ORDER SHEET

THE HIGH COURT OF SINDH AT KARACHI

C.P No.D-2253 of 2024.

Order with signature(s) of the Judge(s)

Date:

Fresh Case:

1. For Orders on Misc. No.10216/2023.
2. For Orders on Misc. No.10217/2023.
3. For Orders on Misc. No.10218/2023.
4. For Hearing of Main Case.

13th May, 2024.

Mr. Jehangir Siddiqui advocate for the Petitioner.
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1. Urgency granted.

2. Exemption applications are granted subject to all just exceptions.

3-4. Through instant petition the Petitioner has prayed that:

"a. Declare that the act and deeds performed by the Respondent No.6 & 7 is illegal, unjustified and unwarranted in the eyes of law and hence emergent indulgence of this Hon'ble Court is required in the matter to curb the acts of the Respondents within the directions to act in accordance with law and to obey / follow the principle policy laid down under Constitution in the light of principle of apex Courts that no one is above the law.

b. To direct the Respondent No.4, 5 & 6 to restore the amenities of subject property viz. Villa No.104, Loop Road, Prescient 11-A, Bahria Town, Karachi.

c. To direct the Respondent No.6, 7 & 8 not to dispossess the Petitioner from the subject property till the final disposal of Rent Case No. 14 of 2013.

d. Any other order(s)/relief(s) if any which this Hon'ble Court deem fit and proper under the nature of the case".

Besides, the Petitioner being tenant is facing eviction application as well as he has preferred civil suit; that was dismissed on 24.04.2024. Accordingly, he has challenged the same by way of appeal which is
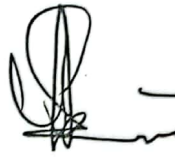
pending for adjudication; issue subjudiced before the civil Court and Sindh rented premises ordinance is same in present petition. The Petitioner has also moved application for restoration of amenities; he has placed order dated 10.05.2024 which shows that requisite report was called with regard to disconnection of utilities, hence, the Petitioner at the same time cannot play hot and cold below, therefore, instant petition being devoid of merits is hereby dismissed alongwith pending application[s] in limine.

JUDGE

JUDGE

M.Zeeshan