



Property for Pakistan, Ministry of Communications, Islamabad. The Respondent issued notices dated 03.10.2016 for vacation of the quarters concerned and enhancement of monthly rent from 15 to 20 per cent. The Petitioners as well as other occupants of the likewise tenements replied the said notice seeking withdrawal of the enhancement in rent but to no avail.

3. Learned counsel for the Petitioners that the impugned letters have been issued in sheer violation of the laws and without taking into consideration the prevailing market rent in the vicinity. He further submitted that the Respondent Ministry vide notice dated 08.12.2020 has further enhanced the rent upto 35%. He submitted that such unilateral enhancement is contrary to law.

4. Conversely, Mr. Khaleeq Ahmed, learned DAG submitted that the premises in question are situated in Civil Lines Area, one of the posh localities of Karachi and even if dissatisfied the Petitioners may vacate the premises in their occupation whereafter the Respondent will rent out the premises through open bidding to the highest bidders.

5. We have considered the contentions advanced by the learned counsel for the Petitioner, DAG and perused the record. It is the case of the Petitioners that they are paying monthly rent of the premises in their occupation at the rate of Rs.300/- and prayed that the Respondent Custodian of Enemy Property be directed to accept the existence rent of Rs.300/- for future. It seems that the impugned increase in the monthly rent has been made by the Respondent after taking into consideration the inflationary, economic conditions in the Country and prevailing rent in the vicinity, which rather shows that the Petitioners are tendering meager rent. Mere occupation of

the rented premises for a considerable long period provides no justification that the tenant should continue tenancy with old rent. The submission of the learned DAG that if the tenants are aggrieved and dissatisfied with the impugned increase in the monthly rent of the premises in their occupation, they may vacate the same and the Respondent would rent out the same through open bidding to the highest bidders, carries weight.

For the foregoing, we do not find any merit in the instant Petitions and dismiss the same with pending misc. applications.

Chief Justice

Judge