

**ORDER SHEET**  
**IN THE HIGH COURT OF SINDH, KARACHI**  
Const. Petitions No.S-1396 of 2019

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Date

Order with Signature of Judge

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**Disposed of case:**

1. For orders on CMA No.53/2021.
2. For orders on CMA No.54/2021.

**07.01.2021**

Mr. Zulfiqar Ahmed, advocate for the petitioner.

Mr. Muhammad Khalid, advocate for the respondent No.1.

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1. Urgency granted.
2. This petition was disposed of vide order dated 07.12.2020 with the following observation:

“Heard learned counsel at length, Petitioner has failed to point out any material illegality in the impugned orders recorded by the two courts below and ready to vacate the premises if the sufficient time is allowed. This carries weight; hence the petitions titled above are disposed of with direction that the petitioner shall vacate the premises within one year from today and ensure that petitioner shall hand over peaceful possession to the respondent. The petitioner will require to pay the rent as directed by the Court. In case of failure, this order will not rescue the petitioner and the executing Court would be competent to proceed without being influenced by this order. During this span of time the respondent shall not disturb the business carried out by the petitioner.”

Learned counsel for the petitioner states at the bar that he is not aware as to what amount of rent is required to be paid in terms of order dated 08.07.2019 passed by the learned Rent Controller in Rent Case No.129/2016, therefore, Nazir of the concerned Court may be directed to calculate the arrears of rent due and payable by the petitioner to the landlord. He emphasized that this Court vide order dated 07.12.2020 disposed of the captioned petition with direction to the petitioner to vacate the subject premises within one year and to pay the rent as directed by the learned Rent Controller, however, the learned executing Court vide order dated 24.12.2020 directed the petitioner to pay the entire arrears of rent amount to the landlord without calculation, therefore, the immediate indulgence of this Court is required in the matter.

Both the parties seek disposal of the listed application with direction to the Nazir of the learned Rent Controller Karachi West to calculate the arrears of rent as claimed by the respondent-landlord within one week and intimation be given to the petitioner-tenant for payment accordingly. The listed application is disposed of in the above terms.

JUDGE