



DECISION

Complaint No. : POS/2709/2025/F-43

Name and address of the complainant : Mr. Muhammad Younas Khan, R/o Malakand House, Yousuf Karkhana, Warsak Road, Peshawar, KPK.

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 : **COMPLAINT AGAINST M/S. GFS BUILDER & DEVELOPERS FOR THEIR FAILURE TO CANCEL THE BOOKED SHOP AND REFUND OF DEPOSITED AMOUNT OF RS.120,000/-.**

THE COMPLAINT:

Mr. Muhammad Younas Khan in his complaint received through Ombudsman (Mohtasib) Secretariat, Government of Khyber Pakhtunkhwa on 29.04.2025 stated that he is allotted Shop No.FT-9, Floor 5, in the project "NTR United Mobile Market" launched by GFS Builders and Developers, against which he paid an amount of Rs.120,000/- on 25.11.2023. Subsequently, due to personal reasons, he requested cancellation of the allotment and refund of the deposited amount. However, despite repeated approaches and assurances by the developer, neither the cancellation was processed nor the refund was made. The complainant contended that this persistent delay has caused him financial hardship and amounts to violation of his consumer rights. He, therefore, prayed 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. Hearing was fixed by issuing notices to Complainant and Respondents.

4. On the date fixed for hearing, Mr. Mehmood Ali Khan, Assistant Director, Public Sales Advertisement & Complaint Section, SBCA and Mr. Muhammad Amin, Assistant Director, District West, SBCA appeared in person.

5. During the course of hearing, the Assistant Director (PSA&C), SBCA stated that builder is ready to refund the entire amount and has also sent the copies of the cheques. Moreover, the builder as per practice desired the handing over of original file but the complainant is not willing to do the same as informed by the builder.

6. The Assistant Director (PSA&C), SBCA further stated that complainant may be asked to visit their office, where refund will be handed over in exchange of original file as per procedure.

FINDINGS:

7. It transpired that the Builder is ready to refund the entire deposited amount to the complainant. The Rep. of the SBCA confirms that the copies of the cheques for refund have also been provided by the Builder. However, it was clarified that as per usual practice in the real estate sector, the Complainant is required to return the original file to the Builder in order to complete the cancellation and refund process. The Builder has expressed readiness to refund the amount immediately upon receipt of the original file.

8. No mal-administration is found on the part of Agency. The matter can be resolved once the complainant hands over the original file of the booked shop.

DECISION:

9. In view of the above, the complaint is advised to approach Public Sales Advertisement & Complaint Section of Sindh Building Control Authority along-with original file of booked shop for refund of his deposited amount.

10. The Director, PSA&C, SBCA is directed to facilitate the complainant whenever he approaches him and ensure refund of complainant's deposited amount through the cheques already prepared for this purpose as committed.

Given under my hand and seal of office



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

Karachi, dated 22nd September, 2025