

ORDER SHEET
IN THE HIGH COURT OF SINDH, KARACHI

C.P No.S-2308 of 2018

Date	Order with signature of Judge
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Fresh Case

1. For orders on CMA No.9316/2018 (U/A)
2. For orders on CMA No.9317/2018 (Ex/A)
3. For hearing of main case.
4. For orders on CMA No.9318/2018 (Stay)

26.10.2018

Mr. Muhammad Aslam Mughal, advocate a/w Petitioner.

1. Urgency is granted.
2. Exemption granted subject to all just exceptions.
- 3-4. Through this petition, the Petitioner has challenged the concurrent findings of eviction from the premises bearing Flat on the first floor of the building RC-4/391, Basri Building Bhawan Street, Ghazdarabad Ranchore Lines, Karachi. Execution has been filed and the Petitioner has also sent notice of such execution bearing Execution Application No.10/2018 which is available at page-43 of the file. The appellate Court has given 30 days' time for vacating the premises while dismissing the FRA by order dated **13.10.2018**.

Both the Courts below after going through the record and relevant case law have come to the conclusion that despite notice of **Section 18** of Sindh Rented Premises Ordinance, 1979, the Petitioner has not tendered rent to Respondent No.1. The rent case was filed in 2016 and admittedly evidence has been discussed in the impugned order. The Petitioner has never tendered rent to Respondent No.1 either by money order or otherwise. The learned counsel for the Petitioner has not been able to identify misreading and non-reading of the evidence by the two Courts below. Therefore, this petition is dismissed alongwith listed applications having no merits.

JUDGE