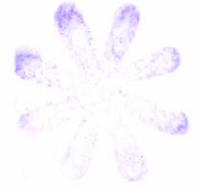


ORDER SHEET  
IN THE HIGH COURT OF SINDH AT KARACHI



F.R.A. No.36 of 2014

TAnveer Ahmed Shah

Versus

Mst. Nagma Ansari

Date	Order with signature of Judge
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1. For order on office objection.
2. For orders on CMA 6962/14
3. For hearing of CMA 6963/14
4. For hearing of main case.

**Dated: 29.01.2018**

Mr. Mahmood Habibuallah along with Mr. Fahim Zia for appellant.  
Mr. Muhammad Yasin Azad for respondent.

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After detailed arguments on the part of the appellant, it appears that despite filing of affidavit-in-evidence on the part of the appellant, he was not subjected to cross-examination, perhaps on account of his own default as he has not appeared at the relevant time. Learned counsel for the appellant requests that the appellant may be allowed to be cross examined so that the matter may be decided on merits. Mr. Muhammad Yasin Azad, learned counsel appearing for respondent, has generously conceded to such request as he wants disposal of the matter on merits and thus has consented that he (appellant) may be allowed to appear in the witness box so that he may be subjected to cross-examination.

Accordingly, by consent the appeal is allowed and the case is remanded to the Rent Controller with direction to allow the petitioner to be cross-examined and pass orders in accordance with law on the basis of evidence and the documents exhibited, within six weeks from today. The petitioner or any of his witnesses that he may desire to be examined, be examined/cross examined within three weeks from today. No adjournment shall be sought by the petitioner or his counsel. In case petitioner and/or his witnesses remain absent on the date fixed by the Rent Controller, appropriate orders in accordance with law shall be passed by the Rent Controller on the basis of material available on record.

Judge