



DECISION

Complaint No. : POS/2860/2024/F-170

Name and address of the complainant : Mr. Zeeshan Mustafa Memon, R/o Flat No. 913, Ashiyana Apartment, Block-09, Clifton, Karachi.

Name of the Agency Complained against : Sindh Building Control Authority (SBCA)

Name & Designation of Investigating Officer : Syed Ali Mumtaz Zaidi, (PAS), Advisor-F

Vetted by : --

Subject : **REQUEST FOR ACTION AGAINST THE BUILDER OF THE PROJECT "THE COURT TWIN TOWERS" FOR ALLEGED UNJUST CHARGING OF EXTRA AMOUNT AND NON-ISSUANCE OF ALLOTMENT ORDER AND NOC AGAINST FULL PAYMENT MADE BY THE COMPLAINANT.**

THE COMPLAINT:

Mr. Zeeshan Mustafa Memon, an overseas Pakistani working as an auditor with Pricewaterhouse Coopers (PwC) in Saudi Arabia, in his online complaint dated 30.05.2024 stated that he booked an Apartment No. B-501-B in Court Twin Towers (Plot No. 10, Callachi Cooperative Housing Society, Gulshan-e-Iqbal, Karachi) in December 2019 by paying certain amount to the builder M/s H&K Properties Pvt. Ltd. Despite completing all payments through cross cheques between December 2019 and April 2024, he has not been handed over possession of the apartment which was promised to be given by August 2023. He further mentioned that some additional amount was paid by his family under pressure when the builder threatened to cancel the allotment. The Complainant raised concerns that the builder overcharged him beyond the approved price of SBCA vide NOC dated 03.06.2019. Additionally, he was further asked through a letter dated 11.12.2023 to pay Rs.5.2 million as "development charges" for items such as grills, gates, and ancillary fittings which were neither part of the original agreement nor approved by SBCA. Despite repeated requests, no detailed breakdown of these additional charges was provided. He, therefore, solicited intervention of this Institution.

PROCEEDINGS:

2. The complaint was admitted under Section 10 of the Establishment of the Office of Ombudsman for the Province of Sindh Act, 1991 (amended up to date) subject to submission of original signed complaint along-with copies of relevant documents, copy of CNIC and Affidavit on Form-A which the complainant subsequently submitted.

3. Hearings were held on 11.09.2024, 11.11.2024, 03.12.2024, 15.01.2025, 20.02.2025 and finally on 19.06.2025 attended by the Complainant Mr. Zeeshan Mustafa Memon and the Respondents including Assistant Director, Public Sales Advertisement and Complaint (PSA&C), SBCA and Representatives of the Builder M/s. H&K Properties (Pvt) Ltd. designated as the Chief Financial Officer and the Manager Land Management.

4. The Representative of the Builder stated that the conditions of SBCA's NOC are not applicable once property is sold. The complainant has purchased the flat in question as a resell on market price. The complainant of his own will and consent purchased the flat No.B-501-B (Tower B) in Court Twin Towers at the agreed amount mentioned in booking contract (copy produced).

5. The complainant did not agree with statement of Respondent that it was a re-sale of property at market price. He agreed to pay utilities charges as per agreement. The Representatives of the Builder stated that cut-off date for the payment of utility charges for the buyers of apartments ended in June- 2024, but as a good will gesture such payments will be allowed in relaxation of cut-off date and they may accept such payments during current year on this specific case.

6. Respondents further stated that their above commitments are conditional to the payment of dues by the complainant within 60 days of this statement. Respondents/Representatives of the Builder also submitted their reply in writing which is taken on record.

FINDINGS:

7. Following benefits were given to the complainant after intervention of this Institution:

- i) Cancellation of allotment of flat to the complainant was withdrawn by the Builder;
- ii) Relaxation for complainant in the cut-off date for payment of utilities charges was also agreed by the Builder;
- iii) Concession of Rs.4 Lacs in Utility Charges was given to the complainant.

DECISION:

8. In view of the above, the complaint stands disposed of as redressed.

Given under my hand and seal of office



Sd/-
(MUHAMMAD SOHAIL RAJPUT)
Sitara-e-Imtiaz. PAS
Ombudsman Sindh

Karachi, dated ____ August, 2025