07-2015 during service. She also requested for appointment of her son against deceased quota. She, therefore, solicited intervention of this Institution.

PROCEEDINGS

02. The complaint was admitted u/s 10 of the Establishment of the office of Ombudsman for the Province of Sindh Act, 1991 (amended up to date), by condoning the delay in filing it, subject to submission of copy of CNIC and Form "A".

03. After completion of codal formalities, the matter was taken up with Superintending Engineer, Works & Services Department, Khairpur, on 08-12-2016 for comments / report. In response, the Superintending Engineer, Works & Services Department, Khairpur reported on 14-04-2017 that husband of the complainant and 26 other work charge employees had filed C.P No. D-2607/2010 in the Honorable High Court of Sindh Bench at Sukkur. The Honorable High Court, while observing that the petitioners are entitled for regularization like other employees whose services were already regularized by the respondents, directed "the respondents on 22-05-2013 to regularize the services of the petitioners from the date when they completed their 5 years continuous service within a period of 1 month from receipt of this order and submit such compliance through Additional Registrar. Non-compliance of this order may expose the delinquent officers to Contempt of Court proceedings".

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04. The Works & Services Department moved a reference on 22-08-2013 for creation of posts / SNE so that orders of Honorable High Court are complied. In response, the Finance Department created 27 posts and released the budget during financial year 2015-16. Husband of the complainant, Ali Hassan Abbasi died on 08-07-2015 and could not join as regular employee. So XEN, Highways Division Khairpur, referred the matter regarding family pension to D.A.O Khairpur and then to Accountant General, Sindh, Karachi for opinion.

05. Report received from the Agency was shared with complainant on 24-05-2017 for rejoinder. In response, the complainant filed rejoinder on 11-07-2017 regarding that concerned officers may be directed for early decision on family pension and appointment of her son against deceased quota.

06. Meanwhile, XEN, Highways Division Khairpur reported on 22-03-2018 that the A.G Sindh Office had opined on 09-02-2018 that all pensionary / service dues to be paid immediately to the legitimate heirs of the deceased. But he was reluctant to send the family pension case to D.A.O Khairpur without service book, appointment order / Medical fitness etc.

07. Regarding complainant's request for appointment of her son against deceased quota, it was observed that papers produced by complainant indicate the date of birth of her son was 01-01-2000. So her son was 15 years old at the time of his father's death on 08-07-2015. Hence, he is not eligible for the appointment against deceased quota. Besides, complainant lady had not applied to the Agency for deceased quota job till 30-08-2017 which is again not covered by the policy of Sindh Government.

FINDINGS

08. From the above position it transpires that complaint involves enforcement of a Court Order which inherently falls under the Court Purview. Hence complainant may seek implementation of the same through filing a contempt petition.

DECISION

09. The complaint is, therefore, disposed of with the advice to the complainant to seek remedy from the Honourable High Court of Sindh Bench at Sukkur for alleged non implementation of its orders.

“Given under my hand and seal of office”



Sd /-
(MUHAMMAD SOHAIL RAJPUT)
Sitara-c-Imtiaz. PAS
Ombudsman, Sindh
Karachi, dated: 5th June, 2025