

ORDER SHEET
IN THE HIGH COURT OF SINDH, KARACHI
C.P. No.D-4311 of 2025
(Ikramuddin versus Government of Sindh & others)

Date

Order with signature of Judge

Mr. Justice Adnan-ul-Karim Memon
Mr. Justice Muhammad Hasan (Akber)

Date of hearing and order:- 19.05.2026

Mr. Israr Ahmed Abro, advocate for the petitioner.
Mr. Sajjad Abbasi, advocate for the respondent.
Mr. Ghulam Akbar Lashari, advocate for SBCA.
Syed Ali Ahmed Zaidi, Addl. A.G Sindh.
SI Nazim, PS PIB Colony Karachi.

ORDER

Adnan-ul-Karim Memon, J. – The petition relates to alleged illegal construction at House No. D-13/D, Plot No. 14, PIB Colony, Karachi. Earlier, the matter was disposed of vide order dated 23.09.2025, whereby the petitioner was directed to avail the remedy through the Smart Complaint Redressal Mechanism (SCRM) of the Sindh Building Control Authority (SBCA). Subsequently, a contempt application was also disposed of based on a report of SBCA confirming violations of permissible limits, including FAR, and issuance of an ejectment notice under the relevant law, with directions for compliance through the local administration.

Learned counsel for the respondent has submitted that he was not heard at the time of the earlier disposal and contends that the property in question is inherited, alleging misrepresentation of facts in obtaining the earlier order. He submitted that in the interest of justice, SBCA may be directed to provide the respondent with a meaningful opportunity of hearing and to pass a speaking order within two months.

In view of the submissions made by learned counsel for the respondent, who has specifically contended that no proper opportunity of hearing was afforded at the time of earlier disposal, and further asserts that the property in question is inherited in nature and that the earlier order was obtained on alleged misrepresentation of facts, this Court is of the considered view that the matter requires reconsideration by the competent authority within the framework of law.

Since the allegations raised by the respondent pertain to factual determination of ownership status as well as compliance with building regulations, which cannot be effectively adjudicated without affording an opportunity of hearing to all concerned parties, principles of due process and fair trial necessitate that the matter be examined afresh by the regulatory authority.

Accordingly, without expressing any opinion on the merits of the case, the head of the SBCA is directed to afford the respondent a meaningful opportunity of

hearing, consider all relevant material, and pass a reasoned and speaking order strictly in accordance with law within a period of two months. The authority shall also ensure that its decision is based on a proper evaluation of factual and legal aspects, including the nature of ownership and the applicability of building regulations.

The listed review application is, therefore, disposed of in the above terms.

A copy of this order shall be transmitted to the Director General, SBCA, for compliance, and a report shall be submitted to this Court through MIT-II.

JUDGE

JUDGE

Shahzad Soomro