



DECISION

Complaint No. :

POS/8430/2023/KW/R

**Name and address
of the complainant :**

Mr. Muhammad Munawar Haider, General Secretary,
Ghousia Tahiria Foundation, Office: Plot No.991 & 993,
Sheet No.1, Sector 14/G, Orangi Town, Karachi.

**Name of the Agency
complained against :**

1. Sub-Registrar, Orangi Town (Revenue)
2. Karachi Metropolitan Corporation (KMC)

**Name & Designation of
Investigating Officer :**

Mr. Masood Ishrat, Registrar.

Subject :-

**ALLEGED DELAY IN ISSUANCE OF RECEIPT OF
REGISTERED SALE DEED IN RESPECT OF PLOTS
NO. 991, 992 AND 993, SHEET NO. 01, SECTOR 14/G,
ORANGI TOWN, KARACHI.**

THE COMPLAINT:

Mr. Muhammad Munawar Haider, General Secretary, Ghousia Tahiria Foundation, filed complaint dated 10.10.2023 stating that documents for execution of leases of plots No, 991 to 993, Sheet No.01, Sector 14/G, Orangi Township, Karachi, was submitted in the office of Sub-Registrar, Orangi Town, Karachi, on 13.07.2023 and in terms of Section 51 of Registration Act, 1908 thumb impressions and signatures were made in the relevant register.

2. He alleged that despite lapse of considerable time, the office of Sub-Registrar neither issued the receipt for acceptance of documents of lease nor started the process for execution of leases. Hence, he approached this Institution for intervention in the matter.

PROCEEDINGS:

3. The complaint was admitted by condoning delay u/s. 10 of the Establishment of the Office of Ombudsman for the Province of Sindh Act, 1991 (amended up to date) and initially assigned to Regional Director, Provincial Ombudsman Regional Office, Karachi Keamari/West and subsequently on request of the complainant it has been transferred to Headquarters for further investigation.

4. The Sub-Registrar, Orangi Town, Karachi, vide letter dated 13.09.2024 reported that on request of the then Project Director, Orangi Town, KMC, he visited his Office, where the Project Director presented leases of the plots of the complainant, therefore, he took signatures and thumb impression on T.P. Register as party to the first part and during the process Mr. Jameel Zia, Chairman, Town Municipal Corporation, Orangi Town, came in the office and directed him and Project Director to halt execution of leases and took away the original lease documents, therefore, signatures of the 2nd party could not be taken on TP Register.

5. The Sub-Registrar also reported that the then Project Director subsequently vide letter No. DDL/OTS/PD/367/2023 dated 13.07.2023 requested him to withdraw and treat his thumb impressions in the TP Register in respect of said plots in view of dispute / objection of the Chairman, TMC, Orangi Town and not to entertain any other any lease document on the basis of his signatures and thumb impressions. He added that the Project Director also vide letter dated 14.07.2023 requested the Anti-Corruption authorities to register an FIR against the Chairman for his unlawful intervention and for taking-away original documents of leases of three plots along-with original challans.

6. The complainant in his rejoinder dated 01.10.2024 while reiterating his earlier stance declared the said report of the Sub-Registrar as concocted, false and contradictory to facts. He added that the Sub-Registrar admitted that he came to office of the Project Director Orangi Town for execution of lease on 13.07.2023 when the Project Director presented the documents / files with all the original receipts in accordance with provision of law and completed the legal formalities. He added that necessary signatures and thumb impressions of both parties were taken in the relevant book TR-1 by the Sub-Registrar and thus the process was completed between the lessor and Sub-Registrar, which could not be recalled, cancelled and withdrawn without due process of law.

7. He also alleged that the letter dated 13.07.2023 of Project Director, referred by the Sub-Registrar, in his report was not genuine as the said Project Director also denied to have issued any such letter. Besides, verification of record of the PD Office also revealed that there was no such entry of outward number (367) is available whereas the letter dated 14.07.2023 sent to ACE with outward No.264 was found genuine. Therefore, he requested appropriate action against the Sub-Registrar and issuance of receipt of acceptance of documents for registration of leases papers.

8. Mr. Muhammad Rizwan Khan, Ex-Project Director Orangi, KMC, also sent a letter dated 02.10.2024, addressed to the complainant and copy endorsed to this Institution, thereby intimating that the letter produced by the Sub-Registrar about cancellation of thumb impressions is fake and that all leases of madarsah / masjid / khanqah are genuine and in accordance with the approval granted in 2016 by MC, KMC.

