

ORDER SHEET
IN THE HIGH COURT OF SINDH, KARACHI
C. P. No.D-5590 of 2020

Date	Order with signature of Judge
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Present
Mr. Justice Muhammad Ali Mazhar
Mr. Justice Arshad Hussain Khan

Mst. Farhat Naz & others.....Petitioners

Versus

Government of Sindh & others.....Respondents

09.11.2020

Mr. Fazal-ur-Rehman, Advocate for the Petitioners.
Mr. Hakim Ali Shaikh, Addl. A.G. Sindh.

Muhammad Ali Mazhar, J: The case of the petitioners is that their children are getting education in UK Secondary School established by respondent No.5 (U.K. Educational Society). The learned counsel pointed out page 55 (B) which is the report of the bailiff of City Court. The learned counsel argued that Rent Case No.518/2014 was filed by respondent No.4 against the respondent No.5 which was allowed and in pursuance of that order execution application No.01/2018 was also filed before the First Senior Civil Judge/Rent Controller, Karachi-Central. Since the writ of possession has been issued, therefore, the petitioners who are parents of some of the children have approached this court for restraining order against the respondents No.4 and 5 not to stop the education of the petitioners' children till separate accommodation for school is arranged by respondent No.5. Admittedly the respondents No.4 and 5 are private persons and no writ can be issued against them. The learned counsel is also not aware whether the respondent No.5 filed any first rent appeal against the ejection

order if yes, then what was the fate of that appeal. On the face of it the case has been tried by the Rent Controller having jurisdiction in the rent matters under the law and if some ejection order has been passed against the respondent No.5, the right of appeal could have been availed but nothing is available on record. So far as the interests of the children of the petitioners are concerned, it is the responsibility of the respondent No.5 to arrange some other accommodation and if they fail to fulfil this responsibility, the petitioners may file their complaint to the Director General, Directorate of Inspection/Registration of Private Schools/ Institutions (Sindh), Government of Sindh to ensure that the respondent No.5 should continue school in some other premises in accordance with law. The learned Addl. A.G. Sindh waives notice of this petition. He is also of the view that some directions may be issued to the Directorate of Inspection/Registration of Private Schools/ Institutions (Sindh), Government of Sindh to look into the matter. The petition is disposed of with the directions to respondent No.3 to perform his statutory responsibilities and ensure that the respondent No.5 will make alternate arrangement of proper premises to continue the studies of all students admitted in their institution.

A copy of this order may be transmitted to the Directorate of Inspection /Registration of Private Schools/Institutions (Sindh), Government of Sindh to look into the matter.

Judge

Judge