

Order Sheet
IN THE HIGH COURT OF SINDH AT KARACHI
C.P. No. S-775 of 2021

Date	Order with Signature of Judge
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1. For orders on CMA No.5061/2021 (Urgency if granted) :
2. For orders on CMA No.5062/2021 (Exemption) :
3. For orders on CMA No.5063/2021 (Stay) :
4. For hearing of main case :

14.10.2021 :

Malik Muhammad Akhtar, Advocate for the petitioner.

1. Urgency granted.

2 to 4. This constitutional petition has been filed against tentative rent order dated 28.09.2021 (page 65) passed by the learned Rent Controller in Rent Case No.15/2021 filed by respondent No.1 against the petitioner seeking his eviction on the ground of default in payment of monthly rent. The petition is not maintainable as an interim order passed in rent proceedings under the special rent law cannot be impugned in the constitutional jurisdiction of this Court unless the order is without jurisdiction or is in excess of jurisdiction, or where the Rent Controller fails in exercising the jurisdiction vested in him by law. Learned counsel relies upon *Mst. Zahida Perveen and another V/S Iftikhar Hussain and 2 others*, **2019 YLR 474**. The cited case is of no help to him as the tentative rent order impugned in the present petition does not suffer from any of the above defects or illegality. In this view of the matter, learned counsel for the petitioner does not to press the present petition which is accordingly dismissed as not pressed alongwith the listed applications.

JUDGE