

IN THE SUPREME COURT OF PAKISTAN

(Appellate Jurisdiction)

PRESENT:

MR. JUSTICE GULZAR AHMED, CJ
 MR. JUSTICE IJAZ UL AHSAN
 MR. JUSTICE QAZI MUHAMMAD AMIN AHMED

Civil Appeal No.16-K of 2014
And
CMA Nos.347-K, 349-K & 445-K of 2015

Sharee Ratheshwar Maha Dev

Appellants

Versus

Province of Sindh & others

Respondent(s)

In attendance: Mr. Neel Keshav, ASC
 Ms. Kalpana Devi, Addl.AG Sindh
 Abdul Raheem Soomro, Secy C&H
 Ms. Abida Parveen Channar, AOR/ASC
 Mr. Faisal Siddiqui, ASC
 Dr. Rana Khan, ASC/AOR
 M. Iqbal Memon, Commissioner Karachi

Date of Hearing: 29.10.2021

ORDER

We have extensively heard the matter regarding Hindu Gymkhana and the auditorium building in the open land of the Hindu Gymkhana. At the outset, we have noted that besides the auditorium two marquees have been established behind the very Hindu Gymkhana building and it is stated that the said marquees are being used for office and class room purposes. The proximity of marquees and the office is so dangerous to the Hindu Gymkhana building that neither the Hindu Gymkhana building can be used conveniently and at the same time



the back portion is completely blocked and not viewable.

These two additional structures on the land of Hindu Gymkhana need to be removed and it is so ordered. The removal of these two structures will be done positively within a period of two months from today as requested by Mr. Faisal Siddiqui, learned ASC.

2. As regards the main structure of Hindu Gymkhana, the Secretary Heritage and Culture Department, Government of Sindh, present in Court states that he has found an alternate space for its relocation in the Jinnah Cultural Complex in North Karachi. Mr. Siddiqui states that he and his client are not aware of such cultural complex and before any decision is made, they would wish to go and visit the same. In any case, we note that the type of cultural activity which is being conducted by the clients of Mr. Faisal Siddiqui needs to be located at a prime location in the city where it should be accessible to everyone and also at the same time it may have enough space for building of a world class auditorium and its related facilities. In principle, we consider that a land of about two acres should be made available to the clients of Mr. Faisal Siddiqui for the purpose of holding their activities. The Commissioner, Karachi is present in Court. He has been asked to look for a site and come up with a proposal on the next date of hearing.

3. We have also noticed that in the picture of Hindu Gymkhana which is available at page 90 of CMA No.19-K of 2019, there is a window on the ground floor which is made of aluminium. Looking at the windows at the first floor, which are wooden, we surely feel that the windows on the ground floor must also be wooden. We therefore direct that wooden windows as original one be installed in the ground floor portion of the premises. Let the original character of the window and doors be restored. The Secretary, Heritage & Culture Department, Government of Sindh shall ensure taking of such action after consulting the experts and also by obtaining old pictures of the Hindu Gymkhana. To come up in the next session.

Chief Justice
Judge
Judge

KARACHI, THE

29th October, 2021

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NOT APPROVED FOR REPORTING