

ORDER SHEET
IN THE HIGH COURT OF SINDH, CIRCUIT COURT HYDERABAD
C.P.No.D-585 of 2026

DATE	ORDER WITH SIGNATURE OF JUDGE(S)
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1. For orders on office objections.
2. For hearing of MA-2382/2026
3. For hearing of main case.

06.05.2026.

None present for Petitioners.

Mr. Zaheeruddin Sahito, Advocate.

Mr. Rafique Ahmed Dahri, Assistant A.G alongwith Pervaiz Solangi from Taxation Branch Municipal Corporation Shaheed Benazirabad on behalf of Mayor and M.C Shaheed Benazirabad and Aleem Memon, Regional Director SBCA Shaheed Benazirabad.

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Petitioners are allottees/occupants of a building called Tayyaba Shopping Center at Kacheri Road, Shaheed Benazirabad, the underlying land having been leased by the Municipal Corporation Shaheed Benazirabad. They have challenged notice issued by said Corporation to evacuate the building. The notice to evacuate is on the ground that the building has become dangerous and is required to be demolished and reconstructed lest it collapses and causes loss of life.

The Petitioners do not dispute the fact that the building is dilapidated. Their case is that the building can be repaired and that the allottees should be permitted to undertake its repair. The Regional Director, Sindh Building Control Authority (SBCA), Shaheed Benazirabad, who was called for assistance in the matter, files comments. From his comments it transpires that a technical committee was constituted by the Deputy Commissioner Shaheed Benazirabad to assess the structural stability of the building. The committee reported that the structural design of the building was defective which led to its dilapidation; that it requires immediate evacuation to safeguard loss of life and property; and that its demolition and reconstruction is the safest option. It is further stated that while a second opinion has been sought from another technical expert as to whether the building can be repaired without demolition, the fact that the present structure is hazardous for habitation is not under doubt.

After examining the report of the technical committee placed on the record, it is clear that the impugned notice to evacuate the building is neither *malafide* nor intended to prejudice the Petitioners as alleged. To the contrary, it is in the public interest to avoid loss of life and property. Therefore, we are not inclined to interfere in the matter. The petition is dismissed.

JUDGE

JUDGE

Shahid