ORDER SHEET
IN THE HIGH COURT OF SINDH AT KARACHI

Const. Petition No. D-2055 of 2021
(Ms. Scheherazade Asdar Ali Vs. SBCA & others)

Date	Order with signature of Judge

Before:-
Mr. Justice Riazat Ali Sahar
Mr. Justice Muhammad Hasan (Akber)

1. For orders on CMA No.29309/2026.
2. For hearing of Misc. No.15438/2021.
3. For hearing of Misc. No.8795/2021.
4. For hearing of Main Case.

11.11.2026

None present for the Petitioner.
M/s. M. Ahmed Masood & Mirza Moiz Baig, Advocates for Respondent No.2.
Mr. Ghulam Akbar Lashari, Advocate for Respondent/SBCA.
Mr. Abdul Jalil Zubedi, Addl. Advocate General, Sindh.

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1. Urgency granted.

2-4. This is an old one matter pertaining to the year 2021, which was lastly fixed before this Court on 17.10.2023 and today, the Petitioner has merely filed urgent application about 3 years later, neither the Petitioner nor its counsel are in attendance. A perusal of the case diary sheets reflects that the instant Petition was filed by the Petitioner against illegal construction allegedly being raised by Respondent No.2 on Plot No.79, CF-1-5, Old Clifton K.D.A. Scheme No.5, Hatim Alvi Road, Karachi (adjacent to the Petitioner's property) in violation of the applicable building regulations and permissible construction limits. It is further contended therein that without an approved building plan or requisite NOC from the Sindh Building Control Authority (SBCA) the construction had been raised. Learned counsel further submits that the unauthorized construction, coupled with the obstruction of the public street by construction materials and heavy machinery, constitutes a public nuisance and poses a threat to public safety. It is further contended therein that the failure of the official respondents to take appropriate enforcement action amounts to a breach of their statutory duties and endangers the fundamental right to life guaranteed under Article 9 of the Constitution. Accordingly, through the instant Petition, appropriate directions are sought for enforcement of the applicable building laws and removal of the unauthorized construction in accordance with law.

Learned counsel appearing on behalf of the Sindh Building Control Authority (SBCA), submits that the Petitioner may avail the Smart

Complaint Redressal Mechanism (SCRM) of the SBCA for redressal of its grievance.

Since the Petitioner or its counsel are not in attendance; therefore, in view of the subject controversy, we dispose of the present Petition with the observation that the Petitioner is set at liberty to approach the Director General, SBCA, through the SCRM, who shall ensure that the complaint is decided in accordance with law and the applicable SOPs, after affording an opportunity of hearing to all concerned, within sixty (60) days from the date of receipt of the complaint.

In the above terms, the instant Petition stands disposed of, along with the listed/pending application(s), if any. Let this order be transmitted to the Director General, SBCA, for information and necessary compliance.

JUDGE

JUDGE

M. Khan