9. The parties were heard on various dates when they stood at their respective stances. The Sub-Registrar was of the view that all the original documents were taken away by the Chairman, TMC Orangi Town in presence of the parties i.e. the complainant and Project Director, Orangi Town, KMC and such video recording is available, hence issuance of receipts for acceptance of three lease documents are not possible. He added that the dispute is between the Office of Chairman TMC, Orangi and Office of Project Director, Orangi Town, KMC.

10. To queries, the Sub-Registrar deposed that the Project Director through his endorsement dated 13.07.2023 forwarded application of the complainant for completion of formalities in his office due to health issues, as provided under clause 50 of the Sindh Registration Rules, 1940 and accordingly he visited his office to complete the formalities. He added that during the process due to non-payment admissible taxes / stamps duty, the process was deferred for completion of formalities and payment of the admissible taxes/duty. He also deposed that besides above perusal of paid challans revealed that measurements of the plots were not mentioned as total area of three plots become 32,561 square yards, therefore, the Project Director was asked to clarify the position whether he is / was authorized to execute leases of such huge land or otherwise.

11. The Sub-Registrar further informed that the process of thumb impression was also not completed as the Project Director made his thumb impressions in the TP Register, however, during the process the chairman, TMC Orangi Town entered in the office and took-away all the original files and the Project Director wrote letter dated 14.07.2023 to the Chairman, Enquiries and Anti-Corruption Establishment, Sindh, Karachi, for registration of FIR for illegal interference and for taking unauthorized custody of official files and challans, etc, therefore, request of the complainant for issuance of receipts towards acceptance of original files is not justified and tenable under the law. The Sub-Registrar also filed copy of criminal petition No. 2498/2023 filed by the complainant in the Court of District & Sessions Judge Karachi West, admitting the above narrated facts, soliciting orders for registration of FIR against the chairman, which was declined by the Court vide order dated 05.08.2023.

FINDINGS:

12. I have examined the case file and documents on record. The complainant alleged about non-issuance of receipt of three lease documents in respect of subject mentioned plots despite completion of formalities and getting thumb impression in the relevant register by the Sub-Registrar in the office of Project Director, Orangi Town. The parties admitted that during the process of completion of formalities in the office of Project Director, Orangi KMC, the chairman TMC Orangi Town, came in the office and took away all the original files and challans and such video recording was also available with the parties. The complainant also admitted at para 10 of the Criminal Petition No.2498/2023 filed before the District & Session Judge Karachi West that the Sub-Registrar adjourned the process due to less payment of stamp duty and custody of all the original leases files / challan being taken by the Chairman TMC Orangi Town from the Office of Project Director.

13. Besides, the complainant and the then Project Director took plea that the letter dated 13.07.2023 produced by the Sub-Registrar, Orangi Township regarding cancellation of thumb impressions on TIP was fake as no such outward number and file number is available in the record. However, they admitted that the other letter dated 14.07.2023 sent by the Project Director to the Chairman, ACE, Sindh, for action against the Chairman, TMC, Orangi Town, Karachi, was genuine.

(4)

14. Under the above circumstances, I conclude that this is not a simple case of issuance of receipts of documents submitted for execution of leases of three plots in favour of the complainant, as requested by him, but in fact it relates to determination of powers of the Project Director, KMC about execution of leases of land of three plots, with an approximate area of 32,561 square yards in total and to examine the role of the Chairman, TMC, Orangi Town, in the affairs of the office of Project Director, Orangi Town, Karachi. Thus, in my opinion this Institution is not an appropriate forum to decide said issues.

DECISION:

15. In view of the above and in exercise of powers vested in me under section 11 of the Establishment of the Office of Ombudsman for the Province of Sindh Act, 1991 (amended up to date), I hereby dispose of the complaint with an advice to the complainant to approach the appropriate forum for redressal of his grievance.

16. A copy of the Decision is, however, forwarded to the Secretary to Government of Sindh, Local Government Department, Mayor, KMC, Karachi, and Chairman, Enquiries and Anti-Corruption Establishment, Sindh, Karachi, with directives to enquire the matter and initiate appropriate action under the relevant rules, against those held responsible for irregularities and mal-practices.

17. The complaint stands disposed of accordingly.

Given under my hand seal of this office.

Sd/-

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

Karachi, dated 09th September, 2025

