

ORDER SHEET
IN THE HIGH COURT OF SINDH, KARACHI
C.P. NO.S-419 OF 2025

Date	Order with Signature(s) of Judge(s)
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FRESH CASE

- 1. FOR ORDERS ON CMA. NO.4229/2025
- 2. FOR ORDERS ON CMA. NO.3575/2025
- 3. FOR ORDERS ON CMA. NO.3576/2025
- 4. FOR HEARING OF MAIN CASE.

05.06.2025

Mr. Naeem Suleman, advocate for the petitioner

- 1. Urgency granted.
- 2. Exemption application is granted subject to all just exceptions.
- 3-4. Learned counsel pleads that the petitioner has been ordered to vacate the subject premises on the ground of personal need and default in payment of rent. With respect of *bona fide* personal need, he has drawn attention to the cross-examination of the attorney of respondent No.1 (at pages 139 to 141 of the Court file) which reflects the contradictory statements of the Respondent No.1 pertaining to such *bona fide* need. Learned counsel then referred to paragraph 19 of the impugned order to reflect that even on the ground of default, no default was committed by the petitioner and the rent was being paid earlier directly to respondent No.1 and then being deposited in MRC No.49/2018. Lastly, learned counsel referred to paragraph 22 of the impugned order whereby learned XIIth Additional District Judge/MCAC District South has observed that “*The benefit of period of six month given to Appellant to vacate premises, would be availed if judgment dated 17-02-2025 is not assailed by the Appellant before the Honourable High Court of Sindh*”. Per learned counsel, this is a

unique direction, ever issued by the any Court. Serious questions of law and fact are therefore raised by the learned counsel which requires consideration. Issue notice to the respondent No.1 for 08.07.2025. Meanwhile, operation of impugned judgment is suspended.

JUDGE

MUSHARRAF ALI