



## **DECISION**

Complaint No. : POS/4980/2024/F-207

Name and address of the complainant : Mr. Ameer Hamza s/o Muhammad Aslam, R/o Flat No. 204, 2<sup>nd</sup> Floor, Al-Fareed Building, Street No. 11, Haji Abbas Khan Road, Bakra Piri, Lyari, Karachi.

Name of the Agency Complained against : (i) Town Municipal Corporation (TMC) Lyari  
(ii) Sindh Building Control Authority (SBCA)

Name & Designation of Investigating Officer : Syed Ali Mumtaz Zaidi, (PAS), Advisor-F

Vetted by : --

Subject : **ALLEGED INACTION ON THE COMPLAINT REGARDING ILLEGAL CONSTRUCTION AT PROPERTY NO.AK-19-A-15-35, PLOT NO. 675 (100), STREET NO. 24, NAWALANE, MEHRAB KHAN, ESSA KHAN ROAD, ENCROACHMENT ON FOOTPATH AND ROAD ALSO ALLEGED.**

### **THE COMPLAINT:**

Mr. Ameer Hamza in his complaint received on 24.10.2024 stated that illegal construction on plot No. AK-19A-15-35, Street No. 24, Nawa Lane, Mehrab Khan Essa Khan Road, New Kumharwara, Lyari, Karachi is going on along-with encroachment of KMC footpath and road. He had given an application to Sindh Building Control Authority (SBCA) on 20.09.2024 but to no avail. He alleged involvement of SBCA officials. He solicited intervention of this Institution in the matter.

### **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).
3. Hearings were fixed by issuing notices to Complainant and Respondents.
4. On the date fixed for hearing, Deputy Director South, SBCA and complainant appeared in person.
5. During the hearing, the Deputy Director submitted the report dated 24.01.2025 mentioning that same matter is sub-judiced before District & Sessions Judge Karachi South filed by the same complainant. He produced documentary evidence of the ongoing court proceedings. He was advised to submit copy of the plaint.



6. Subsequently, the Deputy Director vide letter dated 08.05.2025 had submitted the copy of plant, which confirms that the complainant Mr. Ameer Hamza had also approached the Court of District & Sessions Judge, Karachi South.

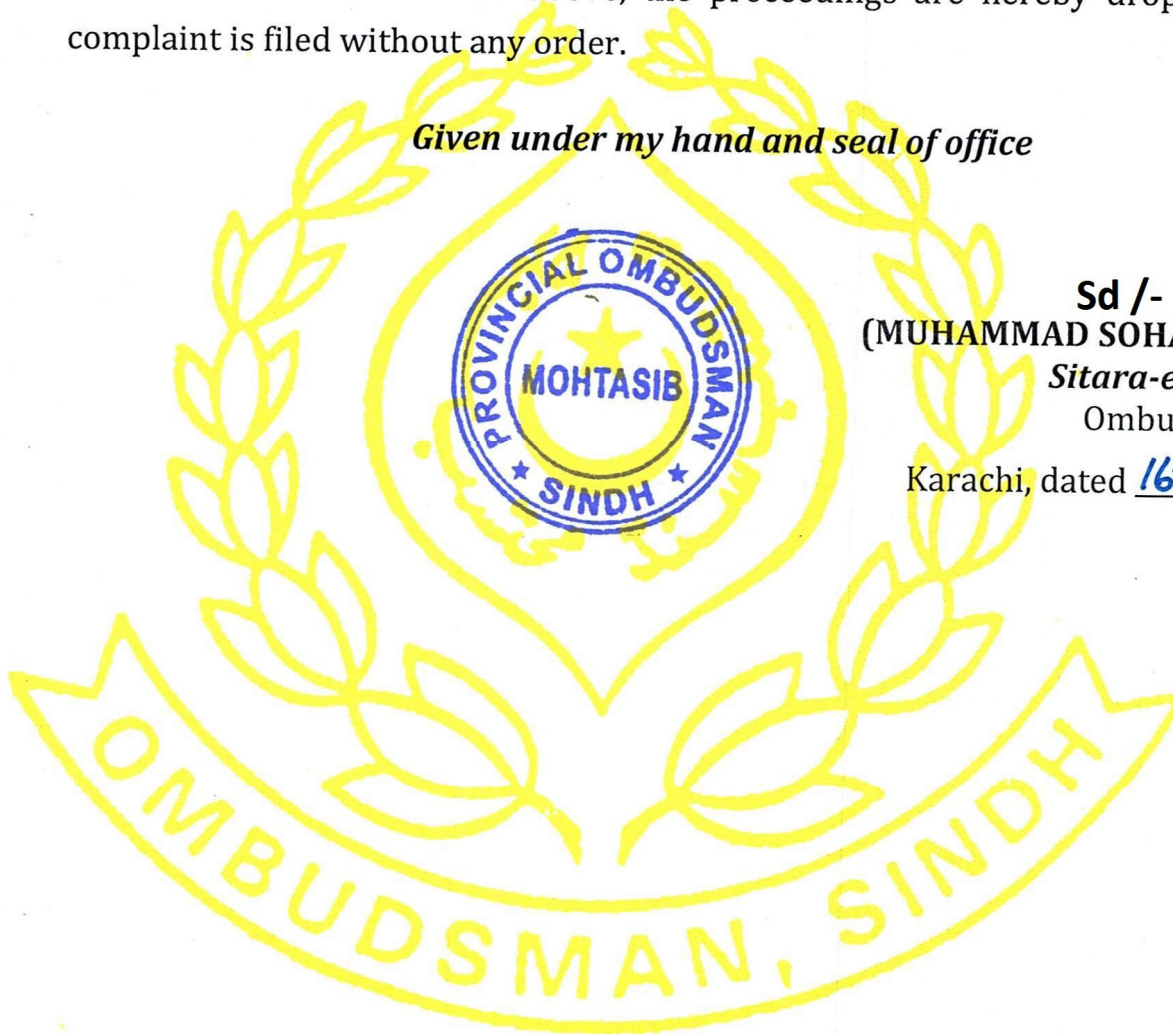
**FINDINGS:**

7. In light of the documentary evidence submitted, it was established that the issue raised before this Institution is currently sub-judice. Therefore, the jurisdiction of this Institution is barred under Section 9(a) of the Establishment of the Office of Ombudsman for the Province of Sindh Act, 1991 (amended up to date).

**DECISION:**

8. In view of the above, the proceedings are hereby dropped and the complaint is filed without any order.

*Given under my hand and seal of office*



**Sd /-**  
**(MUHAMMAD SOHAIL RAJPUT)**  
**Sitara-e-Imtiaz. PAS**  
**Ombudsman Sindh**  
Karachi, dated 16th June, 2025