

ORDER SHEET
IN THE HIGH COURT OF SINDH AT KARACHI

C.P. No.S-393 of 2018

Syed Asad Hassan

Versus

Addl. Controller of Rents Clifton Cantt. & others

Date	Order with signature of Judge
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For hearing of main case

Dated: 17.05.2018

Mr. Imran Ahmed for petitioner

Mr. Sohail Hameed for respondents.

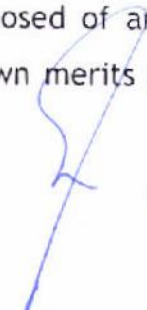
Ms. Naurin Saeed for CBC.

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The order impugned in these proceedings is of 29.01.2018 passed in Rent Case No.52 of 2017. Apparently there appears to be a dispute of title between alleged interveners and the petitioner. An eviction application was filed by the petitioner against alleged tenant/respondent No.2 Syed Zaheer Uddin. During pendency of the Rent Case interveners moved an application, which was considered by the Rent Controller however while considering interveners as necessary and proper party, the Rent Controller went on to observe that from the perusal of record it is admitted position that the property in question is in the name of the applicants and interveners i.e. petitioner and interveners who are parents and sisters of the applicant/petitioner. The Rent Controller might have considered applicant as necessary and proper party but any observation in relation to the title of the property is beyond its jurisdiction.

In view of the above only to the extent where the observation was made by the Rent Controller to the extent of title of the property on the basis of any document, be it an admitted document, the order impugned may not influence the proceedings pending in Civil Court and this only be deemed to be an order which prima facie considered intervenor to implead him as a party.

With the above observation this petition is disposed of and the Rent Controller may proceed with the matter on its own merits and in accordance with law.


Judge