

ORDER SHEET
THE HIGH COURT OF SINDH AT KARACHI

C.P No.S-824 of 2021.

Date: Order with signature(s) of the Judge(s)

Hg. of Case. [Priority].

1. For Hearing of CMA No.5373/2021.
2. For Hearing of Main Case.

15th March, 2022.

Mr. Abdul Qadir advocate for the petitioner.

Heard learned counsel for the petitioner. He has contends that petitioner is owner of subject matter property though he was entered as tenant in the premises. Besides, the petitioner is not in possession of any legal character. It is settled principle of law that if a tenant comes with the plea that he has purchased the demised premises, he has to vacate the said premises and pursue his remedy under civil court by filing suit for declaration with regard to specific performance.

At this juncture learned counsel for the petitioner does not press instant application on the plea that he is residing in the premises since 1987 and he will pursue his remedy before civil court with regard to purchase of the property and is ready to vacate the demised premises, if this court allow six months' time.

Looking into the circumstances, judgments of the courts below are in accordance with law and instant petition is disposed alongwith listed application[s] with direction to the petitioner to vacate the demised premises within **three months** subject to payment of due rent as well as future rent and shall hand over the possession of the demised premises to respondent No.3. In case of failure executing court, without notice with police aid, ensure that possession is handed over to respondent No.3.

Needless to mention that, in case petitioner failed to deposit rent, this order will not be considered in his favor.

JUDGE