

ORDER SHEET
IN THE HIGH COURT OF SINDH, KARACHI

Date

Order with signature of Judge

CP.No.S-719 of 2021

1. For hearing of MA No. 4636 of 2021
2. For hearing of main case.

CP.No.S-723 of 2021

1. For hearing of MA No. 4631 of 2021
2. For hearing of main case.

10th May 2023

Mr. Iftikhar Hussain Qureshi, advocate for petitioner in both petitions.

Mr. Masaud Ahmed Junejo, advocate for respondent No.2 in CP.No.S-719 of 2021.

At the outset, learned counsel for the respondent No.2 in CP.No.S-719/2021 contends that he has no objection if this petition is allowed, whereas, impugned order reflects that appeal filed by the petitioner was allowed with direction to the Rent Controller to decide the application filed by respondent No.2. with further direction to call *chowkidar*, bailiff, commissioner and the witness mentioned in the *mashirnama* of bailiff with the right of cross-examination.

Admittedly the appeal filed by the present petitioner was allowed and despite that he has challenged that order in this petition. With regard to maintainability of application filed by respondent No.2, it is yet to be determined by the executing court after leading evidence; hence, the appellate Court rightly remanded the case to the executing Court. Accordingly, both petitions are dismissed alongwith listed/pending application(s).

J U D G E

Sajid