

ORDER SHEET
**HIGH COURT OF SINDH CIRCUIT COURT,
HYDERABAD**
C.P No.D-1269 of 2017

DATE	ORDER WITH SIGNATURE OF JUDGE
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1. For hearing of M.A No.3250/2023 <u>28.10.2025</u>	Petitioner No.1 Muhammad Ahsan is present in person Mr. Muhammad Jamil, advocate for respondent No.10 Mr. Rafique Ahmed Dahri, Assistant A.G Sindh ***
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This petition was disposed of in terms of judgment dated 15.12.2022, whereby private respondents were directed to move fresh application to the concerned authorities for conversion of properties from residential to commercial after taking approvals as well permissions from various government agencies/departments for decision within three months by the concerned department in accordance with law and in the meantime construction was restrained.

Petitioner No.1 present in person submits that directions contained in the above judgment have not been complied with rather have been violated, as such he has filed the listed application under Section 151 CPC. He further submits that initially the private respondents were permitted to raise ground plus two storey building, however, they have raised ground plus four story building, which per him, is defiance of the Court's order. Learned counsel for the private respondent submits that their application was already pending with the Department and after approval in accordance with law revised plan was issued to them.

It appears that direction contained in judgment dated 15.12.2022 were only to the extent of filing of application by the private respondent(s) for decision in accordance with law by the authorities concerned, that have been apparently complied with, as no further action is required in this matter. However, the petitioner, if so aggrieved against the fresh decision, is at liberty to move application before the SBCA and H.D.A/respondents No.2 to 4 for decision in accordance with law after visiting the site and hearing the parties concerned within three months from the date of filing application by the petitioner.

Listed application stands disposed of accordingly. Let a copy of this Order be sent by fax to respondents No.2 to 4 for information and compliance.

JUDGE

JUDGE