

IN THE HIGH COURT OF SINDH KARACHI

Const. Petition No. S- 598 of 2025

Date	Order with signature(s) of Judge(s)
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Hg:/Priority.

1. For orders on Misc. No.8724/25
2. For orders on Misc. No.8367/25
3. For orders on office objections.
4. For hearing of Misc. No.4863/25
5. For hearing of main case.

24.12.2025.

Mr. Muhammad Kamran Mirza, Advocate for the Petitioner.
Ch. Muhammad Abu Bakar Khalil, Advocate for Respondent.

ORDER

Nisar Ahmed Bhanbhro, J. This petition is directed against the order dated 19.07.2025 passed by the court of Additional District & Session Judge XII-(South) Karachi (re: Syed Liaquat Ali v. 4th Sr. Civil Judge & Muhammad Jahanzaib) in Civil Revision No.120 of 2025 and order dated 14.07.2025 passed by the 4th Rent Controller / Executing Court in Execution No.09/2022 (re: Muhammad Jahanzaib v Syed Liaquat Ali).

2. Learned counsel for petitioner submits that CPLA No.586-A/2025 was pending adjudication before the Hon'ble Supreme Court of Pakistan when the execution application was allowed and writ of possession was issued. He contends that petitioner was condemned unheard and premises were vacated without due course of law.

3. Learned counsel for the respondent submits that the CPLA filed by the petitioner has been dismissed by the Hon'ble Supreme Court of Pakistan, and that there are concurrent findings of the courts below which have already been upheld by this Court. It is further submitted that the instant petition is filed against the order passed in the execution application, wherein a writ of possession has already been issued in favour of the landlord/respondent and possession has been handed over to Landlord. This petition is not maintainable and prayed for its dismissal.

4. Heard arguments, perused the material available on record.

4. From the perusal of the record, it reflects that the executing court allowed the execution application and directed the petitioner to hand over vacant and peaceful possession of the demised premises to the landlord; however, the petitioner failed to comply with the executing court's order, consequently, police

assistance was sought and the Bailiff of the Court was directed to implement the court's order. It further appears from the record that an interim order was granted in favour of the petitioner by this court, but due to lack of interest on the part of the petitioner, the said order was recalled on 13.11.2025. The petitioner has admitted that, pursuant to the writ of possession, the demised premises have been handed over to the landlord. Since the main purpose of the proceedings has attained finality, and the instant petition challenges the order passed in the execution proceedings, no illegality or perversity has been pointed out in the orders of the executing court as the court followed the judgment and sought its execution. Consequently, this petition, being devoid of merits, is hereby dismissed along with all pending applications, with no order as to costs.

JUDGE