

**ORDER SHEET
IN THE HIGH COURT OF SINDH, KARACHI
CP Nos.S-343 of 2017**

Date	Order with signature of Judge
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1. For orders on office objection as at 'A'.
2. For hearing of Main case.
3. For hearing of CMA No.1478/2017 (Stay)

30.11.2018

Ms. Abdul Salam, advocate for the petitioner.

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The petitioner has failed to point any illegality in the order on the basis of evidence. This petition is directed against the concurrent findings on both the points i.e default and personal bona fide need. Only contention raised by the learned counsel is that the ownership of the respondent is in dispute because he has acquired the ownership when the CNIC of the seller of the property has already expired. He further informed the Court that suit on the basis of ownership between the parties has already been decided against the petitioner and they are in appeal. It is settled principle of law if there is any civil dispute between the parties irrespective of such litigation orders of the Rent Controller have to be respected and the contestant is to vacate the premises because once he wins the case in the civil side he will also be entitled to take the possession back from the respondent.

In view of the above, all these petitions are dismissed alongwith pending applications being on identical points and the Petitioner is given 30 days' time to vacate the premises otherwise executing Court will issue writ of possession with permission to break open the lock as well as police aid without notice to the petitioner.

JUDGE

SM