

ORDER SHEET  
IN THE HIGH COURT OF SINDH, KARACHI  
C.P. No. S-366 of 2022

Date	Order with Signature(s) of Judge(s)
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Fresh Case.

1. For orders on C.M.A. No.2448/2022 (*U/S 5 of Limitation Act*)
2. For order on C.M.A. No. 2449/2022 (*Exemption Application*)
3. For order on C.M.A. No. 2450/2022 (*Stay Application*)
4. For hearing of main case.

**09.05.2022**

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Mr. Aijaz-ud-din Warsi, Advocate for petitioner.  
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Respondent No.1 herein filed rent ejectment application being Rent Case No.113 of 2020 against the petitioner before the Rent Controller-XIV, Karachi-West, under section 15 of the Sindh Rented Premises Ordinance, 1979, in respect of Flat No. H-16, situated in Sector 5-E, K.D.A. Flats Scheme No. 41, Surjani Town, Karachi, (*demised premises*) on the ground of personal bonafide need. The petitioner resisted said rent case by filing written statement. The learned Rent Controller after recording evidence and hearing of learned counsel for the parties allowed rent ejectment application vide order, dated 08.09.2021, by directing the petitioner to vacate the demised premises and handover its possession to respondent No.1 within a period of 60 days from the date of the order. Against that, the petitioner preferred F.R.A. No.85 of 2021, which was disposed of by the learned District Judge, Karachi-West by way of compromise vide order, dated 13.11.2021, by directing the petitioner to vacate the demised premises within 6 months of the said order. It is against that consent order instant Constitutional Petition has been maintained by the petitioner.

It an admitted position that before the appellate Court the petitioner filed an application under section 151 C.P.C. stating therein that he is ready to vacate the rented premises within six months and will continue to deposit monthly rent in MRC, upon which the respondent

No. 1 recorded his no objection, whereafter the impugned order was passed by the learned appellate Court and against a consent order no petition lies; hence, the instant petition is dismissed in limine, alongwith listed applications.

Athar Zai

JUDGE