

ORDER SHEET
IN THE HIGH COURT OF SINDH AT KARACHI

CP.No.D-6509 of 2019.

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

Before:-
Mr. Justice Adnan-ul-Karim Memon
Mr. Justice Zulfiqar Ali Sangi

Date of hearing and order:- 18.02.2026

Mr. Muhammad Ikram Siddiqui, advocate for the petitioners.
Mr. Amanullah Advocate, along with Ms. Humaira Jatoi, advocate for SBCA.
Mr. Ali Safdar Depar, AAG.

ORDER

Adnan-ul-Karim Memon, J The petitioners filed this constitutional petition under Article 199 of the Constitution of the Islamic Republic of Pakistan, 1973, seeking directions to restrain respondents Nos. 4, 5 & 6 from continuing illegal construction on Residential Plot No. 36/10/E/5, Nazimabad, Karachi (133 sq. yds.), demolition of all unauthorized structures thereon, and initiation of penal action against them under S.B.C.A. laws.

2. This is a case of unauthorized construction on the subject plot. As per SBCA's report, approval was granted only for Ground + 1 Floor; however, the structure was demolished and replaced with Ground + Mezzanine + 4 Upper Floors. Earlier demolition action was undertaken by SBCA as reported on 15.03.2024. Upon inspection dated 29.01.2026, portions of the structure were found demolished, while the remaining ground (part), mezzanine, and 1st to 3rd floors were occupied for residential use. However, the previous report was rejected by this Court vide order dated 23.01.2026.

3. A subsequent compliance report states that fresh ejectment notices dated 11.02.2026 were issued to occupants of the 2nd, 3rd, and part of the 4th floor. Per learned counsel for SBCA, the demolition action was scheduled for 16.02.2026; however, could not proceed due to a law and order situation created by occupants, and has now been rescheduled for 24.02.2026, with a request made to the Deputy Commissioner Central for assistance in evacuation. Learned counsel submits that further action is contingent upon cooperation from the local administration.

4. In view of the foregoing facts and the reports submitted by the Sindh Building Control Authority (SBCA), which prima facie show that the construction raised at Residential Plot No. 36/10/E/5, Nazimabad, Karachi, is in excess of the approved building plan and, therefore, constitutes unauthorized and illegal construction within the meaning of the applicable building control laws. The inability of SBCA to proceed

with demolition on earlier occasions due to law and order concerns cannot be allowed to defeat the enforcement of law or perpetuate an illegality, if there is illegal construction.

5. Learned AAG is of the same view as expressed by the SBCA. Accordingly, the Official Respondents, particularly SBCA, are directed to proceed in accordance with law to remove/demolish the unauthorized/illegal construction raised beyond the sanctioned plan, after following all codal formalities and ensuring due process of law.

6. The Deputy Commissioner (Central) and SSP concerned shall extend full assistance to SBCA, including provision of requisite law enforcement support, to ensure that the demolition/ejectment operation is carried out in an orderly manner and without any hindrance. This action is subject to all just exceptions as provided under the law if there is a violation. The civic agencies shall also cooperate with SBCA.

7. It is clarified that in case of any resistance or obstruction by the occupants or any person claiming through respondents Nos. 4, 5 & 6, the law enforcement agencies shall take appropriate action strictly in accordance with law.

8. With these directions, the instant petition, along with pending application(s), stands disposed of.

J U D G E

J U D G E