## ORDER SHEET THE HIGH COURT OF SINDH, AT KARACHI

## C.P. No.D-1028 of 2020

Date Order with signature(s) of Judge(s)

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- 1. For orders on office objection as at "A"
- 2. For hearing of CMA No.5587/2020 (Stay)
- 3. For hearing of main case

## Dated: 16.04.2021

Mr. Amir Asher Azeem, advocate for petitioner Respondent in person

Against the concurrent findings of two courts blow this petition is filed. The petitioner was tenant of the subject premises of the respondent. Statutory notice under Section 18 of the Sindh Rented Premises Ordinance, 1979 was served on the petitioner on 15.12.2017. It is claimed that the rent upto February 2018 was deposited in Suit No.1153/2008 in terms of order of court, however, notice under section 18 of Sindh Rented Premises Ordinance, 1979, was issued to the petitioner who, despite receipt of the notice, has not tendered the rent of March, 2018 till 17<sup>th</sup> October, 2018, when for the first time it is contended that the money order was sent. By that time the default of March to July, 2018 has already been committed, even if the rent was required to be deposited in 60 days of its becoming due. There is no reason to interfere in the orders of two courts below as the tenant/petitioner has committed default for the aforesaid period at least if not more. Counsel for the petitioner has requested that a reasonable time be given to the petitioner to vacate the premises. As holly month of Ramazan has started, I therefore, deem it appropriate not to dislodge tenant during this month as it may cause inconvenience and allow him to occupy the rented premises for another period of four (4) months, subject to payment of rent in advance on or before the 05<sup>th</sup> of each calendar month and the utility

bills etc. shall also be paid before the due date and the copies of such paid bills shall be handed to the landlord/respondent within time. In case the rent is not deposited in advance or the arrears of the utility bills are not cleared within due date, writ of possession shall be issued forthwith without notice along with police aid.

The petition is disposed of in the above terms along with pending application(s).

## JUDGE

Gulsher