

Order Sheet

IN THE HIGH COURT OF SINDH AT KARACHI

C. P. No. D-3306 of 2025 a/w

C. P. Nos. D-3380, 3434, 3557, 3608, 3619 & 3620 of 2025

Date	Order with Signature of Judge
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Priority

1. For hearing of CMA No.14236/2025.
2. For hearing of main case.

28.10.2025

Mr. Muhammad Imran, Advocate for the petitioner in C.P. No.D-3306 of 2025.
Mr. Safeer Ali, Advocate for the petitioners in C.P. No.D-3434 of 2025.
Syed Muhammad Hassan Mirza, Advocate for the petitioners in
C.P. No.D-3608 of 2025.
Mr. Shahzad Mehmood, Advocate for the petitioner in C.P. No.D-3619 of 2025.
Mr. Khilji Bilal, Advocate for the petitioner in C.P. No.D-3620 of 2025.
Mr. Muhammad Hisham Mehar, AAG Sindh.
Mr. Dhani Bux Lashari, Advocate for SBCA.
Mr. Rafique Ahmed Bhanbhro, Advocate for SBCA.
Mr. Ashraf Ali Mirani, Law Officer, Culture, Tourism, Antiquities
and Achieves Department, Government of Sindh.
Engineer Irfan Ali, Secretary TCDB.
Engineer Arif Kassam, PEC.
Arch. Zia Jaffery, PCATP.
Mr. Tariq Jameel, Advocate for KDA.

Muhammad Iqbal Kalhoro; J: We have heard the counsel for the petitioners at some length. Petitioners' main objection is that without inspecting the buildings by the relevant Committee, they have been declared dangerous. However, this has been specifically rebutted by the committee members who are present and appear to be highly qualified in their respective fields. They further submit that the petitioners have an option to challenge their report declaring the buildings as dangerous by filing appeals under Section 16 of the Sindh Building Control Ordinance, 1979 (SBCO, 1979). In the process of hearing the appeal, an independent Structural Engineer with consent of the parties alongwith an Architect would be appointed to carry out the third inspection as already two inspections have been carried out to determine whether the buildings have been rightly declared as dangerous or not.

2. Since under Section 16 of SBCO, 1979, a timeframe of thirty days is provided for filing the appeal against the orders which is already lapsed, we convert these petitions

into appeals under Section 16 of SBCO, 1979, and refer the matters to the appellate authority viz. Appellate Committee under the chairmanship of Director General SBCA under Section 16 of SBCO, 1979, to decide the same on merits. The appellate authority / Appellate Committee is directed to carry out the third inspection as requested by the petitioners under the supervision of an independent Architect and Structural Engineer to be appointed with the consent of the parties and conclude the proceedings not later than two months from today, in any case.

The office is directed to convey the memos of petitions to the appellate authority / Appellate Committee after keeping the photostat copies thereof on record. Petitions are accordingly disposed of alongwith pending applications. Office is directed to place a copy of this order in all connected petitions listed above.

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