

ORDER SHEET  
IN THE HIGH COURT OF SINDH AT KARACHI

CP D 361 of 2025  
CP D 2817 of 2023  
CP D 119 of 2024  
CP D 290 of 2025

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Date	Order with signature of Judge(s)
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1. For hearing of CMA No.1829/2025.
2. For hearing of main case.

**27.02.2025**

**For the Petitioners**

Mr. Muhammad Umer Lakhani advocate holds brief for Mr. Muhammad Ali Lakhani, advocate for the petitioners in CP D 361 of 2025, CP D 2817 of 2023 and for the respondents 5, 6 & 7 in CP D 119 of 2024 and in CP D 290 of 2025.

Mr. Arshad M. Tayebaly, advocate and Mr. Talha Javed, advocate for the petitioners in CP D 119 of 2024 and in CP D 290 of 2025.

Ms. Maria Khan, advocate for the applicant intervener in CP D 290 of 2025.

Syed Danish Ghazi, advocate for the applicant intervener in CP D 290 of 2025.

**For the Respondents**

Mr. Azhar Mehmood, advocate for respondent No.5  
Mr. Muhammad Khurram Ghayas, advocate for respondent  
Messrs. Nadir Hussain Abro and Dhani Bakhsh Lashari, advocates for the respondent/SBCA.

Mr. Khursheed Javed, advocate for respondent  
Mr. Sandeep Malani, Assistant Advocate General Sindh.

Mr. Muhammad Ishaque Khuhro, DG SBCA  
Mr. Altaf Gohar, DG, KDA  
Mr. Rasheed Solangi, Ex-DG KDA

Mr. Naeem Ahmed Mughal, D.G. Sindh Environmental Protection Agency.

Mr. M. Imran Sabir, Director, Natural Resources, Sindh Environmental Protection Agency.

Mr. Abdullah Magsi, Director Lab, Sindh Environmental Protection Agency.

Dr. Habib ur Rehman Solangi, Deputy Director (Law), Sindh Environmental Protection Agency.

P.I. Qasim of PS New Town

Respective site reports are being filed in each of these four petitions are taken on record. Para-wise comments filed on behalf of respondent No.2 in CP D 290 of 2025, also taken on record. Counter affidavit filed on behalf of DG SBCA Mr. Muhammad Ishaque Khuhro, taken on record. He is also present in court. The contempt notice/s and warrant/s is discharged. The warrant issued against Mr. Rasheed Solangi, Ex-DG KDA, present in court, is also discharged.

Mr. Muhammad Ishaque Khuhro, DG SBCA, Mr. Altaf Gohar, DG, KDA and Mr. Rasheed Solangi, Ex-DG KDA, are present and state that their respective departments are initiating comprehensive proceedings to address illegal utilization of residential premises within their domains and these proceedings will include immediate issuance of notices to anybody found in violation of law and commensurate proceedings shall follow thereafter. They submit that recourse to media is also being sought to encourage citizens to submit complaints about such illegal activities directly to the concerned authority. Reports in respect hereof, detailing the progress of the respective department as aforesaid, shall be submitted on or before the next date; with advance copy to the petitioners' learned counsel. The respective officers are directed to be present in court to assist on the next date.

Mr. Arshad M. Tayebaly stated that a list of twenty eight (28) instances of illegal commercial operations upon residential property have been provided to the SBCA / KDA, however, no action has been taken in such regard. The DG SBCA / KDA assured the Court that immediate action in such regard is in the process and the progress shall also be part of the aforementioned reports.

The DG SBCA stated that *ad interim* orders have been obtained in CP D 2817 of 2023, *prima facie* restraining the official respondents from complying with the law. It is also suggested that the plea offends section 56 of the Specific Relief Act. Be that as it may, despite such orders being in operation, brief is being held on behalf of learned counsel for the petitioner and adjournment being sought. It is also noted that the said learned counsel was also absent on the last date. Interim orders passed earlier in the said petition are recalled and CMA No.13536 of 2023, is dismissed for non-prosecution.

To come up on 20.03.2025. Interim orders passed earlier, *where subsisting*, to continue till the next date. Office is instructed to place copy hereof in each connected file.

Judge

Judge

Amjad