

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

C.P. No.S-321 of 2021

Shafiq Ahmed

Versus

Iftikhar Hussain Qureshi & others

Date	Order with signature of Judge
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1. For orders on CMA 2166/21
2. For orders on CMA 2167/21
3. For hearing of main case
4. For orders on CMA 2168/21

Dated: 15.04.2021

Mr. Liaquat Ali for petitioner.

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Petitioner was inducted in the premises as tenant. He claimed to be in relation with the brother of respondent No.1 Iftikhar Hussain Qureshi as landlord/tenant who sold this property to his brother. The status of the petitioner with regard to premises in question would thus remain as a tenant. Petitioner has claimed that no notice under section 18 of Sindh Rented Premises Ordinance, 1979 was served however he concedes that despite receipt of notice of eviction application and the documents, he did not tender the rent to the new landlord i.e. respondent No.1. An application under section 16(1) of Sindh Rented Premises Ordinance, 1979 was also filed which was allowed and even that order has not been complied by the petitioner. Thus, despite having knowledge of gift of the subject premises and despite having notice of such facts petitioner not only avoided to tender rent but an order under section 16(1) of Sindh Rented Premises Ordinance, 1979 was also violated, which resulted in order of eviction of the petitioner by the trial Court. The appeal filed by the petitioner also met the same fate. Prima facie there is no dispute as to relationship of landlord and tenant between the parties as the present landlord/respondent No.1 stepped into the shoes of his predecessor and such facts were communicated and/or in the knowledge of the petitioner, at least by way of eviction application. Furthermore, non-compliance of order passed under section 16(1) of Sindh Rented Premises Ordinance, 1979 is contemptuous and deliberate attempt to avoid rent. No interference as such is required in the orders passed by the two Courts below and accordingly petition is dismissed along with listed applications.

Judge