

ORDER SHEET
IN THE HIGH COURT OF SINDH, KARACHI
High Court Appeal No.40 of 2022

<i>Date</i>	<i>Order with signature of Judge</i>
-------------	--------------------------------------

Hearing (Priority) Case:

1. For orders on office objection.
2. For hearing of main case.
3. For hearing of CMA No.242/2022

18.03.2022:

M/s. Amna Salman, Muhammad Jibrán Nasir & Saifullah Sachwani, advocates for the appellants.

Mr. Ghulam Akbar Lashari, advocate for the respondent.

Learned counsel for the appellants submits that the appellant has given an undertaking in writing to the effect that the appellant will vacate and hand over the peaceful possession of the subject premises to the respondent on or before 30th June, 2022, whereas, notice of lease termination dated 1st February, 2022, has also been given to the owner of the subject property by the appellant, hence, prays that instant High Court Appeal may be disposed of in view of the undertaking given by the appellant by directing the respondents not to take adverse coercive action or to seek eviction of the appellant from the subject premises before the expiry of aforesaid period (30.06.2022).

2. Learned counsel for the respondent under instruction does not oppose disposal of instant High Court Appeal in the aforementioned terms, however, submits that in case the appellant fails to vacate the subject premises on or before the 30th June, 2022, respondents may be allowed to take action against the appellants in view of impugned order passed by the learned Single Judge in the instant case.

3. The undertaking by the appellant is taken on record which reads as follows:-

UNDERTAKING OF THE APPELLANT

In light of the Order dated March 11th, 2022, passed by this Honourable Court, the Appellant was directed to provide its undertaking to vacate D-145, Kehkashan KDA Scheme 5, Block 5, Clifton, Karachi (“Subject Property”) and having served the notice of termination to the landlord of the Subject Property.

In this regard, I, Daanish Ahmad Mustafa s/o Syed Sami Mustafa, adult, Male, Muslim, holding CNIC bearing No. 42201-3888783-1, resident of 43/S Block 6, P.E.C.H.S., Karachi, do hereby undertake as follows:

1. I am the Director and Principal of Metro International School (Pvt) Ltd., the Appellant in the above mentioned cause.
2. That I confirm that I have tendered the notice to terminate our tenancy arrangement effective June 30th, 2022, with the Landlord of D-145, Kehkashan KDA Scheme 5, Block 5, Clifton, Karachi on February 1st, 2022. A copy of the same is annexed herewith as Annexure ‘A’ hereto.
3. To this effect, I hereby undertake to ensure that the Appellant shall vacate D-145, Kehkashan KDA Scheme 5, Block 5, Clifton, Karachi, by June 30th, 2022.”

Instant High Court Appeal stands disposed of in view of above undertaking by the appellant along with listed application.