



PAKISTAN AIR LINE PILOTS' ASSOCIATION

AFFILIATED WITH :
INTERNATIONAL FEDERATION OF AIR LINE PILOT'S ASSOCIATIONS &
INTERNATIONAL TRANSPORT WORKERS FEDERATION.

INFO

Dear Members: - السلام عليكم

June 20, 2019.

The membership; in particular our esteemed retired members; are desirous of being informed of the outcome of proceedings initiated before the High Court of Sindh at Karachi with regard implementation of the orders of the Supreme Court of Pakistan to the extent of calculation of pension.

In this regard, a petition was filed before the High Court of Sindh at Karachi under Article 187 (2) of the Constitution of the Islamic Republic of Pakistan, 1973. Counsel was sought from our erstwhile advisor; **Mr. Anwar Mansoor Khan**; as also from the advisor who eventually appeared before the High Court of Sindh at Karachi. It was unanimously agreed that the way forward was the petition as framed and filed with the aid of senior members of the Association, the draft for the petition was shared with eminent members of the legal fraternity including retired Judges of the Supreme Court of Pakistan.

After receiving an assent from all quarters concerned, the petition was presented for hearing before the High Court of Sindh at Karachi. To our misfortune, the petition has been dismissed *in limine*; the term lastly used meaning without notice to PIA; on the grounds of the maintainability. We have read through the judgment ourselves and with the aid of our advisor. We have reason to believe that the Bench hearing the petition was guided by certain principles not part of the judicial debate. For instance, the petition was filed under Article 187 (2) but the discussion by the Bench was with regard to Article 199. The Bench was also pleased to invoke the issue of master and servant in the matter. We have reason to understand that said issue is not applicable generally, but more so in view of the fact that persons before the Court are retired employees. There is no master and there is certainly no servant in the given facts.

We are in the process of filing an appeal before the Supreme Court of Pakistan as also an application seeking implementation of orders passed by the Supreme Court itself. We assure our retired members that the matter will be pursued diligently and will be taken to its logical conclusion. With your support and enablement, we shall continue to endeavour to serve your interests to the best of our abilities.

With Best Regards,

Capt. Rizwan Gondal
PRESIDENT

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