

**ORDER SHEET
IN THE HIGH COURT OF SINDH KARACHI**

Constitution Petition No.D-1377 of 2025
along with C.Ps. No.D-1398, D-1403, D-1529, D-1538, D-1554 and D-1807 of 2025

DATE	ORDER WITH SIGNATURE OF JUDGES
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Priority

1. For orders on office objection.
2. For hearing of main case

15.05.2025

M/s. Arshad Tayebaly and Talha Javed, Advocates for Petitioners [C.P. No.D-1377 of 2025]

Mr. Muhammad Vawda, Advocate for Petitioners [C.Ps.No.D-1398 & D-1529 of 2025]

Mr. Khurram Lakhani, Advocate for Petitioners [C.P. No.D-1403 of 2025]

Mr. Zahid F. Ebrahim, Advocate for Petitioners [C.P. No.D-1538 of 2025]

Mr. Ghulam Mohiuddin, Advocate for Petitioners [C.P. No.D-1554 of 2025]

Ms. Rizwana Ismail, Advocate for Petitioners [C.P. No.D-1807 of 2025]

Mr. Ayan M. Memon and Syed Ali Ahmed Zaidi, Advocates for Interveners.

Ms. Nazia Hanjrah, Advocate for Petitioner in CP No. D- 1538 of 2025.

Mr. Jawad A. Dero, Advocate General, Sindh along with M/s. Naeem Talpur, Sibtain Mehmood, A.A.G., Sindh

M/s. Ghulam Shabir Shah, Hamza Ali Chaudhary, Mukesh Kumar Talreja, Sartaj Malangi, Akbar Ali Lashari and Dhani Bux Lashari, Advocates for Respondents/ SBCA

Mr. Mubarak Ali Shah, Advocate for Respondents/ KDA

M/s. Barrister Sheeraz Shaukat Rajpar, Khurram Ghayas and Raheela, Advocates for Respondents/ Sindh Master Plan Authority.

Mr. Niaz Ahmed Channa, Advocate for Respondents.

Mr. S. Hasan Mujtaba Abidi, Advocate for Respondents/ KMC

Though this is a partly heard matter; but today Mr. Ghulam Shabbir Shah, learned Counsel for SBCA has filed a statement along with copy of Notification dated 13.05.2025; whereby, the impugned Notification dated 13.03.2025 stands

repealed. In view of such position, these petitions have served their purpose; however, Mr. Arshad Tayebally, Advocate appearing in one of the petitions submits that in the interregnum i.e. from the date of issuance of the impugned Notification and its repeal, the said notification may have been acted upon in favor of occupants / owners of the properties, and therefore, prayer (ii)¹ in this petition merits consideration. To that we may observe that primarily the relief was in respect of the validity of the impugned notification, and the other prayers were secondary, whereas in these petitions there is no specific challenge to any such act done pursuant to the impugned notification; hence, the disposal of these petitions does not preclude or bar the Petitioners from maintaining a petition impugning any such action(s) of the Respondents independently.

In view of such position, all these petitions are disposed of with pending applications. Office to place copy of this order in the connected cases.

ACTING CHIEF JUSTICE

JUDGE

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¹ Declare that any actions done/ taken or approvals. NOC's/permissions/ regularization issued/ granted on the basis of / in pursuance of the Impugned Amendment issued through Notification No. SBICA/PS to DG/2025/18 dated 13.03.2025 are void, without lawful authority and of no legal effect;