

Order Sheet

IN THE HIGH COURT OF SINDH AT KARACHI

Constitutional Petition No. S – 978 of 2021

Date	Order with signature of Judge
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1. For orders on CMA No.6460/2021 (Urgency) :
2. For order on office objections 14 & 18 as at 'A' :
3. For orders on CMA No.6461/2021 (Exemption) :
4. For orders on CMA No.6462/2021 (Stay) :
5. For hearing of main case :

15.12.2021 :

Mr. Imran Khan, advocate for the petitioner.

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1. Urgency granted.

2–5. Rent Case No.115/2021 was filed by respondent No.1 / landlord against the petitioner / tenant for his eviction wherein the impugned tentative rent order was passed by the learned Rent Controller on 19.11.2021 under Section 16(1) of Sindh Rented Premises Ordinance, 1979. Through the impugned order the petitioner was directed to deposit within thirty days the arrears of monthly rent for the period August 2021 to October 2021, and also to deposit the future monthly rent at the admitted rate of Rs.277,000.00 per month on or before the tenth day of each calendar month.

The impugned order is an interlocutory order. It is well-settled that an interim order passed in rent proceedings under the special rent law cannot be called in question under the constitutional jurisdiction of this Court unless such order is without jurisdiction or is in excess of jurisdiction. Learned counsel for the petitioner has not been able to point out any illegality or infirmity in the impugned order. It is also well-settled that once a tentative rent order is passed in accordance with law, compliance thereof must be made by the tenant. In the above circumstances, the petition, being misconceived and not maintainable, is dismissed in limine along with listed applications with no order as to costs.

J U D G E