

*Order Sheet*  
IN THE HIGH COURT OF SINDH AT KARACHI  
**C. P. No. S – 833 of 2022**

Date	Order with Signature of Judge
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1. For orders on CMA No.5614/2022 (Urgent application) :
2. For order on office objection Nos.14, 19, 21 & 31 and reply of counsel thereon as at "A" :
3. For orders on CMA No.5615/2022 (Exemption) :
4. For orders on CMA No.5616/2022 [U/A 199(4)] :
5. For hearing of main case :

**29.09.2022** :

Mr. Muhammad Aslam Baloch, advocate for the petitioner.

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**NADEEM AKHTAR, J.** – Rent Case No.79/2021 was filed by respondent No.1 against the petitioner seeking his eviction from the demised premises on the grounds of subletting and default in payment of the monthly rent. In the said rent case, a tentative rent order was passed by the Rent Controller on 06.12.2021 under Section 16(1) of The Sindh Rented Premises Ordinance, 1979, by directing the petitioner to deposit in Court the arrears of rent for the period May 2021 to December 2021 at the rate of Rs.4,000.00 per month within twenty (20) days and also to deposit the future monthly rent at the same rate on or before the tenth day of each English calendar month. As the said tentative rent order was not complied with by the petitioner, an application under Section 16(2) of the said Ordinance was filed by respondent No.1 which was allowed by the Rent Controller vide order dated 29.03.2022 by striking off the defense of the petitioner and directing him to hand over physical vacant possession of the demised premises to respondent No.1 within thirty (30) days. FRA No.107/2022 filed by the petitioner against the aforesaid order was dismissed by the appellate Court vide order dated 13.05.2022. The petitioner has impugned the concurrent findings of the learned Courts below through this Constitutional Petition under Article 199 of the Constitution of Islamic Republic of Pakistan, 1973.

In view of non-compliance of the tentative rent order by the petitioner, the Rent Controller had no other option but to strike off his defense and to order his eviction as held by the Hon'ble Supreme in *Safeer Travels (Pvt.) Ltd. V/S Muhammad Khalid Shafi through legal heirs, PLD 2007 S.C. 504*. Counsel for the petitioner has not been able to point out any defect in the impugned orders that are in accord with the law laid down by the Hon'ble Supreme Court and as such do not require any interference by this Court. Accordingly, the petition and listed applications

are dismissed in limine with costs of Rs.15,000.00 (Rupees fifteen thousand only) to be deposited by the petitioner / his counsel in the Sindh High Court Clinic within fifteen (15) days.

JUDGE