

ORDER SHEET
IN THE HIGH COURT OF SINDH,
CIRCUIT COURT, HYDERABAD.

F.R.A. No.01 of 2012

DATE	ORDER WITH SIGNATURE OF JUDGE
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For Katcha Peshi

11.09.2014.

Mr. Sunder Das Advocate for the appellant
Mr. Asghar Mirbhar Advocate for the respondent.

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The appellant has filed rent case on the sole ground of personal need. The impugned order has also discussed the issue of subletting and alternation in the premises. In the findings on the issue of personal need, Rent Controller has casually referred to the evidence which apparently is indication of the facts that the Rent Controller failed to consider the material available before him. He has also failed to apply judicious mind with regard to the record available before him.

In view of the above circumstances, by consent of both the counsel, this case is remanded to the Rent Controller Cantonment Board Hyderabad to decide the matter afresh in accordance with law after hearing both the parties on the basis of available evidence, however, the parties are at liberty to lead further evidence, if so desired, on account of changed circumstances if any. The Rent controller, keeping in view of delay already occasioned, is directed to decide the rent case No.01/2009 within three months positively from the date of receiving this order in the office of Rent Controller.

Disposed of.

JUDGE

A.K