

ORDER SHEET
IN THE HIGH COURT OF SINDH AT KARACHI
C.P No.D-71 of 2026
(Zulfiqar Ali v. Sindh Building Control Authority and others)

Date	Order With Signature Of Judge
	<p>Before:- Mr. Justice Adnan-ul-Karim Memon Mr. Justice Zulfiqar Ali Sangi</p>

Date of hearing and order:- 10.02.2026

Mr. Zulfiqar Ali, advocate / petitioner in person.
M/s Dhani Bux and Amanullah, advocate for the SBCA.
Mr. Abdul Jalil Zubedi, AAG.

O R D E R

Adnan-ul-Karim Memon, J.- Petitioner Zulfiqar Ali has filed this petition under Article 199 of the Constitution of the Islamic Republic of Pakistan 1973 seeking the following relief(s):-

- i. Declare that the establishment of a mart on the ground floor and basement of Creek View Tower is illegal, unlawful, unconstitutional, and in violation of the approved plan;*
- ii. Declare that all internal alterations, additions, and structural changes made on the ground floor and dismantling of the basement roof for installation of cargo lifts is illegal, dangerous, and void ab initio and liable to be demolished, and that the premises be restored, including reconstruction of six load-bearing walls, strictly in accordance with the approved plan at the cost and expense of the Respondent Nos. 3 & 4;*
- iii. Direct Respondent Nos 1 & 2 to strictly enforce the sealing order dated 18.11.2025 and ensure complete stoppage of all illegal construction activities forthwith;*
- iv. Direct Respondent Nos. 1 and 2 to take strict legal action against Respondent Nos. 3 and 4 for violation of the approved plan, including cancellation of their licenses and approvals;*
- v. Restrain Respondent Nos. 3 and 4, their agents, servants, and any person acting on their behalf, from carrying out any construction, alteration, addition, or commercial activity on the ground floor and basement of Creek View Tower, Plot No. 92, Clifton Block-2, Karachi.”*

2. The Petitioner, an advocate, submits that despite filing a complaint through SCRM regarding illegal construction on Plot No. D-92, Block-2, Clifton, no action was taken. He stated that Respondent No. 3 developed “Creek View Tower” per the SBCA-approved plan dated 02.07.2021, with the basement for an ARS and the ground floor for showrooms/recreation. However, Respondent No. 3 dismantled six load-bearing walls and handed over the premises to Respondent No. 4, who removed parts of the basement roof for cargo lifts, endangering the 25-storey building. He added that SBCA (Respondent No. 2) issued a sealing order on 18.11.2025, but construction continued. Despite media reports and the Petitioner’s complaint on 24.12.2025, only a report was forwarded on 29.12.2025 without enforcement. The Respondents’ influence and collusion with SBCA have prevented lawful action, compelling the Petitioner to seek this Court’s intervention. Learned counsel contends that these acts violate the approved plan, involve misuse of the basement and ground

floor, dismantling of load-bearing structures, and SBCA's failure to enforce its order, infringing the Petitioner's fundamental rights under Articles 9, 14, and 24.

3. This Court, vide order dated 12.01.2026, issued notice to SBCA.

4. The counsel for SBC Authority reports that construction was carried out as per the approved plan (Basement + Ground Floor + 1–4 Floors parking + 5–24 Floors flats) with minor deviations, for which a composition fee was levied and a completion certificate issued on 02-07-2021. However, the owner later removed partition walls of the showroom without permission to establish a "Mart," prompting the Authority to seal the premises on 22-01-2026.

APPROVAL:

Basement (ARS) + Ground Floor (showrooms) + 1 to 4th Floors (parking) + 5th Floors (Flats & Recreation) + 6th to 24th Floors (Flats) only.

VIOLATIONS

Excess covered area.

Showroom converted in to Hall.

Recreation area shifted from 5th Floor to Ground Floor.

VIOLATION AFTER COMPLETION PLAN

Partition walls of Showrooms, demolished to convert them in to hall.

ACTION TAKEN

Since the violations were found within compoundable limits, penalty has been imposed.

Premises sealed.

PRESENT POSITION

Basement (ARS) + Ground Floor (Showrooms + Recreation) + 1st to 4th Floors (parking) + 5th to 24th Floors (Flats) only.

Ground Floor sealed.

5. The learned counsel for the SBCA lastly submitted that the site will be inspected, and if any irregularities are found, appropriate action will be taken in accordance with the law. Without prejudice to the rights of private respondents as they are not in attendance. However the statement of SBCA is being considered for disposal of this petition.

6. The request of SBCA seems to be reasonable is acceded to subject to all just exceptions, as such this petition is disposed of accordingly.

JUDGE

JUDGE

Shahzad Soomro