



enforcement of his rights". Reference may be made to Abdul Rasheed v. Maqbool Ahmed & others 2011 SCMR 320 wherein it is held as:-

5. ... It is settled law that where in a case filed for eviction of the tenant by the landlord, the former takes up a position that he has purchased the property and hence is no more a tenant then he has to vacate the property and file a suit for specific performance of the sale agreement whereafter he would be given easy access to the premises in case he prevails..... Consequently, the relationship in so far as the jurisdiction of the Rent Controller is concerned stood established because per settled law the question of title to the property could never be decided by the Rent Controller. In the tentative rent order the learned Rent Controller has carried out such summary exercise and decided the relationship between the parties to exist.

Therefore, the petitioner is at liberty to agitate such plea before the appropriate forum if advised so.

JUDGE