

**ORDER SHEET**  
**IN THE HIGH COURT OF SINDH, KARACHI**  
**C.P.No.S-29, 30 and 31 of 2023**

Intertrade Distributors Pvt. Ltd. .... Petitioner  
 Vs.

Karachi Chamber of Commerce & Industry  
 & another ..... Respondents

Mr. Zark Ahmed Khan Ghory, advocate for Petitioner.

Mr. Khalid Javed a/w M/s Farkhunda Shaheen, , Munawar Juna and Barrister  
 Yousif Makda, advocate for Respondent No.1.

05.09.2024.

**ORDER**

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**MUHAMMAD IQBAL KALHORO J:** These petitions challenge dismissal orders dated 12.12.2022, on application, whereby petitioner sought stay of rent proceedings filed by respondent against it for eviction on the ground of default and personal need.

2. Learned counsel for petitioner submits that there is a dispute between the respondent No.1 and Evacuee Trust Property Board over the ownership of the demised premises leading to some proceedings pending before various forums, hence the petitioners are not tenant of respondent No.1 but of the Evacuee Trust Property Board; that respondent has no cause of action to file rent case against him as he is not the owner.

3. His arguments have been rebutted by the learned counsel for respondent who has referred to various documents including filing of MRC by the petitioner for deposit of rent in favour of respondent admitting him as his landlord. The rent controller in the order has also referred to various documents showing that petitioner is the tenant of the respondent. The dispute between the respondent and Evacuee Truест Property Board has nothing to do with relationship of tenant and landlord between the parties. The ground of Evacuee Truест Property Board having been declared as owner of the property on the basis of which the petitioner filed the application for stay of proceedings has been suspended by this court in some constitution petition, therefore, even that ground is not available to the petitioner to seek stay of the proceedings.

4. But, be that as it may there is no provision in Sindh Rented Premises Ordinance envisaging staying proceedings in presence of some other proceedings between the landlord and other party on the question of ownership before any other forum. This being the position, I do not see any merits in the instant petitions and dismiss the same.

The petitions are accordingly disposed of alongwith pending applications

Judge