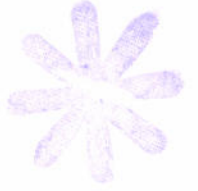


ORDER SHEET  
IN THE HIGH COURT OF SINDH, KARACHI  
FRA No. 3 of 2018

A

Date: Order with signature of Judge

1. For orders on CMA No.1362/18
2. For orders on CMA No.1363/18
3. For hearing of main case
4. For orders on CMA No.1364/18



14.2.2018

Mr. Masood Ahmed for appellant  
.X.X.X.X.

1. Urgency application granted.
2. Exemption application granted subject to all just legal exceptions.
- 3 & 4: This appeal is arising out of an order which was passed on the ground personal requirement and impairing of value and utilities.

Learned Counsel for the appellant has referred to the entire cross examination of the landlord but failed to make out a case of interference insofar as the personal requirement is concerned as in the cross the Attorney of landlord stated that presently Salal Usman, the landlord is posted at Rawalpindi and since 2011 he was supposed to be posted back to Karachi. Solitary question of selling the property, which too was denied, is not enough to shatter the case of personal requirement which otherwise is maintained in the affidavit-in-evidence and cross examination of the landlord hence no indulgence is required. However since the appellant Counsel states that the appellant has school going children who may be disturbed hence he may be allowed to vacate the premises in question by the end of August, 2018 during which period he shall make an alternate arrangement.

Accordingly the appellant is allowed to vacate the premises in question by the end of August, 2018 subject to payment of rent in advance and all other utilities payable under the agreement and under the law.

The appeal along with pending applications stands disposed of in the above terms.

Judge