

ORDER SHEET
IN THE HIGH COURT OF SINDH, KARACHI

Constitutional Petition No. D-7836 of 2015

(Muhammad Yousuf & another versus The Karachi Metropolitan Corporation & another)

Date	Order with signature of Judge
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Before:

Mr. Justice Adnan-ul-Karim Memon

Mr. Justice Muhammad Jaffer Raza

Date of hearing and order: 24.9.2026

Mr. Ashfaq Ahmed, advocate for petitioner No.1

Mr. Imran Taj, Advocate for petitioner No.2

Mr. Khurram Ghayas, Advocate for the Sindh Master Plan Authority

M/s Ghulam Akbar Lashari and Rafiq Ahmed Bhanbhro, advocates for the SBCA

ORDER

Adnan-ul-Karim Memon, J.

The petitioners have filed this Constitutional Petition under Article 199 of the Constitution seeking declaration that Commercial Plot No. D-30, Block No.8, KDA Scheme No.5, Clifton, Karachi, measuring 1000 square yards, was lawfully commercialized, setting aside the notice dated 12.11.2015, and restraining the respondents from taking coercive action against the plot.

2. Learned counsel submits that the petitioners had obtained all requisite NOCs, including from the Civil Aviation Authority and Cantonment Board Clifton, paid the prescribed charges and executed a registered lease deed, but respondent No.1 issued the impugned notice without affording proper opportunity of hearing, allegedly in violation of Article 10-A and principles of natural justice. Reliance was placed on this Court's order dated 01.09.2016 in C.P. No. D-7312 of 2015, whereby a similar notice was declared illegal, while permitting the authorities to proceed in accordance with law in case of any violation of the NOC terms.

3. Learned counsel for SMPA stated that the respondents were/are willing to withdraw the impugned notice, subject to all just exceptions, and reserve the right to issue a fresh notice if any violation is subsequently found. When confronted this position, the counsel agreed for such disposal of the petition in the said terms.

4. Accordingly, without touching the merits of the case, the petition is disposed of in terms of the statement made by learned counsel for the SMPA and latest decision of the Honourable Federal Constitutional Court on the subject issue. Pending applications are also disposed of.

JUDGE

JUDGE