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ORDER SHEET
IN THE HIGH COURT OF SINDH, CIRCUIT COURT, LARKANA
C. P. No.S-324 of 2024

DATE OF HEARING	ORDER WITH SIGNATURE OF HON'BLE JUDGE
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1. For order on M.A.No.70/2025.
2. For orders on office objection 'A'.
3. For hearing of M.A.No.691/2024
4. For hearing of main case.

31.01.2025

Mr. Saeed Ahmed Leghari, advocate for the petitioners.

Mr. Munwar Ali Abbasi, Asstt. A. G, Sindh.

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1. Per office note, instant petition is already fixed on 24.02.2025; however, learned counsel pleads urgency on the ground that the executing Court has issued writ of possession against the petitioners and the petitioners are supposed to be evicted in terms of the judgments passed by the Courts below. Accordingly, urgency application is granted and the matter is taken up in Court today for hearing.

2 to 4. Learned counsel for the petitioners submits that petitioners are a tenant of a demise premises viz. a house bearing No.142 measuring 800 square feet situated at Muhalla Murad Wahan, Larkana and have been paying due rent to landlords/Respondents No.1 & 2. He next submits that Respondent No.1 filed Rent Appln. No.12/2023 before the Court of Rent Controller-I, Larkana where the petitioners were summoned; however, after recording evidence of the parties, the Rent Controller allowed the application under Section 15 of SRPO, 1979 filed by the Respondent No.1 through order dated 26.01.2024. He next submits that petitioners filed First Rent Appeal bearing No.01/2024 before the Court of VIth Additional District Judge, Larkana (Appellate Court) where after hearing the parties the appellate Court has also dismissed their appeal through judgment dated 21.08.2024, which are being impugned before this Court through this petition.

After arguing at some length, learned counsel for the petitioners submits that petitioners/tenants will be satisfied and would not press instant petition if sufficient time may be granted so that petitioners may be able to have an alternate for the tenement and then vacate the premises in

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question and hand over its peaceful possession to the landlord i.e. respondents No.1 & 2. The point raised requires consideration.

Accordingly and in view of above, instant petition is hereby dismissed, as not pressed; however, due to the pecuniary circumstances of the case, petitioner is granted two (2) months' time to vacate the rented premises and hand over peaceful-cum-vacant possession to the landlords / respondents No.1 & 2; however, operation of Execution Application as well as its subsequent proceedings shall remain suspended till 31.03.2025. In case, petitioner may fail to vacate the demise premises on or before 31.03.2025, Executing Court shall be competent to issue writ of possession with police aid without issuing of notice to the petitioners.

This petition stands disposed of, in the terms stated above, along with listed application(s), if any.


Judge

M Yousuf Panhwar/**