

ORDER SHEET
IN THE HIGH COURT OF SINDH, CIRCUIT COURT, HYDERABAD

C.P. No.S-58 of 2025

| DATE | ORDER WITH SIGNATURE OF JUDGE |
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| | 1. For orders on M.A. No.227/2025 (urgency application). |
| | 2. For orders on office objections. |
| | 3. For orders on M.A. No.228/2025 (exemption application). |
| | 4. For orders on M.A. No.229/2025 (stay application). |
| | 5. For hearing of main case. |

06.02.2025

Mr. Muhammad Zakaria Baloch, Advocate for petitioner.

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- 1. Granted.
- 2. Deferred.
- 3. Granted subject to all just legal exceptions.

4&5. Learned counsel submits that the impugned Order was passed on the ground of personal need and default whereas the property belongs to the Evacuee Trust Board, and under section 3 of the SRPO read with Section 14 of the Evacuee Trust Property Act, 1975, the learned Rent Controller did not have jurisdiction to entertain the subject matter. Counsel further submits that an application under Order 1 Rule 10 C.P.C was also preferred by the Evacuee Trust Property Board which was rejected, and against which, Constitutional Petitions bearing No.S-532 to 546 of 2024 were preferred by the ETP Board, which are sub judice before this Court. He also relied upon the Order dated 03.02.2025 passed by this Court in C.Ps. No.S-40 to 46 of 2025 and requests for same relief. Order accordingly.

Points raised by the learned counsel require consideration. Issue notice to Respondent No.3 as well as learned AAG for **17.02.2025** and in the meanwhile, operation of the Judgments dated 29.01.2025 & 20.01.2024 is suspended, till next date of hearing. Let instant Petition be tagged alongwith the petitions referred above.

JUDGE

