THROUGH SPECIAL MESSANGER

CAPITAL DEVELOPMENT AUTHORITY
PLANNING WING
Directorate of Housing Societies

No. CDA/PLW/RP–2 (1785)/2024/ 307 Islamabad, 16, Nov, 2026

M/s. Sanabil Gaarden
Lehtrar – Simly Dam Link
Road Zone-4, Islamabad.

Subject:- **SHOW CAUSE NOTICE**

UNDER SECTION 49-C, 46 & 46-B OF THE CDA ORDINANCE 1960, READ WITH, CLAUSE-5 (1) & (III) OF THE ICT (ZONING) REGULATION, 1992 AND CLAUSES 40-42 OF "THE REGULATION FOR PLANNING AND DEVELOPMENT OF PRIVATE HOUSING/FARM HOUSING, APARTMENTS/ COMMERCIAL SCHEMES/ PROJECTS IN ZONES-2, 4 & 5 OF ISLAMABAD CAPITAL TERRITORY, 2023, FRAMED UNDER ICT ZONING REGULATIONS,1992",
[DEMOLISHION/REMOVAL OF WORK/STRUCTURE/BUILDING AND STOPPAGE OF USE OF LAND IN "_____, ZONE-4, ISLAMABAD

Ref:- Please refer to **CDA Notices**, dated 01-3-2016, 28-7-2017, 23-4-2018, 13-02-2023, 23-5-2025, 19-7-2025 & 27-7-2025 and **Public Notices** published in Daily Newspapers on 19-3-2017, 19-7-2017, 21-7-2017, 20-4-2018, 12-7-2018, 14-01-2025, 16-02-2025, 29-5-2025, regarding the subject matter.

It is informed that, it has been noticed with serious concerns that **Mr.**_____, M/s Sanabil Gaarden Carried Out Development Works, Illegally without any Approval of Layout Plan (LOP) and obtaining No Objection Certificate (NOC) from CDA, which is mandatory under the provisions of subject CDA Ordinance & Regulations made thereunder. No Housing Scheme can be Floated/Launched/ Planned/ Developed, in Islamabad by the Private Sponsors without approval of CDA. Thus, this Work/ Structure is being Constructed/Erected and Land is being Used in contravention of the subject legislature and is **Illegal.**

2. Therefore, You are ordered to Stop Illegal Development Works, Marketing and Sale/Purchase, Allotments/Transfer of Plots, in this Illegal Housing Scheme, Immediately and Demolish/Remove the said Work/Structure/Building and to Desist Using the Land, carried out Illegally, within **7 Days** of the issuance of this Order.

3. It is further informed that **Full Bench** of Honorable Islamabad High Court, Islamabad, in its Judgment, **WP 676-2017**, titled "Shahzada Sikandar-ul-Mulk vs CDA" dated **09-7-2018**, has declared at Para-41 that:

- Construction of houses or buildings of any nature, whether in the "Golra Revenue Estate" or the area comprising "Bani Gala" **which have been or are intended to be constructed in Violation of the Master Plan, the Ordinance of 1960, the Zoning Regulations of 1992**, the Ordinance of 1936 and the Wildlife Ordinance of 1979, as the case may be, **are illegal, without Lawful Authority and**

Jurisdiction and thus liable to be Demolished as mandated under the Ordinance of 1960 and the regulations made there under.

- None of the respondents have been able to place on record any document which would establish the legality of their building.
- **The Authority is the Sole and Exclusive Regulator, and the Union Councils were not vested with Authority to grant any Approval, Contrary to or in Violation of the Ordinance of 1960 and the Regulations, made there under.**
- We also declare that in case of any violation, the Chairman and each Member of the Authority shall be jointly and severally liable for breach of duties and obligations imposed under the Ordinance of 1960.
- The Chief Commissioner, Islamabad Capital Territory shall be equally responsible if the legal framework in the un-acquired areas is violated.
- **We also declare that the Authority is the Exclusive and Sole Regulator and the provisions of the Ordinance of 1960, and the Regulations made there under are attracted in the case of a Private Housing Authority established in any part of the Islamabad Capital Territory.**

The **Supreme Court of Pakistan**, in **Civil Petition 3491/2018** & several others, filed against above Orders of the Full Bench of Honorable Islamabad High Court, Islamabad, dated 09-7-2018, has ordered as under on **17-9-2018:**

"Having heard the learned council for the parties, we do not find that the impugned judgment suffers from any factual or legal errors; rather we concur with the said judgment that all the construction raised in areas of Mouza Bani Gala and E-11 are without authorization and for this reason the learned High Court has rightly provided mechanism to regularize the un-authorized construction on these properties. Obviously, this mechanism also caters to the grievance of the petitioner before us. Resultantly, we direct that CDA should immediately proceed with the mechanism so provided and examine and deal with buildings constructed in these areas strictly in accordance with the principles laid down in Capital Development Authority v/s Abdul Qadeer Khan (1999 SCMR 2636) and the recommendations made by the learned High Court in the impugned judgment thereby to resolve the issue. Periodical progress reports be filed in this court after an interval of two months. In the meantime, properties already constructed shall not be demolished by CDA, but **no person shall be entitled to raise new construction by an inch or lay a brick from this day onwards. All those properties which are sealed shall remain sealed and any person who violates or breaks such seal shall be held for contempt of court on account of disobedience of the Court's order.** These matters are accordingly disposed of."

