



## **DECISION**

Complaint No. : POS/3936/KHE-477/16/R

Name and address of the complainant : Mst. Shafiqun Nisa,  
Flat No. C-39, Noman Avenue, Rashid Minhas Road,  
Karachi.

Name of the Agency Complained against : Karachi Development Authority (KDA)

Name & Designation of Investigating Officer : Mr. Masood Ishrat, Registrar

Vetted by :

Subject :

**ALLEGED DELAY & DISCRIMINATION IN  
INCORPORATION OF COMPLAINANT'S PLOT  
NO.L-6, BLOCK 10-A, GULSHAN-E-IQBAL IN THE  
MASTER PLAN OF KDA.**

### **COMPLAINT.**

Mst. Shafiqun Nisa in her complaint dated 18.11.2016 stated that she had purchased plot No.L-6, Block 10-A, Gulshan-e-Iqbal, Karachi, in the year 2015 and approached K.D.A authorities for approval of building plan when it was informed that the plot in question does not exist in the Master Plan, though other plots bearing No. L-1, L-2, L-3 and L-5 had already been incorporated in Master Plan and owners have raised construction thereupon. Having failed to get positive response, she requested this office to intervene.

### **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) after receiving mandatory Affidavit on Form "A" and other relevant documents and referred to the Agency for report.
3. The matter was initially investigated at Regional Officer, Karachi East, however, on request of the complainant, it was further investigated at Head Quarters.
4. The Deputy Director (PC), Master Plan, Sindh Buildings Control Authority, vide letter dated 19.12.2016 confirmed that the said plot does not exist in the approved layout of plan of Scheme-24, Gulshan-e-Iqbal, Karachi.
5. The Assistant Director (Scheme-24), Land Department, KDA, vide letter dated 15.07.2019 reported that plots No.L-1, L-4 & L-5, Block 10-A, KDA Scheme-24, Gulshan-e-Iqbal, Karachi were included in approved part plan Nos.PB-24/560 dated 24.05.2012 and No.PB-24/652 dated 28.01.2016, respectively.

Cont...P/2...



6. The Additional Director (Scheme-24) Land Management, KDA vide letter dated 22.3.2022 reported that as per report of the concerned Executive Engineer the plot in question was constructed whereas the Assistant Director(Shifting), KDA, vide letter dated 04.07.2022 reported that plot in question was allotted to Mrs. Jair Khanum W/o. Ghulam Asghar, vide allotment order dated 22.07.1992. Acknowledgement of possession was issued on 30.12.1998 and copy of site plan duly checked by DP&UD Department of KDA was also available on record which shows that it was purchased by the complainant through registered sale deed.

7. Series of hearings were held. During the hearing held on 19.09.2022 Mr. Umer Sharif, Assistant Director, Sindh Master Plan Authority, appeared and deposed that plot No.L-1 was incorporated in the lay out plan vide drawing No.PB-24/650 dated 24.5.2015 on the orders of the then Administrator, CDGK, whereas plot No.L-4, Block-10-A, Scheme-24, Gulshan-e-Iqbal Karachi, was incorporated (vide drawing No.24/651 dated 12.11.2014) in compliance of decision dated 22.5.2013 of Ombudsman Sindh passed in case No.POS/2300/2012/DG-I after dismissal of representation by Honourable Governor Sindh, vide letter No.GS/7-146/2013 (SO-II) dated 17.07.2014.

8. After vigorous pursuasion, finally the Deputy Director, DP&UD vide letter No.DD/P&UD/KDA/SCH-24/2024 dated 24.10.2024 reported that as per directives plot No.L-06 (ST-10) Block-10/A, Scheme No.24, Gulshan-e-Iqbal, Karachi, has also been incorporated in the approved plan vide Drawing No.PB-24/03 dated 21.10.2024 with following terms & conditions:

1. The owner of the plot shall pay the cost of land (Occupancy Value) as the paid copies of Challans provided by the owner prima-facie are suspicious/doubtful, subject to verification/confirmation from the Recoveries Department of KDA;
2. The owner shall also pay the prescribed regularization fee as per existing rates;
3. Site Plan of the subject plot shall not be prepared until and unless the owner has paid the prescribed fee as mentioned above.



## FINDINGS

10. I have examined the case. It was an admitted fact that Plot No.L-6, Block 10-A, KDA Scheme-24, Gulshan-e-Iqbal Karachi, was allotted and its possession was handed over to its original allottee, which was later on transferred/leased out in favour of Mr. Muhammad Younus. The complainant purchased the said plot on the basis of registered sale deed and approached the Agency for approval of building plan, which was not approved due to non-existence of the plot in the Master Plan. The Agency failed to redress the grievance of the complainant, though plots of the same area had already been incorporated in Master Plan with approval of the competent authorities whereas plot No.L-4, Block-10-A, Scheme-24, Gulshan-e-Iqbal Karachi, was also incorporated on directives of my predecessor in case No.POS/2300/2012/DG-I (filed by Syed Afzal Imam Vs. KDA) after dismissal of representation filed by the Agency against the said decision.

11. However, after continuous persuasion, the Agency vide letter dated 24.10.2024 approved incorporation of complainant's plot No.L-06 (ST-10) Block-10/A Scheme No.24 Gulshan-e-Iqbal, Karachi, in the approved plan, vide Drawing No.PB-24/03 dated 21.10.2024, with certain conditions, mentioned at para 9 of this decision.

## DECISION

12. In view of above and in exercise of powers vested in me u/s 11 of the Establishment of the office of Ombudsman for the Province of Sindh Act, 1991, I hereby direct the Director General, KDA Karachi to ensure issuance of site plan of plot No.L-06 (ST-10) Block-10/A, Scheme No.24, Gulshan-e-Iqbal, Karachi, immediately after completion of formalities and payment of prescribed fee, if any, by the complainant, under intimation to this office.

Given under my hand and seal of office.



(MUHAMMAD SOHAIL RAJPUT)

Sitara-e-Imtiaz: PAS  
Ombudsman, Sindh

Karachi, dated the 20th November, 2024