

THE HIGH COURT OF SINDH KARACHI

Present:

Mr. Justice Adnan Iqbal Chaudhry

C.P. No. S – 527 of 2026

[Mst. Zehra Fatima versus ADJ, XIIIth and another]

Petitioner : Mst. Zehra Fatima wife of Mohsin Lakho, through Mr. Shakeel Ashique Channa, Advocate, alongwith Petitioner, who is present in Court.

Respondents 1-2 : Nemo.

Respondent 3 : Shehzad Ahmed son of Ejaz Ahmed, through Mr. S. Abid Hussain Shirazi, Advocate.

Date of hearing : 08-07-2026

Date of decision : 08-07-2026

ORDER

Adnan Iqbal Chaudhry J. – Mr. Shakeel Ashique Channa, Advocate, files Vakalatnama for the Petitioner and requests for an adjournment. Counsel for the Respondent No.3 opposes the adjournment as execution of the ejectment order has been stayed by an interim order passed by this Court. This is a date-by-Court. On the last date, an adjournment was granted to the Petitioner only because she appeared in person and submitted that her counsel was unwell. I am not inclined to grant any further adjournment. Counsel who has filed Vakalatnama for the Petitioner today should have come prepared.

2. Petitioner as tenant of the demised premises, has challenged ejectment order dated 23-12-2025 passed by the learned Rent Controller in Rent Case No. 263/2025 under section 16(2) of the Sindh Rented Premises Ordinance, 1979 (SRPO) and order dated 10-03-2026 passed by the learned Additional District Judge dismissing the Petitioner's FRA No. 08/2026.

3. Ejectment application under section 15 of the SRPO was filed by Respondent No.3 as landlord against the Petitioner/tenant on the ground of default in monthly rent and electricity bills. It was averred by the Respondent No.3 that arrears of monthly rent and electricity bills had accumulated to Rs. 330,000/- and Rs. 500,000/- respectively. Since quantum of arrears of monthly rent and electricity bills was disputed by the Petitioner, the order under section 16(1) of the SRPO was passed by the learned Rent Controller directed the Petitioner only to deposit future rent in Court @ 50,000/- per month. Apparently, the Petitioner did not comply; hence the order under section 16(2) of the SRPO.

4. Since the rate of monthly rent is not disputed, the failure of the Petitioner to deposit future monthly rent as ordered, constitutes default in payment of rent. Therefore, I do not see any legal infirmity in the impugned orders of ejectment passed by the learned Rent Controller and the learned Additional District Judge. Petition is without merit and therefore dismissed.

JUDGE

SHABAN*