4. The Honorable Islamabad High Court, in its Judgment in **ICAs 83/2017, 84/2017, 20/2018 & 21/2018**, passed Order dated **12-7-2018**, Paras-20& 21 of which is re-produced as under:

20. In view of above background and latest position of law in general, we are of the view that judgment passed by the learned Single Judge in Chambers is within four corners of law and no illegality has been observed, therefore, the same is upheld. However, it is made clear that CDA authorities shall:

i) Take action under the law against the delinquents (individuals) as well as societies (**including** Bahria Town and **MPCHS**) and its Officers/Officials/Directors, for Non-compliance of above referred SOPs/Guidelines, Rules, or Regulations, therefore, the CDA Authorities shall issue a publication in two daily newspapers, English and Urdu, with the direction to the **Housing Societies/Individuals to get the Approval of their Construction from CDA Authorities** as referred above, whereupon NOC shall be issued to all those individuals after fulfilling codal formalities subject to Rules and Regulations;

v) **Start Taking Actions against Societies who have Violated the Approved Layout Plan or Changed the Public Utility Areas such as Mosque, Playgrounds, Post Office, School, Parks, Parking, etc.**

vii) CDA authorities shall maintain overall supervisory control upon all Societies in every manner and **being Regulator and act in accordance with CDA Byelaws.**

21. Besides the above referred directions, it is further made clear that:

i) All Societies including Bahria Town, MPCHS or any other Society shall pay all charges, amounts, fee received against approval of construction plan from their allottees to CDA within three (03) months and shall submit each case before CDA for their approval.

ii) **Any Society, who is not Complying the CDA By-laws, Directions issued from time to time or their NOC, the Layout Plan shall be Cancelled after giving due Warning in accordance with Law, where after CDA shall take over such Society including their Assets and Bank Accounts Managements with the help of ICT Administration, Federal Government, Ministry of Interior, Chairman CDA, Mayor Metropolitan Corporation Islamabad, all CDA Officials.**

iii) **Chief Commissioner, Deputy Commissioner, Inspector General of Police, SSP Islamabad, concerned SHO, and Magistrates are Directly Responsible for Compliance of CDA By-laws as well as Directions referred in this Judgment.**

21-A. In view of above, it is held that **every member of Housing Society or the Society itself shall get Approval of Construction from the CDA in accordance with Law,** after fulfilling all the Codal Formalities, where after CDA shall issue NOC accordingly.

5. The Honorable Islamabad High Court, Islamabad, in **WP 452-2014,** titled **"Muhammad Ibrar Khan vs CDA,** passed following orders on **13-9-2018:**

17. It is an admitted position that the petitioners did not obtain permission from the C.D.A. to construct buildings on their land. The petitioners have carried out developmental work in violation of the prohibition contained in Regulation No.4(3)(a)&(e) of the 1992 Regulations. One of the reliefs prayed for by the petitioners in the writ petition is to declare the notice dated 27.11.2013 illegal and without lawful authority. For this, Court to grant the petitioners the said relief would be tantamount to validating the development and construction works carried out in stark violation of the law. The grant of such relief is not permissible in the equitable jurisdiction of this Court. For the reasons mentioned above, I find that this notice is strictly in conformity with the provisions of the C.D.A. Ordinance as well as the above referred Regulations made thereunder. Since the construction and development carried out by the petitioners on their land in Zone-3 is not pursuant to any plan or programme approved by the Federal Government or the C.D.A., the same cannot be termed as lawful. Even otherwise, there is an absolute bar imposed by paragraph 4(3) of the 1992 Regulations on private residential, farming, orchard, poultry and dairy farming schemes in Zone-3.

6. The Honorable Islamabad High Court, Islamabad, in its **Judgement** in **WP 4018/2021,** titled "Fawad Zafar Cheema vs FoP" Ordered on **14-6-2022,** as under:

5. ..... **Nonetheless, the 43 buildings, each consisting of seven stories, have been constructed illegally and in Violation of the Enforced and Governing Laws i.e., the Ordinance of 1960 and the regulations made thereunder.**

8. ..... **They are definitely not entitled to any equitable relief because, admittedly, they chose to construct 43 buildings, each consisting of seven stories, in violation of the enforced laws and regulations made thereunder. They cannot claim that a right has accrued in their favor on the basis of violation of the enforced laws.**
In the case in hand, no right has accrued in favor of the petitioners on the basis of illegal construction of 43 buildings, each consisting of seven stories. The petitioners can definitely not take the stance that ignorance of law may be treated as an excuse. The petitioners cannot be allowed to take benefit on the basis of abuse of the enforced laws.

