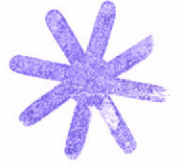


ORDER SHEET
IN THE HIGH COURT OF SINDH AT KARACHI



F.R.A. No.06 of 2020

Fazal Mehmood
Versus
Faisal Imran

Date	Order with signature of Judge
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For orders on CMA 5465/20

Dated: 23.12.2020

Mr. M. Vawda for appellant.
Mr. Mohammad Zahid Kabeer for respondent.

Urgency granted.

Learned counsel for appellant submits that appellant was condemned unheard as the right to cross examine the respondent and right to record his own evidence was not given. This contention is seriously opposed by respondent's counsel as according to him appellant himself chose to remain absent; he only appeared on the day when the matter was fixed for final arguments. Be that as it may, learned counsel for respondent has shown grace and has agreed for remand of this case to the Additional Controller of Rent Clifton, Cantonment Karachi, for recording evidence including cross-examination of the respondent and or his witnesses who has/have already filed affidavit-in-evidence. Order accordingly. On remand of the case, it is expected that the Rent Controller shall proceed with the matter expeditiously and dispose it of, after providing an opportunity to both the parties of pleading their case on merit, preferably within four weeks' time.

By consent appeal stands allowed in the above terms.


Judge