HIGH COURT OF SINDH, CIRCUIT COURT, HYDERABAD

C.P. No.D-3307 of 2018
[Hatim Ali Soomro vs. Province of Sindh and others]

Before:
JUSTICE ADNAN-UL-KARIM MEMON
JUSTICE MUHAMMAD JAFFER RAZA

Petitioner:	Through Mr. Asim Shabbir Soomro advocate
Respondents:	Through Mr. Allah Bachayo Soomro Additional A.G Sindh
Date of hearing	10.11.2026
Date of Decision	10.11.2026

O R D E R

***

ADNAN-UL-KARIM MEMON J:- The petitioner has filed the instant Constitutional Petition under Article 199 of the Constitution of the Islamic Republic of Pakistan, 1973, seeking directions to the official respondents for improvement of the traffic system in Hyderabad, particularly restoration/installation of traffic signals, deployment of adequate traffic personnel, removal of encroachments and expansion of roads to ensure smooth flow of traffic and prevent road accidents.

2. Learned counsel for the petitioner submits that Hyderabad, being one of the largest and most populous cities of Sindh, is facing serious traffic problems owing to narrow roads, encroachments, inadequate traffic management and non-functional traffic signals at major intersections, including Hyder Chowk, SSP Office Chowk, Shahbaz Building Flyover Chowk, Giddu Chowk, Mehmood Garden Chowk, Qasim Chowk, Hala Naka Chowk and other busy points. It is contended that persistent traffic congestion causes inconvenience to the general public, particularly students, employees and patients requiring emergency medical assistance. Despite the petitioner's representations to the concerned authorities, no effective measures were taken, compelling him to approach this Court.

3. Respondent No.07, SSP Hyderabad, in its comments, submits that sufficient traffic personnel have been deployed at various locations and that the traffic congestion is primarily attributable to encroachments and narrow roads rather than non-availability of traffic signals. It is further stated that directions have been issued to the concerned Section Officers to deploy staff at busy points for maintaining smooth traffic flow. A request has accordingly been made for deletion of his name from the array of respondents, being a formal party.

4. Respondent No.03, DIGP Traffic, Licensing and Training Sindh, Karachi, has also sought deletion of his name, contending that he is not the competent authority to address the grievances raised in the petition, as the Traffic Police Hyderabad operates under the administrative control of the concerned DIGP/SSP/SP Traffic, whereas his functions primarily relate to driving licence branches.

5. In a subsequent statement, the concerned traffic authorities reiterated that adequate staff had been deployed at various traffic points and that traffic congestion was mainly caused by encroachments and narrow roads. It was further claimed that the roads had been redesigned and U-turns constructed wherever traffic signals were considered necessary.

6. Pursuant to the order dated 17.04.2024, the DIGP Traffic Hyderabad submitted a compliance report stating that, out of seven previously installed traffic signals at Hyder Chowk, SSP Office Chowk, Giddu Chowk, Mehmood Garden Chowk, Pakistan Chowk, Qasim Chowk and Kohinoor Chowk, only the signal at Pakistan Chowk was functional, while the remaining six were non-functional. Four additional locations, namely Mohammadi Chowk, beneath Shahbaz Flyover, Labaik Chowk Latifabad No.02 and beneath Hala Naka Flyover, were identified for installation of new traffic signals. It was further stated that the Deputy Commissioner Hyderabad had approached the Sindh Mass Transit Authority for installation/upgradation of signals at three locations.

7. The compliance report further highlights proposed improvements to five U-turns, enforcement measures against underage drivers and one-way traffic violations, and action through challans and fines. The DIGP also identified road encroachments as a major impediment to smooth traffic flow, falling within the administrative domain of the District Government. Other issues included non-availability of signboards, inadequate lighting on flyovers and non-functional tyre busters at various locations. The concerned departments had been approached for necessary remedial measures.

