

ORDER SHEET
IN THE HIGH COURT OF SINDH AT KARACHI
FRA No. 55 of 2016

DATE ORDER WITH SIGNATURE(S) OF JUDGE(S)

For hearing of main case.

21st November 2019

Mr. Muhammad Nawab Khan, advocate for appellant.
Mr. Dilawar Hussain Khattana, advocate for respondent.

Heard learned counsel for the respective parties.

Case of the appellant is that he is the owner of the subject matter property and respondent is tenant, whereas counsel for the respondent contends that he is co-owner of that property and tenancy is not existing between the parties, therefore, he argued that appellant has chosen wrong forum. Counsel for the appellant contends that with bonafide intention he filed rent application though he is ready to agitate the same issue before the Civil Court with the observation of this court that proceedings initiated by him were with bonafide intention, hence, limitation may not come in his way, whereas, respondent is also claiming ownership and he has to file suit for declaration of co-ownership as well. Accordingly, both parties would be at liberty to agitate the issue of ownership/co-ownership between them and time consumed in instant proceedings before the rent controller shall not be considered against both of them. Instant FRA is disposed of.


JUDGE

Said