

ORDER SHEET  
IN THE HIGH COURT OF SINDH AT KARACHI

**CP NO.D-8218/2019**

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Date

Order with signature of Judge  
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**14.03.2024**

Mr. Usman Farooq advocate for petitioners.

Mr. Farooq H. Abbasi advocate for respondents No.4 and 7  
(respondents No.5 and 8 before filing of amended title).

Rao Sarfraz advocate for SBCA.

Mr. Jawwad Dero, AAG.

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Petitioners shall submit second amended title by joining the Senior Member, Board of Revenue, Deputy Commissioner Keamari and Sindh Master Plan Authority as respondents No.11, 12 and 13 respectively, thereafter office shall issue notice with further direction that they shall file comments.

2. Learned counsel for respondents No.4 and 7 (*who were respondents No.5 and 8 before filing of amended title*) contends that subject scheme was launched by father of respondent No.7 through respondent No.4 when his father was alive, his father entered into a housing scheme, layout plan was approved by concerned Department, after initiating scheme around 400 houses were erected on subject matter plot/land, people had booked cottages/units and possession was handed over to them, it was further contended that now father is no more alive and son who is not in this business who is not directly affected if any order is passed therefore counsel requests that notices may be issued to the occupants of those 400 units who may be affected if any order is passed by this court. Accordingly, Mukhtiarkar concerned and officers of the SBCA shall issue notices to all of the occupant of that scheme.

3. At this juncture learned counsel for petitioners contends that he is not concerned with regard to cancellation of layout plan and his case is only for amenity plot which is occupied by respondents No.6 to 8 (*who were respondents No.7 to 9 before filing of amended title*).

4. Accordingly, Chairman, Sindh Master Plan Authority shall produce map/master plan and Officers of SBCA alongwith Mukhtiarkar concerned shall visit the site and submit report, with the assistance of Sindh Master Plan Authority, regarding alleged encroachment over amenity plot(s) in the subject scheme.

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