



DECISION

Complaint No. : POS/383/HYD/2009

Name and address of the complainant : Mr. Muhammad Imran s/o Muhammad Ramzan
R/o H.No. 13, Islam Nagar, Phuleli Par, Near Manik Bhatti High School, Hyderabad.

Name of the Agency Complained against : Director General, Sehwan Development Authority (SDA), Jamshoro.

Name & Designation of Investigating Officer : Abdul Wahab Memon, Consultant / Regional Director, Regional Office, Hyderabad.

Vetted by : Muhammad Naseer Jamali, Advisor-N

Subject : **COMPLAINT AGAINST SEHWAN DEVELOPMENT AUTHORITY (SDA) ALLEGING INORDINATE DELAY IN HANDING OVER PHYSICAL POSSESSION OF PLOT TO THE COMPLAINANT**

Complaint

Mr. Muhammad Imran filed a complaint dated 10.06.2009 wherein he alleged inordinate delay in handing over physical possession of a plot, allotted to his father by SDA vide Allotment Order No.2629 dated 24.03.1984. He stated that his father, Muhammad Ramzan had booked a plot in Sector-5, Block-I, Street-8, Category-C admeasuring 120 sq,yds in Gulshan-e-Shahbaz Housing Scheme Jamshoro. He had paid total cost of plot, amounting to Rs.12,000/-. Subsequently, the plot was transferred in favour of the complainant vide transfer order dated 27.08.2005. Since then, he is visiting the agency's office for handing over physical possession of the subject plot but to no avail. Aggrieved by that, he solicited intervention of this Institution.

Proceedings

2. The case was admitted for investigation u/s 10 (3) of the Establishment of the office of Ombudsman for the Province of Sindh Act, 1991 (amended up to date) after receiving mandatory Affidavit on Form "A" and other relevant documents and by condoning the delay.

3. This office issued notice dated 30.07.2009 to the Director General, SDA Jamshoro for report, followed by reminders. In reply, the Assistant Director, Land Management S.D.A Jamshoro informed vide letter dated 17.09.2009 that Rs.4,065/- under the head of development charges are outstanding against the complainant. He, further informed that a publication was issued in daily "Kawish" dated 31.12.2008 that the allottees of SDA Jamshoro should clear all dues before 31.01.2009 but the complainant failed to pay outstanding dues amounting to Rs.4,065/-. He further stated that the physical possession of the plot will be handed over to the complainant on payment of outstanding dues.

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4. The attorney of complainant namely Mr. Muhammad Ramzan appeared before the Investigating Officer on 28.08.2013 and informed that full occupancy value of the plot has been paid to the agency but he did not provide the copies of paid challans. The Assistant Director, Land Management, SDA Jamshoro had already informed vide report dated 02.07.2013 that the complainant may be advised to pay the outstanding dues before handing over physical possession of the plot vide term No: 18 and 19 of allotment of plot, reproduced as under:

Terms & Conditions for Allotment of Residential Plots in HDA Scheme No: 8 (Gulshan-e-Shahbaz)

Term No: 18

The prescribed occupancy value only covers cost of land, provision of road, water supply, sewerage and storm water disposal facilities. Additional charges for amenities, (such as provision of gas, electricity telephone etc.) shall be payable by the allottees/transferee/owners separately as may be decided by HDA/Govt. from time of time.

Term No: 19

The Authority may levy/impose betterment fee/external development charges/ additional development charges etc on the allottees at any time or from time to time as it deems fit.

5. The matter remained under lengthy correspondence including the reports from the agency and rejoinders. The Assistant Director, Land Management SDA Jamshoro vide letter dated 31.05.2023 informed that the complainant, Mr. Muhammad Imran had already got physical possession of plot vide possession letter No. AD/LM/SDA/685/2013 dated 30.08.2013. The complainant had filed a written statement dated 18.09.2013 before Investigating Officer Hyderabad that he got the possession letter from the agency and requested to close further proceedings on his complaint.

Findings

6. The complainant was already handed over physical possession of the plot alongwith documents vide his statement dated 18.09.2013 before Investigating Officer Hyderabad wherein he had requested to close further proceedings on his complaint as his grievance has been redressed.

Decision

7. In view of the above and in exercise of powers vested in me under section 11 of Establishment of the office of the Ombudsman for the Province of Sindh Act, 1991 (amended upto date), the complaint is disposed of as redressed.

Given under my hand and seal of the office



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(MUHAMMAD SOHAIL RAJPUT)
Sitara-e-Imtiaz, PAS
Ombudsman Sindh

Karachi, dated 11th December, 2024