

ORDER SHEET
IN THE HIGH COURT OF SINDH, KARACHI
C.Ps. Nos.S-270, 271, 272, 273, 274, 275 and 276 of 2021

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

12.04.2021

Mr. Liaquat Ali Meyo, advocate for petitioner

These petitions are against the concurrent findings of two courts below and an application under section 15 of the Sindh Rented Premises Ordinance, 1979 was filed along with an application under section 16(1) *ibid*. Notices were served, however, till passing of the order under Section 16(1), neither objections to this application(s) nor written statement(s) were filed. Consequently, as an interim measure, the interest of the landlord was secured by directing the petitioners to deposit the arrears of rent with effect from January, 2018 till passing of the order and future rent vide order dated 29.05.2019. So far as the default in payment of rent is concerned, learned counsel for the appellant submits that it was the previous counsel who has not informed the opponents and when it came to their knowledge, they deposited it on 09.12.2019.

This could hardly be a defence so far as the noncompliance of order dated 29.05.2019 is concerned. The litigants should be equally vigilant in pursuing their matters hence this defence is of no avail to the petitioners. They filed appeals before the District Judge, which were also dismissed by observing that the tentative rent order was not complied and there is no reasonable and lawful explanation provided. There is hardly any reason for interference so far as these petitions are concerned as the same are against the concurrent findings of two courts and undoubtedly the default has been committed by virtue of noncompliance of order dated 29.05.2019, hence the petitions have no merit and are accordingly dismissed. However, the petitioners may enjoy the occupation of the premises for the next 45 days, subject to payment of rent, arrears in advance as well as payment of utility bills. In case it is not complied, writ be issued without notice.

J U D G E