

ORDER SHEET
IN THE HIGH COURT OF SINDH AT KARACHI
C.P No.S-481 of 2010

DATE ORDER WITH SIGNATURES OF JUDGE(S)

Hearing of priority case

1. For hearing of CMA No.2276/2010 (Stay)
2. For hearing of Main Case

21.10.2016

Mr. Naeem Suleman, Advocate for the petitioners
Mr. Asghar Ali, Advocate holding brief on behalf of
Mr. Tanveer Ahmed, Advocate for respondent No.1

Through the instant petition, petitioner (landlord) has impugned the judgment passed in F.R.A No.63 of 2007. While I have the opportunity to peruse at length the order passed by the trial Court, which seems to be judicially sound, however, when a review of the impugned judgment is made, it becomes patently obvious that the appellate Court failed to appreciate the bonafide need of the landlord, which was so rightly appreciated by the trial Court particularly having provided evidence that the landlord himself has a tenanted premises are reproduced on Pages No. 129 and 131, thus badly needs the premises.

It is astonishing to see that while the appellate Court has passed the judgment reversing the order of the Rent Controller, it has further reverted the matter for recording of additional evidence, which renders the instant judgment inconclusive, least to say. Therefore, it becomes obvious that the appellate Court has failed to appreciate the evidence before it and has passed an erroneous order, which is hereby set aside and the instant petition is allowed.

JUDGE