ORDER SHEET

IN THE HIGH COURT OF SINDH AT KARACHI

FRA NO.38/2014

Date	Order with signature of Judge

1. For order on office objection as at A.
2. For hearing of CMA No.7299/2014
3. For hearing of main case.

10.03.2021

Mr. Anwar Jawaid advocate for appellant.
Ms. Saima M. Jamal advocate for respondent.

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Heard learned counsel for respective parties.

2. Perusal of impugned order reflects that learned trial judge dismissed eviction application on the plea that appellant has no legal character over the property. Needless to mention that trial court was not competent to decide the ownership of the property in rent case and issue of tenancy was to be decided by the trial court; that issue was not decided. Hence case is remanded back; trial court shall frame issue with regard to relationship of landlord and tenant, allow the parties to file affidavit in evidence and lead evidence and decide the rent application on merits, preferably within six months.

JUDGE

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