

IN THE HIGH COURT OF SINDH, KARACHI

C. P. NO. D-3642 / 2026

(Farman Ali Suhag Vs. Province of Sindh & Another)

C. P. NO. D-4304 / 2026

(Ahtesham Ahmed Vs. Province of Sindh & Others)

Present:

Mr. Justice Adnan-ul-Karim Memon

Mr. Justice Muhammad Jaffer Raza

Date of hearing and order:- 10.08.2026.

Mr. Mohsin Ali Rahimoon, Advocate for Petitioner
in C. P. No. D-3642/2026 and Advocate for Respondent
No. 5 in C. P. No. D-4304/2026.
Mr. Muhammad Afzal holding brief for
Mr. Khawaja Muhammad Azeem, Advocate for Petitioner
in C. P. No. D-4304/2026 and also for Interveners
in C. P. No. D-3642/2026.
Mr. Abdul Jalil Zubedi, Assistant Advocate General Sindh.
M/S. Amanullah & Dhani Bux Lashari, Advocates for
Respondent (SBCA).

ORDER

Adnan-ul-Karim Memon, J. The Petitioners filed these Constitutional Petitions under Article 199 of the Constitution, challenging the notice issued by the Sindh Building Control Authority (SBCA) in respect of Plot No. A-01, Block 13-D/2, Ruffi Villas, Gulshan-e-Iqbal, Karachi, and seeking restraint against any demolition or other coercive action.

2. Learned counsel submitted that the construction had been raised pursuant to a building plan approved by the SBCA and that the impugned notice was unlawful and liable to cause irreparable prejudice.

3. This Court, vide order dated 08.06.2026, issued notices to the Respondents and restrained them from taking coercive action pursuant thereto.

4. In compliance, the SBCA submitted its report stating that the construction permit for Ground plus Two Floors had been granted on 22.01.2026; however, during subsequent inspection, certain deviations, particularly non-maintenance of the required open spaces, were noticed. Consequently, proceedings under Section 7-A of the Sindh Building Control Ordinance, 1979 were initiated through notice dated 01.06.2026. The SBCA maintained that the notice was only a statutory show-cause notice, intended to provide an opportunity of hearing, and that no final demolition order had been passed. It is, therefore, requested that the

Petitioners be directed to avail the statutory mechanism and that the interim order be vacated.

5. During the course of proceedings, it was pointed out by the senior counsel for SBCA that the SBCA had introduced the Smart Complaint Redressal Mechanism (SCRM), through which the Petitioners could seek redressal of their grievances before the competent authority. Learned counsel for the Petitioners agreed to avail the said mechanism.

6. In view of the above, with the consent of the parties, the Petitions are disposed of with a direction to the Petitioners to approach the SCRM committee of the SBCA and file appropriate applications regarding their grievances. The Director General, SBCA, shall hear and decide the applications within four weeks, strictly in accordance with law, after affording the Petitioners and all concerned due opportunity of hearing. The statutory proceedings shall be concluded in accordance with the applicable law and the sanctioned building plan. The interim order shall stand merged in this final order. The office shall place a copy of this order in the connected petition.

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