

REGISTERED



ORDER

GOVERNMENT OF THE PUNJAB
SPECIAL EDUCATION DEPARTMENT
31-Sher Shah Block New Garden Town, Lahore.

No. LO(Writ)01-12/2025. WHEREAS, Syed Makhdoom Jahanian (Retired Principle Govt. Secondary School Special Education Multan) son of Syed Hussain Shah, r/o House No. 28, Street No. 18, Z-Block New, Multan ('petitioner') filed Writ Petition No. 13496 of 2025 in the Hon'ble Lahore High Court, Multan Bench, Multan with seeking a direction to Respondent No.1 to decide his pending applications dated 16.06.2025 and 16.10.2025 relating to release of pensionary benefits. Vide order dated 07.11.2025, the Hon'ble Lahore High Court, Multan Bench, Multan disposed of the Writ Petition with a direction to Respondent No.1 (Secretary, Special Education Department, Punjab) to decide the petitioner's pending applications in accordance with law.

2. **AND WHEREAS**, in compliance with the said directions, the petitioner was afforded a personal hearing on 13.01.2026, during which he reiterated the contents of the Writ Petition. He stated that he retired from service as Principal (BS-19) upon attaining the age of superannuation with effect from 30.04.2022, while the formal retirement notification was issued on 17.11.2022. He contended that his complete pension case was processed by the District Education Officer and forwarded to this Department but has remained undecided. He further submitted that soon after retirement he suffered a stroke, remained under treatment at Nishtar Hospital, Multan, and repeatedly applied for finalization of case of pension and pensionary benefits, which have not been decided. He asserted that the continued non-release of his pensionary benefits has caused him severe financial hardship.

3. **AND WHEREAS**, after hearing the petitioner and examination of record reveals that while posted as Principal, Government Secondary School of Special Education (H.I. Boys), Multan, the petitioner submitted a Covid-19 test report and sought quarantine leave w.e.f. 03.06.2021. Upon verification sought by DEO (SE), Multan, the said Covid report was declared fake by MS, Nishtar Hospital, Multan vide letter dated 21.06.2021. Thereafter, the petitioner was reported absent from duty w.e.f. 15.06.2021. The petitioner subsequently applied for constitution of a medical board for premature retirement, which was processed at departmental level, while his unauthorized absence was also reported to the Department. The petitioner later applied for grant of 319 days' medical leave w.e.f. 16.06.2021 to 30.04.2022, supported by medical certificates issued by Nishtar Medical University, Multan. However, the said leave could not be regularized as his case for retirement on medical grounds was under process, and he ultimately retired on attaining age of superannuation on 30.04.2022. As per the service statement issued by the District Accounts Officer, Multan, the said period of 319 days remains unregularized and recovery amounting to Rs. 12.24 million is outstanding against the petitioner on account of pay drawn during the period of unauthorized absence.

4. **AND WHEREAS**, it is further noted that unauthorized absence from duty constitutes misconduct under section 2(n)(vii) of the Punjab Employees Efficiency, Discipline and Accountability Act, 2006. Moreover, as per Rule 2.11 of the Punjab Civil Services Pension Rules 1955, a Government servant forfeits his past service in case of his absence from duty without leave. Similarly, as per provisions of the CSR, an interruption in the service of an officer entails forfeiture of his past service subject to certain exceptions mentioned therein. It is further noted that lenient view has already been taken in case of the petitioner as no disciplinary proceedings were initiated against him on the charge of misconduct on account of absence from

Therefore, in order to regularize the period during which the petitioner remained out of service/absent from duty, an incidental order as to what treatment should be given to the period of his absence for the purpose of giving continuity to his service is required to be passed; otherwise, the whole past service of the petitioner will stand forfeited, which would have amounted to imposition of a penalty neither prescribed by the law nor intended to be imposed by the Competent Authority. The best possible incidental order, which could be made in such a situation, is to make a notional arrangement to account for such period of absence from duty in the service record of the petitioner by the Competent Authority.

5. **NOW, THEREFORE**, after considering the submissions of the petitioner, the documentary record, and in compliance with the order dated 07.11.2025 passed by the Hon'ble Lahore High Court, Multan Bench, Multan, the petitioner's applications for release of pension and pensionary benefits are **disposed** of as under:

- i. Since the petitioner was a BS-19 Officer, the Competent Authority for grant of leave, *admissible to the petitioner*, is the Chief Minister, Punjab. Accordingly, Section Officer (Establishment-I), Special Education Department, is directed to process the case for regularization of the petitioner's 319 days' absence through a Summary to the Chief Minister, Punjab.
- ii. Keeping in view the financial hardship pleaded by the petitioner, Section Officer (Establishment-I), Special Education Department, is directed to process the case for release of up to 80% monthly pension, if permissible under the applicable Pension Rules, subject to adjustment and recovery of the outstanding amount as reflected in the service statement issued by the District Accounts Officer, Multan.

It is directed that above directions be complied with in letter and spirit and needful be done within a period of 07-days. The petitioner's applications dated 16.06.2025 and 16.10.2025 are accordingly disposed of and the directions of the Hon'ble Lahore High Court, Multan Bench, Multan are complied with in the above terms.

Dated Lahore, the
March 25th, 2026

(SHOAIB IQBAL SYED)
SECRETARY
GOVT. OF THE PUNJAB
SPECIAL EDUCATION DEPARTMENT /
RESPONDENT NO. 1

No. & Date Even:

A copy is forwarded for information and necessary action to:-

- ✓ 1 Deputy Registrar (Judicial), Lahore High Court, Multan Bench, Multan in compliance with the order dated 07.11.2025 passed in Writ Petition No. 13496/2025.
- ✓ 2 Director General, Special Education Punjab, Lahore.
- ✓ 3 District Accounts Officer, Multan.
- ✓ 4 Section Officer (Establishment-I), Special Education Department.
- ✓ 5 Section Officer (Establishment-II), Special Education Department.
- ✓ 6 Petitioner concerned / Syed Makhdoom Jahanian (Retired Principle Govt. Secondary School Special Education Multan) son of Syed Hussain Shah, r/o - House No. 28, Street No. 18, Z-Block New, Multan.
- ✓ PS to Secretary Special Education Department, Punjab.

LAW OFFICER
SPECIAL EDUCATION DEPARTMENT

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