

ORDER SHEET
IN THE HIGH COURT OF SINDH, KARACHI

Constitutional Petition No. D-7007 of 2021
(Gulzar Ahmed versus Province of Sindh & others)

Date	Order with signature of Judge
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Mr. Justice Adnan-ul-Karim Memon
Mr. Justice Abdul Mobeen Lakho

1. For order on CMA No.1020/2026 (Urgency)
2. For hearing of Misc. No.15953/2022 (Contempt)
3. For order on Misc. No.8044/2022 (U/O I R.10)
4. For hearing of Misc. No.30535/2021 (Stay)
5. For hearing of main case

Date of hearing and order: 21.1.2026

Mr. Muhammad Tarique advocate for the petitioner
Mr. Shariq Mubashir, Assistant AG
Mr. Dhani Bux Lashari advocate for the SBCA
Mr. K.A. Wahab advocate for respondent No.4

Adnan-ul-Karim Memon, J. At the outset, learned counsel for the petitioner contends that Respondent No.4 is constructing a high-rise building on Plot No.978, Old Survey No.188/1-B, "A" Road, Street No.19, Bihar Colony, Lyari, Karachi, in violation of the approved building plan and Sindh Building Control Ordinance, 1979. Despite a complaint to Respondent No.2, no action has been taken, prompting this petition.

2. Learned counsel for Respondent No.4 appeared, stating that he is neither owner nor occupier of the property and requested deletion from the array of respondents.

3. Comments from the Sindh Building Control Authority (SBCA) confirm illegal construction of Ground + 5 floors on the residential plot without approval. The field staff observed that the ground-floor shutters are used for motorcycle parking, not for commercial purposes. The SBCA issued ejectment notices and utility disconnection letters on 16.01.2025 and notified the Sub-Registrar to stop registration/cancel sub-leases. An excerpt of the report is reproduced as under: -

"1. That it is case of illegal construction on residential plot No.978, Old Survey No.188/1-B, "A" Road, Street No.19, Bihar Colony, Lyari, District South, Karachi, without approval of building plan.

2. That the owner/occupant has raised illegal a construction of Ground (having shutters) + 5 Upper Floors residential building, which has been occupied since long.

3. That the field staff of the Authority has inspected the site and observed that the shutters installed on Ground Floor accumulates motorcycles having been parked in side and no shop or any saleable material has been placed the premises.

4. That the authority has issued ejectment notices dated 16-01-2025 to all occupants for vacating the building so that same may be demolished.

5. That the authority has sent disconnection letters dated 16-01-2025 to all Utility agencies for disconnection of their services from the illegal premises.

6. That the authority has sent a letter dated 16-01-2025 to Sub-Registrar, District Central for not registering / cancellation of sub-leases.”

4. The petition is disposed of along with pending applications, directing the Director General SBCA to inspect the site and take immediate action if illegal construction is found. All concerned agencies shall cooperate with SBCA for implementation.

JUDGE

JUDGE