

ORDER SHEET
IN THE HIGH COURT OF SINDH, KARACHI

Constitutional Petition No. D-4536 of 2026
(Muhammad Noman Karim versus Province of Sindh & others)

Date	Order with signature of Judge
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Before:

Mr. Justice Adnan-ul-Karim Memon

Mr. Justice Muhammad Jaffer Raza

Date of hearing and order: 07.9.2026

Mr. Muhammad Hamza advocate for the petitioner

ORDER

Adnan-ul-Karim Memon, J. Petitioner Muhammad Noman Karim has filed this Constitutional Petition under Article 199 of the Constitution of the Islamic Republic of Pakistan, 1973, seeking following relief: -

- 1. To direct the official respondents to remove the illegal and unauthorized encroachment/illegal construction from plot No.248, situated at Block-1, Gulshan-e-Iqbal, Scheme-24, Karachi admeasuring 280 square yards and to submit compliance report before this Court.*
- 2. To issue directions to the respondent No.5 to produce layout plan of total ground plus two and penthouse of plot No.248, situated at Block-1, Gulshan-e-Iqbal, Scheme-24, Karachi admeasuring 280 square yards.*
- 3. To direct the official respondent and private respondent to act as per law. Private respondent may be restrained not to raise the illegal construction over the above plot till the decision of the instant petition.*
- 4. To grant any other relief which this Court may deem fit and proper under the circumstances of the case, though not prayed for herein specifically but the petitioner is found entitled thereto.*
- 5. Ad-interim relief to this effect is strongly solicited in view of facts of the case mentioned above.*

2. Learned counsel submits that respondent No.5/builder Najam Qureshi, acting in collusion with his associates and other persons has unlawfully commenced and/or is continuing the construction of a marriage hall/banquet facility upon the subject plot. The said plot is, under the sanctioned Master Plan, approved layout plan, and applicable land-use classification, designated exclusively for residential purposes, where only residential dwelling units are permissible; that establishment and operation of a marriage hall, banquet facility, or any other commercial enterprise on the said plot is wholly impermissible and constitutes a clear violation of the applicable building control laws, zoning regulations, land-use restrictions, and municipal by-laws governing planning, development, and construction. Counsel further submits that the aforesaid persons, without any lawful authority, valid approval, or sanction from the competent authorities, have illegally converted and are attempting to utilize the subject residential property for commercial purposes under the guise of constructing a marriage hall/banquet. Such unauthorized conversion and construction are being carried out in flagrant disregard of the statutory provisions governing land use and building control and are, therefore, patently illegal, void ab initio, and liable to be

restrained by this Court. The impugned acts not only undermine the rule of law but also adversely affect the rights of the petitioner and other law-abiding residents of the locality, who are entitled to enjoy a peaceful residential environment in accordance with the approved planning scheme.

3. If this is the position of the case, this matter is remitted to the Director General, Sindh Building Control Authority (SBCA) under the Smart Complaint Redressal Mechanism (SCRM), who shall decide the same within a period of two months by passing a speaking order.

Petition stands disposed of in the above terms alongwith listed / pending applications.

A copy of this order be sent to the Director General, SBCA, for compliance in time.

JUDGE

JUDGE

Zahid/*

