

ORDER SHEET

IN THE HIGH COURT OF SINDH AT KARACHI

Constitution Petition No. D – 1382 of 2013

Date	Order with signature of Judge
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PRIORITY

1. For hearing of Misc. No. 7048/2013.
2. For hearing of Main Case.

28.08.2023:

None for the petitioner.

Mr. Dhani Bux Lashari, advocate for SBCA.

Mr. Shahid Ali, advocate for KW&SB.

Mr. Abdul Jalil, AAG Sindh.

Petitioner appearing in person, who appears to have filed instant petition whistleblower, has reportedly expired, whereas, instant matter is pending since 2013, however, record shows that no order whatsoever appears to have been passed in the instant matter, either restraining the impugned construction or directing the SBCA Authorities to remove any unauthorized construction on the subject plot.

Learned counsel for SBCA submits that counter-affidavit has already been filed on behalf of SBCA, according to which, approval to raise construction of basement + ground + 11 floor has been given on the subject plot and there appears no violation except covering the compulsory open space and reducing the duck side and the back of the building, however, respondent has approached for issuance of completion plan and also applied for regularization, which has so far not been entertained. It has been further submitted that the request of respondent for issuance of completion plan and regularization of the impugned construction will be

considered in accordance with law, preferably, within a period of two months.

Accordingly, instant petition stands disposed of in view of such statement by the learned counsel for the SBCA alongwith all pending application(s), however, it is clarified that if the impugned violations are not regularizable, appropriate action may be taken in accordance with law, after notice to respondent concerned and thereafter, compliance report may be furnished before this Court through Member Inspection Team-II of this Court.

JUDGE

JUDGE

A.S.