



ORDER SHEET  
IN THE HIGH COURT OF SINDH, KARACHI

F.R.A. No.7 of 2018

Saqib Ali Rajput

versus

Shaikh Abdul Rehman & another

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Date: Order with signature of Judge

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1. For orders on CMA 4682/18
2. For orders on CMA 2249/18
3. For hearing of main case
4. For orders on CMA 2250/18

**Dated: 18.05.2018**

Mr. M. Ibrahim Shaikh for appellant.

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The tentative rent order was passed 06.11.2017 when the tenant/petitioner was directed to deposit rent at the rate of Rs.20,000/- per month. Learned counsel for the appellant in support of his arguments submits that the plea as taken in the written statement was that advance rent was paid which was not taken into consideration.

I have heard the learned counsel and perused the record. It appears that the claim of advance rent in cash was taken into consideration by the Rent Controller and in order to secure interest of the landlord/respondent tentative rent order was passed, which was not complied with. The petitioner could have led evidence as to advance payment of rent through cash but since the order was not complied with his defence was struck off and rightly so. No indulgence is thus required and the appeal is dismissed along with listed applications. However, the petitioner/tenant is given two months' time to vacate the demised premises subject to compliance of order dated 06.11.2017 i.e. arrears of rent at the rate of Rs.20,000/- per month be deposited within 15 days and payment of future rent on or before 5<sup>th</sup> of each calendar month and clearance of all utility charges as and when become due. In case of failure to comply the above, writ of possession shall be issued forthwith along with police aid with permission to break open the lock.

  
Judge