

**ORDER SHEET**  
**IN THE HIGH COURT OF SINDH AT KARACHI**  
**CP.No.S-47 of 2005.**

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| Date | Order with signature of Judge |
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1. For orders as to non-prosecution of CMA No. 3493 of 2020.
2. For hearing of main case.

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**29<sup>th</sup> October 2020**

Mr. Muhammad Ali Waris Lari, advocate for petitioner.  
Mr. Shabir Ahmed Shaikh, advocate for respondent No. 3 and 4.

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Heard learned counsel for the petitioner.

Learned counsel for the petitioner is unable to place on record money order with regard to rent for the period of August 1988 to December 1989; though he has emphasized over the page 51 of R&Ps, which is money order sent by the Abid Ali in the year 1990. Besides, payment by Abid Ali shows subletting as well, hence, judgments recorded by both courts below are in accordance with law. At this juncture, learned counsel for the petitioner is ready to evict the demised premises, if sufficient time is allowed. Since the petitioner is in occupation of demised premises as Commercial Property, therefore, one year is granted. Petitioner shall ensure that possession is handed over to landlord /respondent. In case of failure, executing court would be competent to handover the possession even without notice to the petitioner.

Rent shall be paid to Respondents No. 5 6 and 7 regularly through Nazir of the Rent Controller before the 5<sup>th</sup> of each calendar.

**J U D G E**

SAJID