

ORDER SHEET
IN THE HIGH COURT OF SINDH, KARACHI
CP No.197 of 2018

Date	Order with signature of Judge
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1. For orders on CMA No.711/2018 (Exp)
2. For hearing of Main case
3. For orders on CMA No.712/2018 (U/A.199)

20.11.2018

Mr. Abdul Ghafoor Naz, advocate for the petitioner.

Constitution petition does not lie against factual controversy resolved by the two Courts below and it goes without saying that determination of fair rent is purely a question of facts. There is no stay in this proceeding against the order of trial Court and appellate Court wherein fair rent has been determined by the Court. Therefore, it is hereby clarified that since there is no stay and the tenant / petitioner has not started depositing the rent at the rate of the rent already determined by impugned order he would be guilty of default in payment of rent. Therefore, to be on the safe side he should deposit the amount in Court which will not be handed over to the respondent pending this petition. Adjourned for two weeks at the request of learned counsel with the warning that on the next date of hearing, this petition should be decided on merits if he will not be available or even on medical ground and if no other counsel come forward, this petition would be dismissed for non-prosecution.

JUDGE

SM