

ORDER SHEET
IN THE HIGH COURT OF SINDH AT KARACHI
Suit No. 282 of 2017

DATE ORDER WITH SIGNATURES OF JUDGE(S)

- For orders on CMA No.2309/2017

20.02.2017

Mr. Rizwan Ahmed, Advocate for the plaintiff

With regard to the Court's order dated 13.02.2017, where Court posed a question as to whether the "Pugree" is recognized in law and if that being the case, the suit for recovery is maintainable or not? In support of his contention, the learned counsel has placed reliance on 2013 CLC 280, where at page No. 286 at Placitum-D, it is held that payment of "Pugree", if proved, would be treated as fixed advance and tenant would be entitled to its refund at the time of his eviction. The counsel admits that the tenant was evicted on 17.09.2016 and with regard to the proof of payment of "Pugree" amount, he refers to page-29, which is a receipt that a sum of Rs.55,000/- being "Pugree" was paid by the plaintiff.

Be that as it may, even if it is admitted that the counsel has satisfied the Court as to the very maintainability on the question of "Pugree", however, the dispute only is in respect of Rs.55,000/- payable on the date of eviction being 17.09.2016, clearly does not fall in the pecuniary jurisdiction of this Court, therefore, the instant plaint is dismissed on this basic requisite.

JUDGE