

**F.R.A. No. 01 of 2025**

1. FOR HEARING OF MA NO. 128 OF 2025
2. FOR HEARING OF MAIN CASE

6. That as per law on the ground of personal bonafide need the opponent is required to vacate the demise rented premises but he still failed to do so and the opponent not paid the rent of demise rented premises since February 2022, hence has committed willful default.

7. *That the daughters of applicant who are residing with the applicant and they are performing their jobs within the jurisdiction of DHA Karachi, therefore, applicant is required the demise rented premises for her personal bonafide need.”*

2. The Rent Application was allowed vide Impugned Order dated 12.11.2024. Learned counsel for the Appellant has stated that the personal bonafide need was not made out by the Respondent. The learned counsel has stated that no Tenancy Agreement pertaining to the property rented out by the Respondent for herself, was attached. Thereafter, learned counsel argued that no proof has been annexed regarding the Respondent's daughters working in DHA. Lastly learned counsel has argued that the CNIC of Respondent shows an address of DHA and therefore, she is not entitled on the ground stated above.

3. Respondent appears in person before this Court and she reiterated the contention taken in the Rent Application. She has very categorically stated that she requires the tenement for her personal need and wishes to reside therein herself.

4. At this stage it will be expedient to reproduce certain excerpts of the cross examination of the Respondent. The same are reproduced as under: -

*“It is correct to suggest that the address mentioned in the CNIC is of Phase iv DHA Karachi. It is incorrect to suggest that I am residing in the address mentioned in my CNIC.... It is incorrect to suggest that landlady does not require the rented bungalow for her personal need. It is incorrect to suggest that the ground of personal is based on mala fide intention and we need the rented premises for our personal use.”*

5. I have heard learned counsel for the Appellant and the Respondent in person and perused the record. I will only examine the ground of personal need in the instant judgment as contended by the Respondent in person.

6. It is a settled principle of law that in cases of personal bonafide need, the landlord/ owner has to stand in the witness box and the plea if unrebutted entitles the landlord to possession of the tenement in question. It is clear from the cross-examination reproduced above that the said plea has gone unrebutted and the same has correctly been recorded in the Impugned Order. Therefore, no case of interreference is made out and the instant appeal is dismissed with no order as to cost.

J U D G E