



## DECISION

Complaint No. : POS/6446/2023/HYD/368

Name and address of the complainant : Dr. Anwar Muhammad Qureshi,  
R/o B-62, Mir Afzal Town, Latifabad Unit No.09,  
Hyderabad

Name of the Agency Complained against : Sindh Building Control Authority, Hyderabad.

Name & Designation of Investigating Officer : Syed Muhammad Sajjad Hyder, Regional Director,  
Regional Office, Hyderabad.

Vetted by : Muhammad Naseer Jamali, Advisor-N

Subject : COMPLAINT AGAINST SHABBIR MEMON, BUILDER OF  
KOH SAR ICON ALLEGING NON-ENCASHMENT OF  
CHEQUE ISSUED TO THE COMPLAINANT

### Complaint

Dr. Anwar Muhammad Qureshi, a retired Chief Medical Officer, Health Department, filed a complaint dated 15.03.2023 against a builder, named Shabbir Memon wherein he stated that he had booked a flat in Kohsar Icon in 2015 but due to some issues, he requested the builder to cancel the booking of his flat and refund of paid amount. The builder issued him a cheque No.10010056 dated 30.09.2022, amounting to Rs.400,000/- but the cheque has been dishonored by the bank. Aggrieved by that, he solicited intervention of this Institution.

### Proceedings

2. The complaint 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) subject to submission of mandatory affidavit on Form "A" and by condoning the delay.

3. This office issued a notice dated 16.05.2022 to the Regional Director, Sindh Building Control Authority, Hyderabad for report, followed by reminders and notices of hearing. The Deputy Director (Taluka Latifabad) SBICA, Hyderabad informed vide letter dated 19.09.2024 that cheque in question was issued to the complainant without deduction of 10% amount from total cost by a mistake. He annexed the copy of terms & conditions of project "Kohsar Icon" wherein condition No. 22 is reproduced as under:

22- Surrender of flat:

*"In case the allottee decides to surrender the booking of the unit / flat, the amount deposited shall be refundable after deduction of 10% of the total cost"*

5. The complainant appeared before Investigating Officer Hyderabad on 09.04.2024 and recorded his statement wherein he confirmed that the admissible amount has been refunded to him. He extended gratitude to this Institution and requested to close his case.

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**Findings**

6. On the intervention of this Institution, grievance of the complainant has been redressed by the agency.

**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 stands disposed of as redressed.

*Given under my hand and seal of the office*



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

Karachi dated *5th* June, 2025