HIGH COURT OF SINDH, CIRCUIT COURT, HYDERABAD

C.P. No.D- 1021 of 2015

[Shahnawaz and another vs. Government of Sindh and others]

Before:

JUSTICE ADNAN-UL-KARIM MEMON
JUSTICE MUHAMMAD JAFFER RAZA

Petitioners:	Nemo.
Respondents-SBCA:	By Mr. Muzamil Khan Bughio, Advocate.
Official Respondents:	By Mr. Allah Bachayo Soomro, Additional A.G.
Date of hearing	13.11.2026
Date of Decision	13.11.2026

O R D E R

***

ADNAN-UL-KARIM MEMON, J:- Petitioners have filed this Constitutional Petition under Article 199 of the Constitution of Islamic Republic of Pakistan, 1973, seeking the following relief(s):-

> ***"a. To declaring that the conversion of the amenity plot /petrol pump situated at unit No.6 Latifabad, Main Auto Bhan Road Hyderabad by the Respondent No.5 (TMA Latifabad) into commercial plot whereon the project and construction work name and style "White city Mall & Residency" by the respondent NO.8 is illegal unlawful without lawfully authority and also against and in violation of master plan.***
>
> ***b. To declare that the diversion and conversion Diversion the foot path/space 143 Sq. Yard in front of the said petrol pump granted by the respondent No.5 through mutation letter No.TO(R)/L512 dated 12-10-2012 and merged into said space area into petrol pump plot without due procedure of law has illegally unlawfully void order.***
>
> ***c. To direct the official respondents to provides all the relevant documents of said petrol pump plot since its birth up to till today and same may be submitted before this honourable court.***
>
> ***d. To grant the injunction restraining to the respondent No.8 stop the construction work on the petrol pump plot, which plot reserve for the general public to take the facilities as per master plan."***

2. It is the case of the petitioners that the road area/street about 1243 square yards was reduced and included the subject matter which was reserved for Petrol Pump as per map. To verify this fact the site inspection was needed to be carried out by the respondents and even the Deputy Registrar of this Court was directed to inspect the sites and submit report.

3. The counsel for SBCA submits that initially they issued the NOC and thereafter they withheld. This being the position of the case, this matter is remitted to the competent authority of the respondents to call all concerned and decide the issue after inspection of the site within a reasonable time.

4. Without touching the merits of the case, the petition stands disposed of in the above in the above terms along with pending application, if any.

JUDGE

JUDGE

Tufail