

ORDER SHEET
IN THE HIGH COURT OF SINDH AT KARACHI
CP No.D-3254 of 2021
(Waqar Ahmed Shaikh advocate v Akbar & Abbas Company & others)

DATE	ORDER WITH SIGNATURE OF JUDGE
	Before:- Mr. Justice Adnan-ul-Karim Memon Mr. Justice Zulfiqar Ali Sangi

Date of hearing and order:- 09.02.2026

Mr. Ramiz Naseem, advocate for the petitioner.
Mr. Dhani Bux Lashari, Ms. Humaira Jatoi, Ms. Rehana, and Amanullah advocate for SBCA.

O R D E R

Adnan-ul-Karim Memon, J.- The petitioner, Waqar Ahmed Shaikh, has filed this petition under Article 199 of the Constitution seeking:
i. A declaration that the construction on Plot No. B-52, Block C, North Nazimabad, Karachi, is unlawful and in violation of approved plans and rules;
ii. Directions to the respondents to demolish the illegal construction, including walls that have blocked eight windows of the adjacent house, and to submit a compliance report to this Court.

2. The petitioner's counsel has objected to the compliance report submitted by SBCA (Respondents No. 2 & 3), stating that The report was filed without the proper building plan and acknowledges major violations, including unauthorized divisions and separate utility connections; K-Electric and Sui Gas connections were made in violation of the interim order dated 21.05.2021, leading to a pending contempt application (CMA No. 8064/2022); The Court-appointed Nazir's inspection regarding illegal construction was suppressed by SBCA. The petitioner counsel contends that SBCA deliberately concealed these violations and requests the Court to reject the report dated 20.01.2026 and direct the Nazir to submit a detailed inspection report.

3. It is noted that the approved plan allowed construction of ground plus two floors for residential use. The owner, Zia-ul-Haq, exceeded this limit, with violations of covered area and planning. We have been informed that a completion plan has been submitted and is under review. SBCA requested two more weeks to examine the petitioner's submissions. The request seems to be reasonable and is acceded to.

4. The petition is disposed of accordingly.

JUDGE