

ORDER SHEET  
IN THE HIGH COURT OF SINDH AT KARACHI

**C.P No.D-5335 of 2025**  
**(Muhammad Anwer v Government of Sindh & others)**

DATE	ORDER WITH SIGNATURE OF JUDGE(S).
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Before:-  
Mr. Justice Adnan-ul-Karim Memon  
Mr. Justice Zulfiqar Ali Sangi

Date of hearing and order:- 18.02.2026

Petitioner Muhammad Anwar in person.  
Mr. Masroor Ahmed, Advocate for Respondent/KW&SB.  
Mr. Rehan Ahmed, Superintendent, KW&SB.  
Mr. Ali Safdar Depar, A.A.G.

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**ORDER**

**Adnan-ul-Karim Memon, J.** – The petitioner has filed the captioned Constitutional Petition under Article 199 of the Constitution of the Islamic Republic of Pakistan, 1973, with the following prayer: -

- a) *Issue an appropriate writ, order, or direction in the nature of mandamus, directing respondent Nos. 1 and 2 Karachi Water & Sewerage Board to forthwith ensure regular, continuous, and adequate supply of potable drinking water through pipelines to the petitioner’s residence and the surrounding area;*
- b) *Direct the respondents to consider an adjustment, refund, or compensation for the amount unjustly borne by the petitioner, estimated at approximately Rs. 1500,000/- incurred on account of the private purchase of water during the period of non-supply;*
- c) *Direct respondents Nos. 1 and 2 to ensure the provision of a 1,000/- gallon drinking water tanker on a weekly basis, free of cost to the petitioner for their household use, until such time as the regular water supply through the pipeline is duly restored by the KW&SB to the petitioner as registered consumers.*

2. The Petitioner, a senior citizen and pensioner residing at House No. 308, Block “G,” Warsia Colony, Orangi Town, Karachi, claims that despite being a registered consumer of Karachi Water & Sewerage Board (KW&SB) under Consumer No. 00121509000A and paying all dues, he has not received regular potable water supply for over 20 years. He states that the existing pipeline is over four decades old, corroded, and damaged, causing low pressure and intermittent supply.

3. The Petitioner, who is present in person, asserts that due to non-supply of water, he incurred expenses of approximately Rs. 1,500,000 for private water purchase and paid bills for non-supply, and has submitted proof through his pension book and paid bills. He added that multiple complaints were lodged with KW&SB officials, including the Executive Engineer, Chief Engineer, and higher authorities, as well as the Governor of Sindh and the Secretary, Local Government Department.

However, some temporary relief was provided in 2023 through a fortnightly water tanker supply approved by the Deputy Commissioner (West), but this was later discontinued, causing renewed hardship. The Petitioner seeks a writ of mandamus directing KW&SB to restore a regular piped water supply, compensation for private water expenses, and provision of a 1,000-gallon water tanker weekly until the supply is restored, citing violation of fundamental rights under Articles 4, 9, 14, 25, and 38 of the Constitution of Pakistan. He prayed to allow this petition.

4. The officer present in court submits that the KW&SB, through its technical report, confirms that the main transmission line supplying Warsia Colony was laid over three decades ago and has rusted and damaged points, resulting in low water pressure at the tail-end areas like Warsia Mohallah. However, he denies deliberate non-supply, noting that water reaches the locality on average 20 to 25 days per month for approximately two hours daily. He emphasizes that payment of consumer bills does not guarantee uninterrupted supply, as distribution depends on bulk source availability, system pressure, and citywide demand. However, the complaints by the Petitioner were recorded and processed, and temporary relief was provided in 2023 through the Deputy Commissioner-approved tanker supply, which was discontinued due to budgetary constraints. He further states that replacement of the damaged pipeline requires capital development works estimated at Rs. 25 to 30 million, which falls under the jurisdiction of KW&SB Headquarters and the Government of Sindh. They propose inclusion of this project in the Annual Development Program and suggest that resumption of weekly tanker supply could be considered on humanitarian grounds, subject to approval of the competent authority.

5. We have heard the parties present in court and perused the record with their assistance.

6. The dispute revolves around inadequate and intermittent water supply to the Petitioner's residence due to aging infrastructure, with the Petitioner seeking immediate relief, compensation for incurred expenses, and guaranteed water provision, while KW&SB points to infrastructure limitations and funding requirements for permanent resolution.

7. It is an admitted position on record that the Petitioner is a registered consumer of the Karachi Water & Sewerage Board and has continuously been paying water charges despite not receiving a regular potable water supply for more than two decades. The technical report furnished by the Respondent itself confirms that the main transmission line supplying Warsia Colony is more than thirty (30) years old, rusted, and damaged at several points, resulting in low pressure and intermittent supply, particularly at tail-end localities such as Warsia Mohallah, Orangi Town, Karachi.

8. Access to clean drinking water is intrinsically linked with the fundamental rights guaranteed under Articles 4, 9, 14, 25, and 38 of the Constitution of the Islamic Republic of Pakistan, 1973. The Hon'ble Supreme Court in the case of *Shehla Zia v. WAPDA* has categorically held that the term "life" under Article 9 does not merely mean animal existence but includes all such amenities and facilities which a person is entitled to enjoy with dignity, including a healthy and pollution-free environment. The provision of safe drinking water, therefore, squarely falls within the ambit of the right to life. It is well-settled law that access to safe and clean drinking water is a fundamental right, and it is the constitutional obligation of the State and its instrumentalities to ensure equitable water distribution without discrimination.

9. Under Sections 4, 5, and 42 of the Sindh Water & Sewerage Board Act, 1996, the Respondent-Board is under a statutory duty to ensure adequate supply of potable water to consumers within its jurisdiction and to maintain and develop water supply infrastructure. Failure to maintain transmission lines and distribution networks, resulting in persistent deprivation of water supply to law-abiding consumers despite payment of dues, amounts to non-performance of statutory obligations, warranting issuance of a writ of mandamus.

10. The public functionaries cannot deny essential civic amenities due to administrative or financial constraints where such denial results in a violation of fundamental rights.

11. In light of the foregoing discussion, we hold that the Respondent, i.e., the Karachi Water & Sewerage Board, is under a legal as well as constitutional obligation to ensure the regular supply of potable water to the affected locality through a properly maintained and functional pipeline system in accordance with its statutory mandate under the Sindh Water & Sewerage Board Act, 1996. The Respondent/Karachi Water & Sewerage Board is directed to take all necessary measures for the replacement and/or rehabilitation of the damaged and corroded transmission and distribution pipelines in Warsia Colony, Orangi Town, Karachi, either from its own resources or by submitting the requisite development scheme to the Government of Sindh for its inclusion in the Annual Development Programme (ADP). Until the development works are completed and a regular piped water supply is restored, the Respondent shall ensure the provision of a weekly water tanker of 1,000 gallons to the Petitioner as well as other similarly placed residents of the affected area. Furthermore, the Respondent-Board shall adopt effective administrative and regulatory measures to discourage and prevent the illegal extraction, pilferage, and unauthorized sale of water by tanker operators within its jurisdiction. All concerned law enforcement agencies, including the local administration, are hereby directed to extend full cooperation and assistance to the

Respondent-Board in ensuring equitable distribution of water and in taking action against unauthorized hydrants and illegal water tankers strictly in accordance with law.

12. Accordingly, the instant Petition is allowed in the above terms with directions to the Respondent to ensure compliance in letter and spirit to safeguard the fundamental rights of the Petitioner and other residents of the locality.

Let a copy of this order be communicated to all concerned for compliance; they are to be served through all modes of service, including electronic and WhatsApp.

JUDGE

JUDGE

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