

ORDER SHEET
IN THE HIGH COURT OF SINDH, KARACHI

Constitutional Petition No. D – 5886 of 2026
(Mr. Zafar Iqbal & others versus Province of Sindh & others)

Date	Order with signature of Judge
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Before:
Mr. Justice Adnan-ul-Karim Memon
Mr. Justice Muhammad Jaffer Raza

Date of hearing and order: 21.09.2026

Mr. Muhammad Sajjad Abbasi, Advocate for the Petitioners.
Mr. Kashif Khan Tanoli, Advocate for Respondent No.2.
M/s. Syed Manzoor Ali and Sadaf, Special Prosecutor NAB.
M/s. Dhani Bux Lashari, Ghulam Akbar Lashari, Rehana and Kazi Amanullah,
Advocates for SBCA.
Mr. Zohaib Zulfiqar Sarki, A.A.G.

ORDER

Adnan-ul-Karim Memon, J. Petitioners have filed this Constitutional Petition under Article 199 of the Constitution of the Islamic Republic of Pakistan, 1973, seeking the following relief: -

- i. To Direct the Respondents Nos 5 to 8 to take necessary action against the Respondents Nos. 3 and 4 on their complaints dated 28.4.2025.*
- ii. To Direct the Respondent No.3 to hand over the possessions of the Plots allocated to them as mentioned in Para 2.*
- iii. That the Petitioners are aggrieved by the act of the Respondent No.3 regarding the Allotment of Plots through Respondent No.5 wherein the Petitioners booked and Respondent No.3 allocated the Plots after the adoption of the legal process. Now, the Respondent No. 3 is reluctant to hand over the possession of the Plots without any legal justification.*
- iv. That under the Constitution of the Islamic Republic of Pakistan 1973. the Petitioners have an inviolable right to be dealt with in accordance with law and Constitution, and every apprehended violation and or violation of any of their rights had sufficient ground for filing and maintaining a Petition before this Honourable Court, which lends support from innumerable judgments pronounced by the Honourable Superior Courts.*
- v. That this Honourable Court has ample jurisdiction and authority to judicially review and check the excesses which are being committed or are about to be committed by Public and state functionaries and authorities to create third-party interest.*

2. The case of the petitioners is that they are allottees of residential plots in a housing project, namely "Palm Dreams", launched by Respondent No. 3 through Respondent No. 4 and marketed through Respondent No. 5/ Zameen.com. After

completing the requisite formalities, the petitioners booked their respective plots on instalments and were issued allotment/confirmation letters, and payment schedules. Most of them claim to have paid the entire sale consideration and other charges, yet despite repeated requests, Respondent No.3 and 4 neither handed over possession nor proceeded with development of the project in accordance with the approved plan and agreed terms. The petitioners consequently approached the concerned authorities through complaints dated 28.04.2025 seeking action against the private respondents and invoked the constitutional jurisdiction of this Court for directions to the official respondents to proceed in accordance with law and to Respondent No.3 to hand over possession of the allotted plots.

3. Learned counsel for Respondent No.2 while rebutting the petitioners' contentions, submitted that the dispute essentially pertains to the allotment, possession and alleged contractual obligations concerning private housing project "Palm Dreams", for which no liability could be fastened upon Respondent No.2. He contended that the petitioners had already approached the concerned authorities. It was therefore argued that no further direction is warranted against Respondent No.2 in the constitutional jurisdiction of this Court. He accordingly prayed for dismissal of the petition.

4. Learned Special Prosecutor, NAB, submitted that the complaints of the petitioners had been received, converted into an enquiry, and notices had been issued to all concerned.

5. In view thereof, learned counsel for the petitioners submitted that the purpose of filing the petition had been served and requested its disposal in terms of the statement made by the learned Special Prosecutor, NAB.

6. Accordingly, without touching the merits of the case, the petition is disposed of in the above terms.

JUDGE

JUDGE