ORDER SHEET
IN THE HIGH COURT OF SINDH AT KARACHI

Const. Petition No. D-8652 of 2018
(Mst. Haseena Bano Vs. SBCA & others)

Date	Order with signature of Judge

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

1. For hearing of Misc. No.37980/2018.
2. For hearing of Misc. No.37981/2018.
3. For hearing of Main Case.

12.11.2026

M/s. Dhani Bux Lashari & Ghulam Akbar Lashari, Advocates for Respondent/SBCA.

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RIAZAT ALI SAHAR, J. This is an old one matter pertaining to the year 2018, which was lastly fixed before this Court on 14.12.2018 and since inception the Petitioner has not made any effort to have the matter listed/fixed before this Court. Today, neither the Petitioner nor her counsel is in attendance. A perusal of the case diary sheets reflects that the instant Petition was filed by the Petitioner being resident of House No.J/4/2, Jamshed Road No.2, Fatima Jinnah Colony, Karachi against illegal construction in the adjacent House No.J/4-3, Jamshed Road No.3, Fatima Jinnah Colony Karachi being raised by Respondent No.5 in violation of the applicable building regulations and permissible construction limits. It is further contended that without an approved building plan or requisite NOC from the Sindh Building Control Authority (SBCA) the construction has 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 contended 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, learned counsel seeks appropriate directions 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 her 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