

ORDER SHEET
IN THE HIGH COURT OF SINDH, KARACHI
Constitutional Petition No. D-918 of 2026
(Zameer Ahmed and others versus Mayor Karachi and others)

Date	Order with signature of Judge
------	-------------------------------

Before:-
Mr. Justice Adnan-ul-Karim Memon
Mr. Justice Muhammad Jaffer Raza

Date of hearing & order: 13.8.2026

Mr. Anas Siddiqui, advocate for the petitioners.
Mr. Masroor Ahmed, advocate for KW&SB.
Mr. Irshad Ahmed, Director (Central), SSWMB.
Ch. Arif, advocate for KMC.
Mr. Ali Safdar Depar, AAG.

ORDER

Adnan-ul-Karim Memon, J. Learned counsel for the petitioners submits that the present petition concerns the failure of the concerned municipal and sewerage authorities to maintain roads, repair sewerage infrastructure and cover open manholes/gutters in U.C. No.05, Liaquatabad No.3, Karachi, particularly at Kallo Pan Wali Gali/Cut and Choti Gali. It is alleged that several manholes have remained uncovered for months, while sewerage water continues to flow onto roads and streets, creating serious hazards for pedestrians, particularly children, women and elderly persons, and causing injuries, foul smell and health concerns. It is further submitted that despite repeated complaints and applications made to the Mayor, KMC, KW&SC, Sindh Solid Waste Management Board and other concerned authorities during 2024 and 2025, and despite forwarding of such complaints to the relevant officers, no effective and permanent remedial measures have been taken. He prayed to allow this petition.

2. Mr. Irshad Ahmed, Director (Central) SSWMB present in Court submits that in compliance of order dated 30.04.2026 and 03.08.2026 passed by this Court, the concerned field staff of Liaquatabad Zone carried out an extensive cleanliness operation at the subject location with necessary manpower and operational resources deployed to collect garbage/solid waste from the area. Moreover, all garbage at the location has been removed and restored to satisfactory sanitary condition, whereas, collected waste was transported to disposal site. He assured this Court to address this issue of pen manhole to cover it without fail.

3. Having heard learned counsel for the petitioners and the statement of the learned representative of SSWMB, it is apparent that the grievance raised in the petition relates to basic municipal and public health services, particularly

cleanliness, removal of solid waste, maintenance of sewerage infrastructure and covering of open manholes. The respondents, being public authorities, are under a legal and constitutional obligation to discharge their statutory functions efficiently and to safeguard the life, health, safety and dignity of citizens. The right to life guaranteed under Article 9 of the Constitution is not confined to mere physical existence but includes the right to live in a clean, safe and healthy environment. Likewise, Article 14 protects the dignity of citizens, while the constitutional scheme requires public authorities to perform their statutory duties fairly, diligently and without avoidable delay.

4. The report/statement of the Director (Central), SSWMB, however, demonstrates that, pursuant to the orders dated 30.04.2026 and 03.08.2026, the concerned field staff conducted a cleanliness operation, removed the accumulated garbage and transported the collected waste to the designated disposal site, thereby restoring the area to a satisfactory sanitary condition. This compliance substantially addresses the grievance relating to accumulation of solid waste. Nevertheless, mere removal of garbage cannot, by itself, be treated as complete redressal of the petitioners' grievance, particularly when the principal allegations also concern uncovered manholes, defective sewerage infrastructure and discharge of sewerage water onto public roads and streets, which pose an immediate and continuing danger to the public.

5. In these circumstances, the petition deserves to be disposed of with a continuing obligation upon the concerned municipal and sewerage authorities to ensure that all open manholes/gutters at the subject locations are properly covered and secured, sewerage leakages and blockages are removed, and the roads and streets are maintained in a clean and safe condition. The concerned authorities shall also undertake periodic inspection of the area so that the same deficiencies do not recur. Any failure to perform these statutory functions would not only amount to administrative negligence but may also adversely affect the fundamental rights of the residents protected under Articles 9 and 14 of the Constitution.

6. Accordingly, while acknowledging the compliance reported by SSWMB regarding removal of solid waste, the petition is disposed of with the direction that the concerned authorities, particularly KW&SC, KMC and other municipal agencies within their respective jurisdictions, shall forthwith attend to the remaining grievances concerning open manholes, sewerage overflow and unsafe public pathways in all districts of Karachi and at Kallo Pan Wali Gali/Cut and Choti Gali, and shall ensure that the remedial measures are permanent rather than merely temporary or cosmetic. A coordinated inspection shall be carried out by

the concerned authorities, and necessary action shall be taken in accordance with law. The petitioners shall be at liberty to approach the competent authority/Court in case the directions are not implemented or the hazardous conditions recur.

JUDGE

JUDGE

Shahzad Soomro