

ORDER SHEET
IN THE HIGH COURT OF SINDH AT KARACHI

CP NO.D-1126/2020, 968 & 1059 OF 2024

Date

Order with signature of Judge

18.03.2024

Mr. Ghulam Hussain advocate for petitioner in CP No.D-1126/2020.

Dr. Shahab Alam advocate for petitioner in CP No.D-1059/2024.

Mr. Naseer Nihal Hashmi advocate for petitioner in CP No.D-968/2024.

M/s. Dhani Bukhsh Lashari, Ghulam Akbar Lashari, Anwar Ali Shah and Ubaidullah advocates for SBCA.

Mr. Jawwad Dero, Assistant Advocate General Sindh.

Mr. Nadeem A. Qureshi, Law Officer, Law Department, Government of Sindh.

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Mr. Dhani Bukhsh Lashari, learned counsel for SBCA files statement alongwith Notification dated 03.05.2021 with regard establishment of special courts, taken on record. Besides, it has come on record that yet Rules are not framed as provided by section 21 of the Sindh Building Control Authority Ordinance 1979. Accordingly, Secretary, Local Government, Government of Sindh, shall ensure framing of Rule and approval thereof by Cabinet thorough Law Department, Government of Sindh, within a period of three months.

2. Learned counsel for petitioner contends that petitioner apprehends that owner/builder will again raise illegal construction and ultimately occupants of that building will suffer irreparable loss. Learned counsel for SBCA seeks time to verify the title of in question buildings and submit report with regard to ownership. Officers of SBCA shall issue show cause notice to the owner/builder who erected in question building which was partially demolished by the SBCA.

3. Learned counsel for SBCA and learned Assistant Advocate General Sindh seeks time to file comments in CP Nos.D-968 and 1059 of 2024. Meanwhile officers of SBCA shall ensure that no construction will be carried out on subject matter properties except in accordance with the approved building plan; concerned Deputy Directors and Area Inspectors, SBCA, shall visit the sites and submit report in both these cases. To come up on 25.04.2024 at 11.00 a.m.

Office to place copy of this order in connected petitions.

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