HIGH COURT OF SINDH, CIRCUIT COURT, HYDERABAD

CP No. D- 519 of 2021
[Mst. Jameela v. Province of Sindh and others]

BEFORE:
Justice Adnan-ul-Karim Memon
Justice Muhammad Jaffar Raza

Petitioner(s) : Nemo for petitioner

Mr. Allah Bachayo Soomro, Addl. A.G.

Date of Hearing & Decision : 10.11.2026

O R D E R

ADNAN-UL-KARIM MEMON, J. - The petitioner, a social activist and President of the Ladies Wing of the Human Rights Commission for Peace and Justice Pakistan, has filed this Constitutional Petition under Article 199 of the Constitution, seeking directions for removal of stagnant wastewater and garbage from the main road leading from Fateh Chowk to Ghanghra Mori, Hyderabad.

2. The petitioner averred in her memo of petition that the road is the only major link connecting Hyderabad with surrounding rural areas, including Tando Jam, but remains inundated with sewage and garbage due to failure of the concerned authorities to maintain the drainage and sanitation system. Consequently, the road has been damaged, narrowed, and rendered difficult for public movement, causing serious inconvenience to residents, commuters and schoolchildren. It is alleged that despite availability of funds for sanitation and drainage schemes, the respondents have failed to discharge their statutory duties, adversely affecting public health and convenience. The petitioner, therefore, seeks directions for removal of wastewater and garbage and restoration of the road.

3. We have heard learned AAG and examined the available material.

4. The grievance raised in the instant petition concerns basic civic amenities, public health, sanitation and fundamental right to life guaranteed under Article 9 of the Constitution, which includes the right to live in a clean, safe and healthy environment.

5. The main road from Fateh Chowk to Ghanghra Mori is stated to be a vital public thoroughfare connecting Hyderabad with its adjoining rural areas, and its continued inundation with sewage and accumulation of garbage not only obstructs public movement but also poses serious risks to public health, particularly for women, children, school-going students and other commuters.

6. The failure to maintain an effective drainage and sanitation system, if allowed to continue, would amount to neglect of the statutory responsibilities of the concerned civic authorities.

7. Since the matter involves public interest and the protection of fundamental rights of the inhabitants at large, the competent authorities cannot remain indifferent to the situation or shift responsibility from one department to another.

8. Accordingly, this petition is disposed of with directions to the competent authority/concerned municipal administration/WASA/HAD and concerned TMAs to immediately remove stagnant wastewater and accumulated garbage from all streets and the aforesaid road, more particularly Wadho Wah Road, restore its proper drainage of Wah and ensure its regular cleaning and maintenance to prevent recurrence of the problem. The Deputy Commissioner, Hyderabad, shall coordinate with the concerned municipal authorities and ensure compliance with these directions. The exercise shall be completed within three weeks, and a compliance report shall be submitted to learned A.A.G., Sindh, for placement before this Court, if required.

Let a copy of this order be communicated to all concerned for compliance in time. The Additional Registrar shall ensure compliance and shall place reports before this Court for appropriate order.

JUDGE

JUDGE

Karar_Hussain/PS*