9. For the above reasons, no case is made out for issuance of a writ under Article 199 of the Constitution and, therefore, the petition is accordingly **Dismissed.**

7. Islamabad High Court, Islamabad, in its Judgement dated **15-01-2026,** in **WP 2328/2025,** titled "Javed Akhter vs Chief Commissioner, ICT, Islamabad", ordered as under:

4. The learned State Counsel submitted on behalf of the Respondent Nos. 1and 2 that the core grievance of the Petitioner, concerning the alleged illegal modification of the Master Plan and the conversion of amenity plots, is fundamentally misdirected against the Respondent Nos. 1 and 2. **It is contended that the statutory mandate for the approval, supervision, and amendment of the Layout Plan (LOP) and Master Plan vests exclusively with the Capital Development Authority (CDA), i.e., Respondent No. 3. The administrative functions of Respondents Nos. 1 and 2, under the Cooperative Societies Act, pertain to registration, oversight of society management, and dispute resolution among members not to urban planning or spatial zoning**

16. The State Counsel for Respondents No. 1 & 2 (Chief Commissioner and the Registrar) is correct to assert that their role does not extend to urban planning. The CDA is also correct that plot allotment is not within its domain and that Plot No. 34 is not part of any approved LOP. However, this very admission by CDA underscores the core of the problem, **societies are operating in a lawless zone, allotting unapproved plots. The regulatory failure to prevent this does not absolve the primary wrongdoer, FECHS.**

(d) Respondents No. 4 (NASECHS) and 5 (FECHS) are hereby restrained from creating any new plots, selling, or undertaking any construction on the land earmarked for amenities (parks, open spaces, etc.) in the original layout, and specifically on the land surrounding Plot No. 34 as defined in the 2015 possession letter and the 2023 Mutual Settlement. 21. Before parting with the judgment, this Court deems it appropriate to observe that the Petitioner, a senior citizen and retired JCO, has been compelled to run from pillar to post for over a decade to secure his legitimate rights. This ordeal underscores the urgent need for effective oversight and stricter regulation of cooperative housing societies. **The Respondents No. 1 & 2 (Chief Commissioner and the Registrar, Cooperative Societies) and the Capital Development Authority (CDA)**

must enhance their coordination to ensure that such societies function within the bounds of the law and are not permitted to operate as autonomous entities beyond the reach of statutory control.

8. Mr. _____ of M/s Sanabil Garden is directed to **Show Cause** in writing within **7 Days** of the issue of this Notice, as to why legal action should not be taken against the Sheer Violations of provisions of the Regulations, under the provisions of **Section 49-C, 46 and 46-B** of the CDA Ordinance 1960, read with, **Clause-5,** of the ICT (Zoning, Regulation, 1992 and **Clause-40 & 42** of the Regulation for Planning and Development of Private Housing/Farm Housing, Apartments/ Commercial Schemes/ Projects in Zones-2, 4 & 5 of Islamabad Capital Territory, 2023".

9. In case of failure to do so, strict legal action would be initiated, under subject Ordinance & Regulations made thereunder, as aforementioned, including, but not limited to **Demolition** of Illegal Development/Structures/Buildings, **Sealing** of your Scheme Offices & Site Offices, etc.

10. It is made clear that, if this **Show Cause Notice** is not complied within **7 days**, the Illegal Work/Structures will be Removed, Demolished and Use of Land will be stopped by using Force (including Police Force), by CDA. The cost will be recovered by CDA, from the person responsible for the construction of work/ structures and use of land in contravention of the provisions, as aforesaid. It is informed that in the event of Non-compliance of this Show Cause Notice, ex-parte proceeding will be initiated and no excuse whatsoever in this regard will be entertained.

11. You are also provided an Opportunity of **Personal Hearing,** in your Defense (if any), in the Office of the undersigned, during Working Hours, within **7** days.

12. This is issued with the approval of **Director General (Spatial Planning), CDA**

13. This is issued without prejudice.

Ejaz ul Hassan

(EJAZ UL HASSAN)
Director Regional Planning

Distribution:-

1. **Dy. DG (Enforcement), CDA**
   [It is requested to make necessary arrangements, for demolition/removal of buildings/structures constructed in violations of Approved LOP on the Land/Plots earmarked for Amenity/Public Building Areas, in co-ordination of this Office, Directorates of HS (M&E), EM-III & Building Control (South), CDA, with the approval of the Competent Authority, under Section 49-C of CDA Ordinance 1960, Clause 5(i) of ICT Zoning Regulations 1992, Clause-3(2) read with Schedule-II, Part-VI (2&3) of CDA Conduct of Business Regulation, 1985].

