



## **DECISION**

Complaint No. : POS/1393/KE/104/2023

Name and Address of the Complainant : Mr. Hanif Khan, House No. A-93, Block-A, 13/C, Gulshan-e-Iqbal, Karachi.

Name of the Agency Complained against : Sindh Building Control Authority (SBCA)

Name & Designation of Investigation Officer : Syed Farrukh Habib  
Director, Regional Office, Karachi (East)

Subject :- **ALLEGED INACTION ON APPLICATION MADE REGARDING ILLEGAL CONSTRUCTION ON ADJACENT PLOT NO. A-92, BLOCK-13/C, GULSHAN-E-IQBAL, WHICH HAS AFFECTED HOUSE OF THE COMPLAINANT.**

### **THE COMPLAINT**

Mr. Hanif Khan, in his complaint dated 20.02.2023, stated that adjacent to his house, some builders/investors, namely Mr. Rizwan and Mr. Hussain, are constructing portions illegally on plot No. A-92, Block-13/C, Gulshan-e-Iqbal, Karachi, which would adversely affect his property and will also cause damage to it as the builder has covered all three sides by constructing three feet projection beyond limits of the plot. Such type of construction would result in many problems such as shortage of parking and potable water etc. He, therefore, solicited intervention of this office in the matter.

### **PROCEEDINGS**

2. After admission of complaint by condoning delay under Section 10 of the Establishment of the Office of Ombudsman for the Province of Sindh Act, 1991, (amended up to date), as well as after receiving mandatory Affidavit on Form "A" and other relevant documents, report was called from the Agency. In response, the Director, District East, SBCA vide letter dated 18.03.2024 reported that complaint has been filed by Mr. Hanif Khan, who lives adjacent to subject plot, against Ground + 1<sup>st</sup> Floor (Residential) premises which exist on subject plot. The record called from the Section revealed that the then Authority i.e. KDA had approved the completion plan vide No. DCB-III/CC-470/80, dated: 07.05.1998 in the name of Mrs. Ayesha Begum (Owner / Applicant). Site inspection was also carried out by the SBCA field staff, which confirmed that presently Ground + 1<sup>st</sup> Floor, occupied Residential premises exist at subject plot and no any new construction activity is observed at site.

3. Copy of the Agency's report was forwarded to the complainant for rejoinder but he failed to respond despite issuance of reminder.

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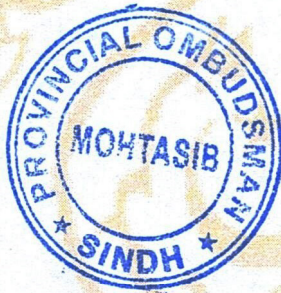
**FINDING**

4. The complainant failed to rebut the Agency's report nor turned-up to pursue his complaint. It appears that either the complainant is satisfied with the Agency's report or have lost interest in pursuing the complaint any further.

**CONCLUSION**

5. Under the circumstances, when the complainant has failed to respond, it was clear that he has lost interest to pursue his complaint. I, therefore, in exercise of powers vested in me under Establishment of the office of the Ombudsman for the Province of Sindh Act, 1991 (amended up-to-date), do hereby dispose of the complaint on account of non prosecution.

*Given under my hand and seal of the office*



**Sd /-**

**(Muhammad Sohail Rajput)**

**Sitara-e-Imtiaz. PAS**

**Ombudsman Sindh**

Karachi, dated 13 - 01 - 2025

