

IN THE HIGH COURT OF SINDH, KARACHI

C. P. NO. D-7422 / 2022

(Muhammad Shafiq Vs. The Province of Sindh & Others)

Present:

Mr. Justice Adnan-ul-Karim Memon

Mr. Justice Muhammad Jaffer Raza

PRIORITY

- 1) For orders on CMA No. 19468/2026.
- 2) For orders on CMA No. 9091/2026.
- 3) For hearing of CMA No. 34036/2022.
- 4) For hearing of CMA No. 31499/2022.
- 5) For hearing of main case.

17.08.2026.

Mr. Ghulam Murtaza holding brief for
Mr. Zakir Hussain Khaskheli, Advocate for Petitioner.
Mr. Ali Safdar Deepar, Assistant Advocate General Sindh.
M/s. Dhani Bux Lashari & Amanullah, Advocates for
Respondent (SBCA).
Mr. Naveed Ali, Advocate for Intervener.

Adnan-ul-Karim Memon, J. The Petitioner has filed this Petitions under Article 199 of the Constitution of Islamic Republic of Pakistan seeking the following reliefs: -

- “A. To, Declare the construction contract by the respondent no. 6 upon the residential plot bearing No.A-155, measuring 240 Sq Yards in Gawalior Co-operative Housing Society Scheme 33, Gulzar-e-Hijri, Karachi, converting into commercial constructed flats ground + 3 floors in 6 portions without any approved site building plan form the respondent no 2 to 4 illegal and unlawful construction under the supervision of the respondent No, 2 to 5 & 7 same is reliable to be demolish.
- B. To Direct the respondent No 2 To 4 to remove the illegal and unlawful construction with defective material from the plot bearing No.A-155, measuring 240 Sq Yards in Gawalior Co-operative Housing Society Scheme 33, Gulzar-e-Hijri, Karachi, by demolish as according with law.
- C. To Grant the permanent injunction by Restrain to the Respondent No. 6 to not further construct the illegal construction without approved site plan of the building and not to convert to residential house to commercial further to not sale to any innocent persons of such illegal flats and units and also restrain to the respondent No 2 to 57 not to allow selling illegal constructed flats by booking to the general public by further illegal construction till the final disposal of the present matter.

2. The Petitioner filed the instant constitutional petition under Article 199 of the Constitution, challenging the alleged illegal construction of commercial flats on residential Plot No. A-155, Gawalior Co-operative Housing Society, Scheme-33, Karachi, and seeking demolition of the construction and restraint against further construction or sale.

3. Learned Counsel holding brief for the Petitioner who is not in attendance.

4. In view of this Court's order dated 11.05.2026, whereby the Petitioner was advised to approach the competent authority, i.e. SBCA, through its Smart Complaint Redressal Mechanism (SCRM), and with the consent of the learned Counsel for the Intervener, the petition is disposed of without touching its merits.

5. The Petitioner is directed to approach the SBCA by filing an appropriate application through the SCRM, which shall be heard and decided by the Director General, SBCA, within three weeks strictly in accordance with law by hearing all concerned.

6. This petition stands disposed of in the above terms alongwith listed applications.

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