2. **Director Building Control (South), CDA**
   [It is requested to initiate action for demolition/removal of the Illegal buildings/ structures constructed, in violations of Approved LOP on the Land/Plots earmarked for Amenity/Public Building Areas, with the approval of the Competent Authority, under the provisions of Section 49-C of CDA Ordinance 1960, the Pakistan Capital Regulation (MLR) 1982, Clause 5(i) ICT Zoning Regulation 1992 and relevant Clauses of Islamabad Capital Territory Building Control Regulation 2020 (amended in 2023)]. **BCS Letters & Public Notices dated 13-02-2023, 19-3-2017, 19-7-2017, 23-02-2018, 16-02-2025,** are referred.

3. **Director (I.T), CDA**
   [It is requested to Upload this Show Cause Notice on CDA Website for Awareness of the General Public & All Stakeholders]

4. **Dy. Director-II (RP), CDA**
   [He is directed to peruse the matter vigorously, take stern action and submit Compliance Report, accordingly]

Copy to:-

1. Member (P&D), CDA

2. Deputy Commissioner, ICT, Islamabad
[It is requested to issue necessary directions to concerned **Magistrate** in compliance of Para-21 (iii) of the Islamabad High Court Judgment in ICAs Nos. 83/2017, 84/2017, 20/2018 & 21/2018,dated 12-7-2018, which reads as under:
"Chief Commissioner, Deputy Commissioner, Inspector General of Police, SSP Islamabad, concerned SHO, and Magistrates are directly responsible for compliance of CDA By-laws as well as directions referred in this Judgment".

3. S.S. P. Islamabad
[It is requested to issue necessary directions to concerned **SHO** in compliance of Para-21 (iii) of the Islamabad High Court Judgment in ICAs Nos. 83/2017, 84/2017, 20/2018 & 21/2018, dated 12-7-2018, which reads as under:
"Chief Commissioner, Deputy Commissioner, Inspector General of Police, SSP Islamabad, concerned SHO, and Magistrates are directly responsible for compliance of CDA By-laws as well as directions referred in this Judgment".

4. Registrar Co-operative Societies, ICT, Islamabad.
[It is requested to initiate action against Sponsors of this and all such Violations of Approved Layout Plan, under the provisions of Co-operative Societies Act 1927 and Rules & Byelaws framed there under. Further, it is requested to pass Standing Orders that Sponsors of All Private Housing Schemes can only Transfer Plots/ Buildings, which are strictly in accordance with the Approved Layout of the Schemes and Not Mortgaged with CDA, in larger Public Interest].

5. Chief Executive, Islamabad Electric Supply Company (IESCO), Islamabad
[It is requested that Service Connections may be provided strictly in accordance with the Approved Layout Plan and Sanctioned Building Plans by CDA in this Scheme and all such like Schemes. **Clause-40(13)** of the "Regulation for Planning and Development of Private Housing/Farm Housing, Apartments/Commercial Schemes/Projects in Zones-2, 4 & 5 of Islamabad Capital Territory, 2023" is referred]

6. General Manager, Sui Northern Gas Pipelines Limited (SNGPL), Islamabad
[It is requested that Service Connections may be provided strictly in accordance with the Approved Layout Plan and Sanctioned Building Plans by CDA in this Scheme and all such like Schemes. **Clause-40(13)** of the Regulations, ibid, is referred].

7. Director Press Information Department (PID), Near Zero Point, Mauve Sector G-7/4, Islamabad
[It is requested will not allow to publish advertisement of any Private Housing/Farm Housing Scheme/Vertical Housing Project/Commercial Scheme/Standalone Commercial Project within ICT, without approval of CDA. PEMRA/PTA may block all Websites of Private Housing/Farm Housing Schemes/Vertical Housing Project/ Commercial Schemes/Standalone Commercial Projects launched before approval of Layout Plans/Building Plans of the Schemes/Projects, from the CDA, **Clause-40(14)** of the Regulations, ibid, is referred].

8. DG (Law), CDA
9. DG (Spatial Planning), CDA,
10. DG (Building & Housing Control), CDA
11. Director Public Relations, CDA
12. Director Staff to the Chairman, CDA
13. Additional Deputy Commissioner (Revenue) [ADCR], ICT Administration, Islamabad
14. DC, CDA/Sr. Special Magistrate, CDA
15. Joint Registrar of Companies, Securities & Exchange Commission of Pakistan, (Companies Registration Office), State life Building, 1st Floor Blue Area, Islamabad
16. Master File

Director Regional Planning