

ORDER SHEET
IN THE HIGH COURT OF SINDH, KARACHI

Constitutional Petition No. D-4179 of 2017
(Dr. Shahid Noor versus The Province of Sindh & others)

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

Before:

Mr. Justice Adnan-ul-Karim Memon

Mr. Justice Muhammad Jaffer Raza

Date of hearing and order: 25.9.2026

Mr. Saeed Ahmed advocate for the petitioner

Mr. Ali Safdar Depar, Assistant AG

Mr. Ghulam Akbar Lashari advocate for the respondent / SBCA

ORDER

Adnan-ul-Karim Memon, J. Petitioner has filed this Constitutional Petition under Article 199 of the Constitution of the Islamic Republic of Pakistan, 1973, seeking following relief: -

a) Declare and direct that the official respondents are guilty of non-feasance and further respondents may be directed that immediately illegal construction raised on Plots Bearing NO: D-48, D-63 and D-77, KDA Scheme NO: 01, Block-D, Gulshan Town-II, OFF Miran Shah Road, Karachi, may be stopped.

b) Direct the respondents to demolish / de-build the illegal construction made so far and bring the entire building structure within the parameters of approved plan, and law of Housing and Town Planning.

c) Respondents may also be directed that no further construction may be raised on the Plots Bearing No: D-48, D-63 and D-77, KDA Scheme NO: 01, Block-D, Gulshan Town-II, Off Miran Shah Road, Karachi, thereon till the final disposal of present petition.

2. It is the case of the petitioner that he is a neighbour of respondents Nos. 5, 6, and 7 and, according to his information, the said respondents are raising illegal construction on Plot Nos.D-48, D-63, and 77, KDA Scheme No.1, Block-D, Gulshan Town-II, Off Miran Shah Road, Karachi. According to the petitioner, the said construction is being carried out by the respondents in total violation of the applicable law.

3. Prima facie, the subject issue ought to have been decided by the Sindh Building Control Authority (SBCA) in time, however, the petitioner is left at liberty to file proper complaint under the Smart Complaint Redressal Mechanism (SCRM) of the SBCA and just upon approach, the competent authority shall inspect the site and after hearing all concerned, pass a speaking order in accordance with law.

4. In view of the above, no case for the indulgence of this Court is made out. The petition is accordingly disposed of alongwith pending application(s), with the above observation.

JUDGE

JUDGE