

ORDER SHEET
IN THE HIGH COURT OF SINDH, KARACHI
C.P. No.S-94 of 2020

Date: Order with signature of Judge

1. For orders on MA No.418/2020
2. For orders on MA No.338/2020
3. For hearing of main case
4. For orders on MA No.339/2020

20.1.2020

Mr. Muhammad Nadeem advocate for the petitioner
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1. Urgency application granted.
- 2.to 4: Learned Counsel for the petitioner impugned an order dated 18.12.2019 in terms whereof the objections of the petitioner to challenge the production of photocopies of certain documents which include certain rent agreements between different parties and some internal documents to which the respondents have no right to produce or access under the law, including but not limited to Qanoon-e-Shahdat. Counsel submits that against this interim order no remedy is provided under the Sindh Rented Premises Ordinance, 1979 therefore, they have filed this petition as an efficacious remedy under the law.

I have heard the learned Counsel and perused the material available on record.

This order is neither a final order nor a conclusive in its nature as far as final determination of rent case is concerned. The objections filed by them are to the extent of filing of photocopies or some internal documents which order could only be impugned along with final order in case the petitioner finds himself aggrieved of at the relevant time. Such challenge of the interim order in these proceedings or in any other forum would violate the scope and mandate of Sindh Rented Premises Ordinance, 1979 which requires expeditious proceedings and for that reason the legislature in its wisdom has not provide any interlocutory

appeal of any interim order. No doubt an appeal could be preferred against the interlocutory order but that could only be of the nature which is conclusive and final. However at the conclusion of the arguments, learned Counsel submits that the Court may observe that in case they would be aggrieved of the final order, they may challenge the impugned order along with the final order. There is no cavil to this proposition that any interlocutory order in rent proceedings may also be challenged along with the final order in case the petitioner is aggrieved of.

Thus, I dispose of this petition with observations that the interim order/interlocutory order is only interim and interlocutory in nature and in case such findings are applied to the final verdict, it may undergo a challenge along with final judgment/order.

The pending applications are also disposed of.

Judge