8. Finally, the DIGP Traffic Hyderabad requested that the Deputy Commissioner, Municipal Commissioner and other concerned departments be directed to coordinate with the Traffic Police for implementation of the proposed traffic plan, removal of encroachments, installation of traffic signals and provision of streetlights and other necessary facilities. It was also submitted that sincere efforts had been undertaken to improve traffic management and that any further directions issued by this Court would be complied with in letter and spirit.

9. We have heard learned counsel for the petitioner and examined the material available on record, including the comments and compliance report submitted by the concerned traffic authorities.

10. The grievance raised by the petitioner relates to a matter of considerable public importance, directly affecting the daily lives, safety and convenience of the citizens of Hyderabad. Smooth and regulated traffic flow is an essential public function, and the concerned authorities are under a legal obligation to ensure effective traffic management, enforcement of traffic laws, maintenance of traffic signals and removal of encroachments obstructing public roads. Such responsibilities cannot be avoided merely by attributing the problem to the jurisdiction of other departments.

11. The compliance report submitted by the DIGP Traffic Hyderabad itself reveals that, out of seven existing traffic signals, only one was functional, whereas the remaining six were lying non-functional for a considerable period. This disclosure substantially supports the grievance of the petitioner and reflects a lack of effective coordination amongst the concerned departments. Although certain steps have been claimed regarding deployment of traffic personnel, identification of locations for new signals, improvement of U-turns and enforcement against traffic violations, the report does not establish that the overall traffic-related problems of Hyderabad have been effectively addressed. Mere identification of deficiencies or correspondence with other departments cannot be treated as sufficient compliance unless tangible and verifiable remedial measures are undertaken.

12. It is equally important to observe that the problems of traffic congestion, encroachments, inadequate road infrastructure and non-functional traffic signals require coordinated efforts by the Traffic Police, Deputy Commissioner, Municipal Corporation and other relevant authorities. Each department is required to discharge its statutory and administrative responsibilities within its respective jurisdiction, rather than shifting the burden upon one another. At the same time, this Court cannot undertake the function of planning or designing the city's road infrastructure; however, it can certainly ensure that the competent authorities perform their lawful obligations and address matters affecting public safety and convenience.

13. In view of the foregoing, we dispose of this petition with the following directions:

i. The DIGP Traffic Hyderabad shall, in coordination with the Deputy Commissioner Hyderabad, Municipal Commissioner and other

concerned authorities, prepare a comprehensive and time-bound plan for improvement of the traffic system in Hyderabad.

ii. The concerned authorities shall undertake a joint inspection of the identified traffic intersections and ensure restoration of all existing non-functional traffic signals, wherever technically feasible, and installation of new signals at locations where required, after conducting a proper traffic assessment.

iii. The Deputy Commissioner and Municipal Commissioner Hyderabad shall take appropriate measures, in accordance with law, for removal of encroachments from public roads, footpaths and other areas obstructing the smooth flow of traffic.

iv. The DIGP Traffic Hyderabad shall ensure adequate deployment of trained traffic personnel at major intersections, particularly during peak hours, and take effective measures for enforcement of traffic rules, prevention of underage driving and regulation of one-way traffic.

v. The concerned municipal and other relevant authorities shall examine the issues relating to road infrastructure, signboards, streetlights on flyovers and non-functional tyre busters and take necessary remedial measures within their respective jurisdictions.

vi. A comprehensive compliance report, reflecting the steps actually taken and the progress achieved, shall be submitted before the learned Additional Registrar of this court, within three months from the date of receipt of this order.

14. Needless to observe that the directions issued herein are intended to secure effective coordination and performance of statutory obligations by the concerned authorities and shall not be construed as an expression of opinion on any matter falling within their technical or administrative domain. The authorities shall ensure that the exercise is undertaken in a meaningful manner rather than being confined to paper correspondence.

15. With the above observations and directions, the instant Constitutional Petition stands disposed of.

JUDGE

JUDGE

Sajjad Ali Jessar