

**IN THE SUPREME COURT OF PAKISTAN
(ORIGINAL JURISDICTION)**

PRESENT: MR. JUSTICE MIAN SAQIB NISAR, HCJ
MR. JUSTICE MUSHIR ALAM
MR. JUSTICE MUNIB AKHTAR

CONSTITUTION PETITION NO.9 OF 2010
(Under Article 184(3) of the Constitution)

AND

**CRIMINAL ORIGINAL PETITIONS NO.7-K AND
19-K OF 2017**
(Contempt of Court)

AND

CIVIL MISC. APPLICATION NO.6206 OF 2013
(Report of Additional Registrar)

AND

**CRIMINAL MISC. APPLICATIONS NO.121-K,
124-K, 132-K OF 2017, 111-K, 8-K, 19-K, 20-
K, 25-K, 32-K, 38-K, 44-K, 52-K, 59-K, 71-K,
72-K, 95-K AND 199-K OF 2018**
(Applications for impleadment)

- Const.P.9/2010: Niamatullah Khan Advocate Vs. Federation of
Pakistan, etc
- CrI.O.P.7-K/2017: Mst. Sabiha Parveen Vs. Syed Nasir Abbas,
Director General (KDA) and others
- CrI.O.P.19-K/2017: Ghulam Muhiyuddin Vs. Province of Sindh
through Secretary Local Government etc.
- For the petitioner(s): Syed Nayyar Abbas Rizvi, Addl.A.G.P.
Mr. Salman Talib-ud-Din, A.G. Sindh
Mr. Ashfaq Rafiq Janjua, DAG
Syed Mumtaz Ali, Chief Secretary, Sindh
Mr. Waseem Akhtar, Mayor Karachi
Mr. Amir Ahmed Sheikh, Addl.I.G.P.
Dr. Saeed Ahmed Qureshi, Focal Person for
Chief Secretary
- Ms. Sabiha Parveen, petitioner in person
(In CrI.O.P.7-K/2017)
- Mr. M. Iqbal Chaudhry, AOR
(For respondent in CrI.O.P.7-K/2017)
- Mr. Nazar Hussain Dhoon, ASC
(For respondent In CrI.O.P.7-K/2017)

ORDER

There have been some concerns expressed on behalf of the Government of Sindh and the Federal Government that the operation for the purposes of clearing encroachments in Karachi are not being conducted as per the mandate given by this Court. Besides, in the garb of such orders, houses and business premises of the people living and working over there since long are being demolished without giving them opportunity of hearing. When confronted with the above, Mr. Wasim Akhtar, Mayor Karachi categorically and unequivocally stated that not a single house has so far been demolished and only encroachments on footpaths, nalas, parks and amenity plots are being removed. Obviously, this is what the Court had desired through its various orders on the subject. Be that as it may, let all the three concerned i.e. the learned Attorney General for Pakistan, the learned Advocate General Sindh and the Mayor Karachi sit together and work out a plan as to how these encroachments can systematically be removed. They will submit a consensual plan before the Court tomorrow morning at 8:30 p.m. positively.

Cr.L.M.A.199-K/2018: Mr. Faisal Siddiqui, learned ASC has pointed out that notice for demolition has been issued to the National Museum situated on Bans Road which houses large number of articles which constitute a national heritage. The Mayor Karachi undertakes that only new constructions including shops around the said museum would be demolished and that the Museum shall not be demolished unless a suitable alternate site for such a Museum is found. None of the sides have raised any objection regarding removal of encroachments. The only concern of the Government of Sindh appears to be its ability to match

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the speed of the anti encroachment drive with its rehabilitation plan. We however reiterate our earlier order that encroachment of footpaths, amenity plots, parks and nallas must immediately be removed. We observe that national museum should not be demolished unless some plan is prepared for its shifting at proper place.

To come up tomorrow i.e. 12.12.2018 at 8:30 a.m.

Karachi, the
11th of December, 2018
M. Ashar Malik/


12/12/2018