

ORDER SHEET
IN THE HIGH COURT OF SINDH, KARACHI
FRA No.12 of 2012

Date Order with signature(s) of Judge(s)

1. For Katcha Peshi
 2. For hearing of CMA No.533/2012
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31.03.2014.

Mr. Muhamamd Wasim Samo, Advocate for the
Petitioner.
Mr. Shahzad Bashir, Advocate for the Respondent.

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Learned counsel for the appellant attempted to have find out infirmity the impugn findings of the learned Rent Controller. Apparently the contention of the Appellant is that Court of Rent Controller has come to the conclusion that no rent has been deposited after order of the Court under Section 17(8) of the Cantonment Rent Restriction Act, 1963 is incorrect as the rent was deposited by the appellant. However, the record produced by the Appellant himself shows that order was not complied with in letter and spirit. He admits payment of rent was made before the learned Rent Controller beyond the time given by the learned Rent Controller. Therefore, without going into the detailed argument to justify his grievance against impugn order he concedes that he is ready to vacate the shop providing reasonable time is given since he is running business in the premises in question. By consent of the Respondent 10 months' time is granted from today subject to deposit of 10 months' rent within three months in the Court of learned Rent Controller. After 10 months' without any notice to the Respondents, if it is found that the appellant has not vacated the shops the Executing Court shall issue writ of possession with police aid without notice to the appellant. Counsel for

the Respondent requests that in this very proceedings order may be passed that Respondent is allowed to withdraw the rent as per law. Request is granted, order accordingly. This First Rent Appeal stands disposed of in above terms alongwith all pending applications.

JUDGE

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