

FRA No.05 of 2025

1. FOR HEARING OF CMA NO.492/25
2. FOR HERAING OF MAIN CASE

Appellant present in person
M/s Ghazi Khan/ Javed Ali Malik, advocates for Respondent

3. Counsel for the Respondent has categorically stated that the relationship between the parties is admitted that there is no compliance of

order passed under Section 17(8). He has further argued that a review application was preferred against the said order and the same was dismissed. Therefore, the order attained the finality. He has further averred that several opportunities were given to the Appellant by the learned Rent Controller, but he refused to comply with the orders mentioned above. He has lastly stated that the Appellant is only attempting to delay the inevitable.

4. I have heard both the learned counsels and perused the record. I have more specifically examined the diary sheets of the rent cases mentioned above. It is evident from the bare perusal of the diary sheets that the Appellant is only making attempts to delay the matter on one pretext or the other. Further, it is most ironic to note that the Appellant filed Misc. Rent Application No.15/2024 against the Respondent, seeking the following prayer:

“a. It is therefore respectfully prayed that this Hon’ble Court may graciously be pleased to allow this application and direct the opponent/ landlord/ owner to make the necessary repairs of the flat which are essential to render the building fit for occupation, before it collapses and cause great damage to life and property of others/ flats adjacent/ underneath.”

5. It is further very astonishing to note that paragraph number 2 of the said application the relationship between the parties is admitted. The same is reproduced below: -

“That the owner/opponent is residing in Lahore has been receiving the monthly Rent from the applicant in his bank account no 02651004511622 of Bank Alfalah Samanabad Lahore through Bank Alfalah branch of Karachi by on line transfer. The bank deposit slips of rent of various months are attached herewith and marked as Annex B.”

6. The Appellant, in person has made very abhorrent attempt to misguide this court. He initially made several attempts to get the instant Appeal adjourned. The said request was denied as the Appellant was continually seeking adjournments in the matter. Thereafter, whilst arguing the instant Appeal the Appellant made submissions denying the relationship between the respective parties. It was only upon deeper appreciation and perusal of the record that the above noted contradiction surfaced. When confronted with the

record as mentioned above the Appellant failed to give any plausible explanation.

In light of what has been held above the instant Appeal is without merit, and the same is dismissed with cost of Rs.10,000/- to be deposited in the High Court Clinic by the Appellant.

JUDGE

Asim/PA