

ORDER SHEET
IN THE HIGH COURT OF SINDH, KARACHI

C.P. No.S-803 of 2018

Mst. Jameela Begum

Versus

Shoaib Tarzi & others

Date: Order with signature of Judge

1. For orders on CMA 3201/18
2. For orders on CMA 3202/18
3. For hearing of main case.
4. For orders on CMA 3203/18

Dated: 09.04.2018

Mr. Naqi A. Taha for petitioner.

-.-.-

A tentative rent order passed under section 16(1) of Sindh Rented Premises Ordinance, 1979 for payment of rent at the rate of Rs.5000/- per month was not complied with by the petitioner/tenant followed by an order passed under section 16(2) Sindh Rented Premises Ordinance, 1979. The petitioner preferred an appeal as FRA No.162 of 2017 which too was dismissed on account of non-compliance of tentative order.

The contention of the petitioner is that this was not the amount agreed as rent. In face the petitioner could have agitated such assertion after compliance of order. He could have also led evidence in this regard however without compliance of the order, this petition being against concurrent findings of the two Courts below who have reached to the conclusion that the tentative rent order was lawful, which was not complied with by the tenant/petitioner, no indulgence as such is required to be given to the petitioner.

However, at the conclusion of his arguments, counsel for petitioner requested for a reasonable time to vacate the premises. Accordingly, three months' time is granted at his request subject to payment of rent and utility charges payable under the agreement and under the law and in terms of tentative rent order. In case of failure to deposit the amount, as stated above, writ of possession shall be issued forthwith along with police aid with permission to break open the lock.

Petition, along with listed applications, stands disposed of in the above terms.

Judge