

ORDER SHEET
IN THE HIGH COURT OF SINDH, KARACHI

Const. Petition No.D-5088 of 2026

Date	Order with signature of Judge
1. For orders on office objections Nos.1&2.	
2. For hearing of Misc. 19474/2026.	
3. <u>For hearing of main case.</u>	
<u>18.9.2026.</u>	

Mr. Farmanullah Khan, for petitioner.
Mr. Faizan Hussain Memon, AAG.
Mr. Ghulam Akbar Lashari, for SBCA.

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Learned counsel for SBCA has placed on record comments on behalf of
respondent No.1, copy whereof is supplied to learned counsel for petitioner.

Through these proceedings, petitioners have prayed for the following reliefs:-

- (i) Declare the impugned notices dated 06.8.2026 and 07.8.2026 as illegal and misuse of powers of the respondents especially respondent No.1;
- (ii) Declare the petitioners have all the right to use the subject property as per their wishes and no body including the respondents got any right to object thereon;
- (iii) Permanently restrain the respondents, their agents, representatives, sub-ordinates and or anybody else acting on their behalf from interfering, demolition and damaging the subject properties of the petitioners;
- (iv) Temporary injunction till the final disposal of this petition restrain the respondents, their agents, representatives, sub-ordinates and or any body else acting on their behalf from interfering, demolition and damaging the subject properties of the petitioners;
- (v) Any other relief which this Honourable Court may deem fit and proper under circumstances of the case may also be granted.

The perusal of contents of the memo of petition reflects that the grievance raised by the petitioners pertains to Sindh Building Control Authority (“**SBCA**”). Learned counsel representing the SBCA submits that the grievance raised by the petitioners can appropriately be addressed through the Smart Complaint Redressal Mechanism (“**SCRM**”), established by the SBCA vide Notification No.SBCA/DD(Admin-P)/2025/173 dated 10.01.2025, which also provides for an Appellate Committee.

Upon being informed of the availability of the aforesaid departmental mechanism, learned counsel for the petitioners submits that the petitioners are willing to avail the same and have no objection if the instant petition is disposed of with an

appropriate direction to the competent authority to consider and decide their grievances in accordance with law.

In view of the above, without entering into the merits of the controversy or expressing any opinion thereon, the petitioners may approach the competent authority by filing an appropriate application/complaint through the SCRM in accordance with the prescribed procedure and applicable SOPs. In the event such application/complaint is filed, the Director General, SBCA, shall ensure that the same is placed before the competent authority for consideration and decision.

The competent authority shall afford a fair opportunity of hearing to the petitioners as well as all other concerned/affected parties and shall thereafter decide the application/complaint, preferably within a period of sixty (60) days from the date of its filing, strictly in accordance with law and the applicable rules/SOPs, through a reasoned order. The decision so taken shall be communicated to all concerned without unnecessary delay.

Since an alternate departmental mechanism for redressal of the petitioners' grievance is available, which the petitioners have elected to avail, no further adjudication is called for by this Court at this stage. Accordingly, the instant petition stands disposed of along with listed application in the above terms, without expressing any opinion on the merits of the petitioners' claims.

Needless to observe that any party aggrieved by the decision of the competent authority shall be at liberty to avail such remedy, as may be available under the law.

Office shall transmit a copy of this order to the Director General, Sindh Building Control Authority, through the available expeditious mode for information and compliance. Learned MIT-II shall ensure compliance.

Judge
Head of Const. Benches

Judge