



DECISION

Complaint No.:

POS/395/KE-33/20/ Adv-Z

Name and address
of the complainant :

Mrs. Nisar Fatima,
R/o. N-298, Korangi No.3½,
Karachi

Name of the Agency
Complained against :

SBCA / Police

Name & Designation of
Investigating Officer :

Fasihuddin Khan,
Advisor 'Z'

Subject :-

COMPLAINT AGAINST ILLEGAL
CONSTRUCTION BEING RAISED ON THE LAND
BELONGING TO THE COMPLAINANT BY THE
OWNER OF ADJACENT PLOT

THE COMPLAINT

Mrs. Nisar Fatima w/o Muhammad Saleem filed a complaint on 20.01.2020 against the Sindh Building Control Authority (SBCA) and the Police Department for their failure to take action against her neighbours who were allegedly raising illegal construction on land belonging to the complainant. She further clarified that she alongwith her family resides in House No.N-298 whereas adjacent House No.N-297 belongs to her uncle. Both plots have been constructed in shape of one building with stairs in the center of the house. She added that her cousins started construction of water tank on the roof of her portion. Therefore, she approached the SHO Police, Awami Colony, Korangi (East) who directed her uncle and his family not to raise construction on complainant's portion, failing which FIR would be registered against them. But instead of complying with the instructions of the SHO, her uncle's family re-started the same construction work and on her objection threatened her of dire consequences. She, therefore, solicited our intervention for redressal of her grievances.

PROCEEDINGS

2. The complaint was admitted u/s 10 of the Establishment of the Office of Ombudsman for the Province of Sindh Act, 1991, (amended up to date), by condoning the delay subject to submission of Affidavit on Form 'A' and other relevant documents. After fulfillment of these mandatory requirements, the matter was

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taken up with the DG, SBCA, Karachi and the Senior Superintendent of Police (SSP), District Korangi on 10.02.2020. In response, the SSP, District Korangi, Karachi, submitted a report dated 02.04.2020 stating that it is a property dispute between two families and being a case of civil nature, does not fall in their purview.

3. The matter remained under further correspondence and follow up meetings were held with the concerned officers of the SBCA on various dates. Finally, the Director, District Korangi, SBCA submitted the report dated 17.04.2023 stating therein that the field staff visited the site and found that there was no severe violation which may call for demolition or sealing of property action against any body under the relevant rules of SBCA.

4. In order to ascertain the factual position, hearing was fixed on 10.07.2023, which was not attended by the complainant. However, the representative of the SBCA confirmed that repair work done on the overhead tank by the owner of plot No.298 was not in addition or alteration of the approved lay out plan.

FINDINGS

5. After going through the file and discussions in the matter it is reverted that :

- (i) The matter under complaint is a property dispute between two families and a civil nature case.
- (ii) According to SBCA only repair / renovation work was done on the overhead water tank by the opponent of the complainant without any changes in the layout plan of the disputed property.

DECISION

6. In view of the above, the complaint is hereby disposed of and consigned to record being out of jurisdiction of this Institution. The complainant is advised to approach proper forum for redressal of her grievance.

Given under my hand and seal of office.



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

Karachi, dated **30th** January, 2025