

IN THE HIGH COURT OF SINDH
CIRCUIT COURT, HYDERABAD

C.P No. S-103 of 2024

Petitioner : Ilyas @ Bawailly through Mr. Muhammad
Saleem Hashmi Qureshi advocate

Respondent : Humayoon and others through
Nemo

Date of hearing
& Order : 03.05.2024

ORDER

YOUSUF ALI SAYEED, J. - The Petitioner has invoked the jurisdiction of this Court under Article 199 of the Constitution, impugning the Order made on 05.03.2024 by the Senior Civil Judge/Rent Controller-III, Hyderabad on an interlocutory application filed under Section 16 of the Sindh Rented Premises Ordinance 1979 in Rent Case No. 75 of 2023, whereby the he was directed to tentatively deposit rent at the rate of Rs.30,000/- per month with the Nazir from the date of filing onwards along with future rent at the same rate by the 10th of each calendar month, subject to final outcome of the case or further Order of the Court.

2. Under such circumstances, the Petition is found to be misconceived in view of the judgment of the Supreme Court in the case reported as Mst. Seema Begum v. Muhammad Ishaq and others PLD 2009 SC 45, where it was observed as follows:

"7. The most important aspect of the case is that respondent Muhammad Ishaq had challenged the interim order passed by learned Rent Controller in the Constitution Petition. As such the same was not maintainable and impugned order is liable to be set aside on this score alone."

3. As such, while granting the application for urgent hearing, the Petition accordingly stands dismissed *in limine*, along with the other pending miscellaneous applications.

JUDGE