



DECISION

Complaint No. : POS/1323/KE/95/2023

Name and Address of the Complainant : Syed Mujahid Aftab Gillani, House No. A-31, Zehra Nagar, Scheme-33, Sector-38/A, University Road, Karachi.

Name of the Agency Complained against : DMC East / Revenue / Police

Name & Designation of Investigation Officer : Syed Farrukh Habib
Director, Regional Office, Karachi (East)

Subject :-

ALLEGED INACTION ON THE COMPLAINT REGARDING CLOSURE OF STREET / LINK ROAD BY ERECTING WALL AND PARKING OF VEHICLES IN FRONT OF SHOPS OF THE COMPLAINANT BY THE RESIDENTS OF GHAZI ARCADE WHO ALSO MALTREATED HIM THROUGH POLICE.

THE COMPLAINT

Syed Mujahid Aftab Gillani, in his complaint dated 16.02.2023, stated that some residents of Ghazi Arcade, Scheme 33, Sector 38/A, Karachi, have illegally closed a 20-foot Public/Commercial street between Ghazi Arcade and Al-Aska Residency Supermarket by raising a wall. This street is connected to the 150-foot wide road and has now been turned into a parking area. As a result, the shopkeepers of the building are facing difficulties and suffering significant financial loss in their business. The complainant alleged that despite having lodged complaints with the concerned police station, DSP, Deputy Commissioner, and Anti-Encroachment authorities, no action has been taken. On the contrary, the encroachers are threatening him of physical harm and causing him a great deal of distress. Furthermore, the police is also harassing him in collaboration with these individuals. He, therefore, solicited our intervention in the matter.

PROCEEDINGS

2. After admission of complaint by condoning delay under Section 10 of the Establishment of the Office of Ombudsman for the Province of Sindh Act, 1991, (amended up to date), as well as receiving mandatory Affidavit on Form "A" and other relevant documents, report was called from the Agency. In response, the Station House Officer, Police Station Sachal, vide letter dated 12.05.2023 reported that statements of complainant and Mr. Javed Ahmed, President of Union of Ghazi Arcade were recorded. He reported that due to construction of wall, the business of the shopkeepers is badly affected the issue may be taken up with the Deputy Commissioner and Anti-Encroachment Police.

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3. The Deputy Director, Shceme-33, SBCA vide letter dated 30.08.2023 reported that any type of construction beyond the plot limit falls under the jurisdiction of Anti-Encroachment Cell.

4. In order to expedite the matter the investigating officer heard the case on different dates and sensitized the Mukhtiarkar Revenue, Gulzar-e-Hijri, Scheme-33, for removal of illegal wall and continuously kept writing letters to the Deputy Commissioner, East for issuance of schedule for removal of encroachment as also requested by the Mukhtiarkar Scheme-33, from time to time. On 01.10.2024 Arbab Ali Mazari, Assitant Mukhtiarkar Scheme-33, appeared before the Investigating Officer and furnished report that wall has been removed and road/street has now been cleared from the encroachment. The complainant who was also present and confirmed that wall has been demolished.

FINDING

5. As a result of intervention and constant pursuance by this Institution, complainant's grievance has been resolved.

CONCLUSION

6. In view of the above, the complaint is disposed of as redressed. This also disposes of complaint bearing No. POS/2054/KE-143/2023 filed by the same complainant being identical in nature.

Given under my hand and seal of the office



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(Muhammad Sohail Rajput)
Sitara-e-Imtiaz. PAS
Ombudsman Sindh

Karachi, dated 09-12-2024