

ORDER SHEET  
IN THE HIGH COURT OF SINDH, KARACHI  
F.R.A. No.09 of 2018

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Date: Order with signature of Judge

Hearing/Priority case

1. For hearing of main case.
2. For hearing of CMA No.2610/2018 (Stay)



Dated: 10.04.2018

Mr. Zayyad Khan Abbasi, advocate for appellant  
Mr. Yawar Farooqi, advocate for respondent

Learned counsel for the appellant has argued his case that though the case of **personal requirement** was filed by the respondent, however, it has not been made out. I have heard the learned counsel for the parties and perused the material available on record. Respondent, in **his application in para 10**, has stated about the **personal bona fide** need which in the cross-examination is not **shattered**. In fact, the very first question asked by the counsel for the appellant was that respondent was **visiting Pakistan since 2008**. The argument of the learned counsel **for the appellant** that it has not been stated that **wife and children of the respondent** are also visiting Pakistan appears to be immaterial. Firstly, that it has not been questioned by the appellant that they are not visiting and secondly for the applicant alone, the application could have been granted. On the basis of **evidence available on record**, no case for interference in this appeal is made out. However, at the conclusion of the arguments, counsel for the appellant requests that a reasonable time be given to **search for alternate accommodation**. As an indulgence, **five (5) months' time as requested is granted**, subject to payment of rent and all utility charges payable under the agreement and law, failing **which writ of possession** shall be issued forthwith.



Appeal stands disposed of along with pending application(s).

JUDGE