

ORDER SHEET
**IN THE HIGH COURT OF SINDH,
CIRCUIT COURT, HYDERABAD.**

C.P.No.S- 896 of 2019

DATE	ORDER WITH SIGNATURE OF JUDGE
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1. For orders on office objections
2. For hearing of MA No.2444/19 (stay)
3. For hearing of main case.

30.03.2022.

Petitioners present in person.

Mr. Saad Salman holds brief on behalf of Mr. Pirbhu Lal
Advocate for petitioners.

Malak Mehmood Ahmed Qadri, Sarparast Masjid Committee
And Haji Muhammad Saleem General Secretary Masjid Committee
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On behest of the learned counsel for the petitioners, this date was fixed for calling the parties so that some amicable settlement could be reached as proposed to the Court by both the sides. Petitioner Nos.1 & 2 are present who admit that they have occupied Shop Nos.7 & 8 respectively. This constitutional petition was filed against the judgment of the appellate Court in a rent matter where learned Appellate Court was pleased to uphold the judgment of learned Rent Controller that vide its judgment dated 19.07.2018 directed the petitioners to hand over vacant possession of the shops within sixty days from the passing of its order. The *Sarparast* and General Secretary of Masjid Committee present here submit that there are, in total nine shops, out of which except shops in the possession of the petitioners, remaining seven shops have been handed over to the Masjid Committee for demolition and onward construction of new shops.

2. After hearing the parties with consensus it is agreed between the parties that petitioners will vacate their respective shops and hand over vacant peaceful possession thereof to the representative of Masjid Committee within thirty days. With regards to the default, petitioners submit that they have been regularly making payment of rental amount with the Rent Controller and as to the pending electricity bills, it is pointed out that matter has been resolved between petitioners and the Electricity Company.

3. In the given circumstances, this petition is disposed of with directions to the petitioner Nos.1 & 2 to hand over vacant peaceful possession of shop Nos.7 & 8 to the representative of the respondents within 30 days from today for demolition as respondents intend to raise further construction of new shops over the subject land. It is specifically agreed on behalf of the Masjid Committee that once new shops have been constructed, the petitioners will be offered one shop each as per rent, terms and conditions applicable for newly constructed shops at that time, and if petitioner(s) match applicable offer, they would be given first priority over any new comer tenant, one each shop for their own personal use. It is anticipated that construction will be raised preferably within one year. Additional Registrar of this Court to oversee implementation of this order and to place a reference in case any further directions are sought.

JUDGE