

Order sheet  
**IN THE HIGH COURT OF SINDH, AT KARACHI**

**C.P No.D-1450 of 2023**  
(Rizwan Ahmed Qureshi Vs. Muhammad Qasim & others)

**Directions**

1. For order on CMA No.7985/2025 (u/s 94)
2. For order on CMA No.7263/2025 (Contempt)
3. For hg. of CMA No.6248/2025 (Recalling)

**Date of hearing**

**& order : 19.05.2025**

Mr. Muhammad Hamid Yousufi, advocate for petitioner  
Mr. Khursheed Ahmed, advocate for KDA  
Mr. Muhammad Arshad Tariq, advocate for applicant/intervener  
Mr. Muhammad Jamshed, advocate  
Ms. Saima Imdadad, AAG

**ORDER**

**MUHAMMAD IQBAL KALHORO, J:-** Petitioner has filed this petition *pro bono publico* seeking directions to respondent No.1 (Director Land KDA) not to auction the general public park situated in T-Area Sector-41/B Korangi No.2 ½ Karachi and declare a notice as *null and void*. With the petition, neither the notice is attached, nor any layout plan of the area showing that there is a general public park as alleged.

2. The petition was dismissed on account of non-prosecution on 17.02.2025, however, thereafter, listed application (CMA No.6248/2025) was filed for restoration of the petition. On this application, we directed Director General, KDA to hold an inquiry and submit as to whether any encroachment on government land has been made by petitioner or not, and whether any illegal construction has been done in the said park.

3. Today, counsel for KDA has submitted a report along with the an attested copy of layout plan, which shows that there is no general public park in the area. It is further revealed as under:

*“The petitioner is belonging with portions mafia and illegally constructed the quarters in shape of portions without adopting the planning point of view and also committed violations of Building and Towns Planning Regulations, 2002. The Building control department also issued notice to the petitioner vide No. SBCA / DD / District Korangi / UA / 2024/475 Dated 10-09-2024, Further, The SBCA fixed the schedule for removal of illegal construction vide No. vide No. SBCA/DD/District Korangi/2025/92 Dated 25-04-2025.*

*It is further submitted that the petitioner and others with the coordination of the District Municipal Corporation constructed the boundary upon 100 feet wide Road and misused the funds of Municipal Corporation and under the umbrella of Park constructed the MPA Office and extended the Katchi Abadi upon 100 feet wide road in the name and style of Gulshan-e-Baba Ghazi which is in question.*

*The KDA removed the encroachment upon 100 feet wide road the space available along with 100 feet wide road created the commercial plots each measuring 64 Sq., Yds., vide Part Plan No. K-1087 Dated 20-01-2023.”*

4. In order to rebut the same, learned counsel for petitioner has tried to bring on record a copy of the layout plan to show that there exists a general public park. However, this is neither attested, nor its source is disclosed. Therefore, the said document cannot be relied upon. After a detailed inquiry, report of which has been filed by the KDA, it is transparent that this is a frivolous petition and has been filed only to mislead the Court and perpetuate illegal possession of government land by the petitioner and waste precious time of the Court, which otherwise, belong to the general public. We, therefore, dismiss this application (CMA No.6248/2025) along with petition with the cost of Rs.200,000/-, which shall be paid by the petitioner to the High Court Judge's Library within one month. In case, the cost is not paid within one month, the matter shall be posted in Court for further orders.

Listed applications are disposed of in above terms.

JUDGE

JUDGE

Rafiq/PA.