

ORDER SHEET
IN THE HIGH COURT OF SINDH KARACHI
Const. Petition No. D-2784 of 2023

Date	Order with signature(s) of Judge(s)
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Directions.
1.For orders on CMA No.10536/2026
2.For orders on CMA No10537/2026
3.For orders on CMA No23593/2025

5th May, 2026.

M/s Qadir Hussain Khan and Shehbaz Ahmed, Advocates
for petitioner along with petitioner No.36 .

Ms. Shazia Hanjrah, DAG

M/s Hakim Ali Shaikh, Addl.A.G.Sindh & Sagheer Ahmed
Abbasi, A.A.G.Sindh.

Mr. Ghulam Akbar Lashari, Advocate for SBCA

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Learned counsel for the petitioner placed before the court letter dated 07.07.2025 along with copy of amended title page of petition, which are taken on the record.

Learned counsel for SBCA files compliance report dated 23.07.2025 and submits that compliance of directions earlier issued have been compliance with as far as case of petitioner is concerned, none of the petitioners had appeared. Petitioner present in court along with counsel rebuts the above contention and submits that no notice was served upon them and they have been deprived of right of hearing. Before parting with the order, it will be appropriate to reproduce the relevant paragraph of compliance report which reads as under:

“For decision on Appeal Under Section 16 of SBCO, 1979 (amended up to date) in compliance to the order passed in C.P.No. D-2784/2023, Plot No. 21/264, Liaqutabad No. 10, District Central, Karachi

Present:
Engr. Farhan Qaiser, Additional Director General Operations) & Chairman, Appellate Committee, SBCA.

S.M. Zia, Director, District Central, Member, Appellate Committee, SBCA.

*Muhammad Shahzad Quereshi, Deputy Director(L.A)/
Secretary/Member, Appellate Committee, SBCA.*

17-07-2025.

The matter was presented before the Appellate Committee, SBCA Constituted Under Section-16 of SBCO, 1979(as amended), Petitioner not present, despite of service Notice, therefore it is hereby directed, to concerned Gazetted Officer, not below the BPS-17, to immediately conduct, site inspection alongwith concerned field staff, immediately point out the violations not permissible as per Karachi Building & Town Planning Regulations-2002(as amended). In case of any violation of relevant rules found, beyond permissible limits, immediate lawful action shall be proceeded Under Section-7-A of SBCO, 1979 (as amended), after provision of Opportunity of being Heard within 10 Days time and ensure submission of compliance report at the end of concerned District Dy. Director, in the Honorable High Court of Sindh in the relevant matters within time, without fail."

Since the issue involved in this case if considered again by SBCA even then they are not competent to file instant proceedings to resolve their issue hence when confronted, learned counsel assisted by the petitioner, submits that petitioners would avail remedy before the court having jurisdiction within one month's time. Other side has no objection. Order accordingly.

Judge
Head of Const. Benches

Amir/PS

Judge