

**ORDER SHEET  
IN THE HIGH COURT OF SINDH AT KARACHI**

F.R.A. No.05 of 2021

Sohail Mustafa  
Versus  
Mrs. Mahjabeen Mirza

Date	Order with signature of Judge
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1. For orders on CMA 1868/21
2. For orders on CMA 211/21
3. For hearing of main case
4. For orders on CMA 212/21

**Dated: 31.03.2021**

Mr. Iftikhar Javaid Qazi for appellant.

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This is a case of non-compliance of tentative rent order passed by Additional Controller of Rent Clifton Cantonment. In terms of rent order dated 27.10.2020 the appellant was directed to deposit future rent at the rate of Rs.90,000/- per month from November, 2020 on 5<sup>th</sup> of each calendar month followed by deposit of Rs.7,20,000/- for the period from March 2020 to October 2020 (eight months) at the rate of Rs.90,000/- per month, which was considered as arrears. The appellant was further directed to deposit future rent at the same rate on or before 5<sup>th</sup> of each calendar month. The appellant has neither deposited future rent nor arrears.

Today after tentatively arguing the matter while referring the impugned order, learned counsel appearing for appellant submitted that appellant would be vacating the subject premises provided reasonable time of three months be given.

I have heard the learned counsel and am of the view that the indulgence could only be given to the appellant in case (i) future rent w.e.f. November 2020 till date be deposited in a week's time; (ii)

arrears i.e. Rs.7,20,000/- for the period from March 2020 to October 2020 (eight months in all) be deposited in a month, as requested by the learned counsel, without fail, and (iii) future rent (from April 2021 onwards) be deposited on 5<sup>th</sup> of each calendar month and all other dues/charges/utilities payable under the law and agreement. Order accordingly. All these amounts be deposited with the Nazarat and/or Additional Controller of Rents Clifton Cantonment Karachi, strictly adhering to above schedule.

With the above observation and/or directions the appellant is allowed to retain possession of the demised premises for three months, subject to above compliance. In case of failure to make compliance of any of above directions, writ of possession shall be issued without notice with police aid with permission to break open the locks, if required.

First Rent Appeal is disposed of in the above terms along with listed applications.

**Judge**