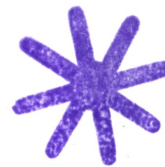


ORDER SHEET
IN THE HIGH COURT OF SINDH, KARACHI
F.R.A. No.64 of 2016
Zahir Rahimatoola & others
Versus
Mrs. Shahida Jaleel



Date: Order with signature of Judge

1. For hearing of CMA 9060/17
2. For hearing of CMA 9038/17
3. For hearing of CMA 8041/16
4. For hearing of main case

Dated: 10.11.2017

Mr. Muhammad Sohail Hayat Khan Rana for appellants.
Mr. Naim-ur-Rehman for respondent.

After arguing the matter at length, learned counsel for appellants concedes that perhaps there was a default, at least of three months, if not five. He thus made a request that reasonable time be given to vacate the premises since appellants are running business almost for last 21 years and two companies are housed in the tenement, therefore, they require sufficient time to arrange some alternate place before they could vacate the premises. He has made a request for one year, which is opposed by Mr. Naim-ur-Rehman who requests that shorter period be given.

In view of the facts and circumstances and in view of the fact that appellants are tenant of the demised premises since last 21 years they are allowed to remain there for eight months i.e. until 10th July 2018 by which date they shall vacate the premises. In case they fail to vacate the premises on or before aforesaid date, a writ of possession shall be issued forthwith along with police aid without any notice. The tenants/ appellants shall however pay all outstanding amounts including the rent and shall continue to pay future rents in advance on or before 10th of each calendar month and so also the water conservancy charges etc. as payable in terms of agreement and the law. As far as security deposit lying with the respondent is concerned, the same shall be deposited with the Nazir of this Court two weeks before the cut-off date of vacating the premises, which shall be refunded to the appellants at the time of vacating the demised premises after adjustment of losses towards premises other than normal wear and tear of premises if any sustained and/or any outstanding charges, as stated above.

First Rent Appeal, along with listed applications, stands disposed of in the above terms.

Judge