

**ORDER SHEET
IN THE HIGH COURT OF SINDH AT KARACHI
CP No. D-952 of 2023**

(Nasir Zahoor v. Karachi Development Authority & Others)

DATE: **ORDER WITH SIGNATURE(S) OF JUDGE(S)**

1. For Hearing of CMA No. 4388 / 2023 (Stay App)
2. For Hearing of Main Case

19-3-2025

Mr. Zayyad Khan Abbasi, Advocate for Petitioner
Mr. Khursheed Javed, Advocate for KDA
Ms. Humaira, Advocate for SBCA
Mr. Kafeel Ahmed Abbasi, Additional AG

The Petitioner has assailed a notice dated 24.1.2023 (**Court File Pg. 73, Annex P-4**) issued by the Karachi Development Authority ("**KDA**"). The notice pertains to the alleged misuse of a residential property in Gulistan-e-Jauhar, Karachi, owned by the Petitioner who is operating it as a marriage hall. The impugned notice, issued to implement the Supreme Court's orders, cites and refers to its specific directives dated 22.1.2019, as mentioned in the referenced cases.

Upon being questioned, the learned Counsel for Petitioner acknowledged that the subject plot was indeed residential but argued that on 23.2.2018, the Petitioner had applied (**Court File Pg. 71**) under a policy introduced by the Sindh Building Control Authority ("**SBCA**") in 2017 to regularize illegally constructed marriage halls in the city and/or allow land use conversion and had paid the requisite fee/charges (**Court File Pg. 79**) for the same.

As the impugned notice has been issued in compliance with the Supreme Court's directives – issued subsequent to any alleged policy – which orders remain in effect to date and are binding on the official Respondents, including the KDA and SBCA, the Petitioner cannot evade compliance. Since the KDA's actions are in accordance with its legal obligations, we find no legal infirmity warranting judicial intervention.

Under these circumstances, the instant petition is **dismissed** along with the pending application, while leaving the Petitioner at liberty to pursue legal proceedings for the recovery of the fee/charges, if paid, in accordance with the law.

JUDGE

JUDGE