

THE HIGH COURT OF SINDH KARACHI

Present:

Mr. Justice Adnan Iqbal Chaudhry

C.P. No. S – 531 of 2026

[Asif Khan versus Hanifa Alamgir Jamia Masjid Trust and others]

Petitioner : Asif Khan son of Abdul Rehman Khan,
through Mr. Muhammad Nadeem
Khan, Advocate.

Date of hearing : 02-07-2026

Date of decision : 02-07-2026

ORDER

Adnan Iqbal Chaudhry J. – 1] Urgency granted. 2] Exemption granted subject to all just exceptions. 3-4] The Petitioner, as tenant of the demised premises, prays for a *writ* of *certiorari* against an order of ejectment dated 11-11-2025 passed by the IVth Rent Controller, Karachi (East) in Rent Case No. 50/2020, which was upheld in appeal by VIth Additional District Judge, Karachi (East) vide judgment dated 04-05-2026 passed in FRA No. 190/2025.

2. As landlord of the demised premises, the Respondent No.1, a Trust, had prayed for ejectment of the Petitioner on grounds of default in payment of rent and subletting the demised premises to Respondents 2 to 6. Both the Courts below allowed the ejectment application on both grounds. Though, learned counsel submits that both the Courts below had misread the evidence, however, he is not able to point out any misreading from the evidence. As noted by the learned Appellate Court, on cross-examination, the Petitioner had admitted default in payment of rent and subletting the premises as follows:

“.... It is correct to suggest that the last rent I paid to applicant/Trust was of three months viz. July to September 2017... it is correct to suggest that subsequently I started depositing rent in November 2022 after passing of the order on application under Section 16(1) S.R.P.O. 1979 on 04.11.2022....It is correct to suggest that I am defaulter in payment of monthly rent of demised premises since September 2017....”

".... It is correct to suggest that as per pictures, the shop was bifurcated into five shops. It is correct to suggest that I have not mentioned in my written statement or stated in my affidavit in evidence that the pictures annexed by the applicant are forged, fabricated and managed...."

2. The thrust of the submission of counsel is that the ejectment application filed on behalf of the Trust was by an unauthorized person. Again, that argument was duly addressed and rejected by both the Courts below. On behalf of the Trust, the ejectment application had been filed by the General Secretary of the Trust namely, Muhammad Saeed Khan Sabri, the same person who had signed the tenancy agreement dated 29-04-2001 with the Petitioner on behalf of the Trust. Furthermore, the General Secretary had also produced minutes of the meeting of trustees as Exhibit A/1 to show that he was authorized to file the ejectment application on behalf of the trustees.

3. Therefore, none of the grounds before this Court merit intervention in *writ* jurisdiction. Resultantly, the petition is dismissed in *limine*.

JUDGE

SHABAN*