

**ORDER SHEET**  
**IN THE HIGH COURT OF SINDH KARACHI**

**First Rent Appeal No. 02 of 2025**

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**DATE**

**ORDER WITH SIGNATURE OF JUDGES**

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1. For hearing of CMA No.178/2025.
2. For hearing of main case.

**20.03.2025**

Mr. Muhammad Zahid Kabeer, Advocate for the Appellant.  
Mr. Naveed Ali, Advocate for the Respondents a/w Respondent No.1  
Nadeem Ahmed.

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The instant First Rent Appeal has been filed by the Appellant under Section 24 of the Cantonment Rent Restriction Act, 1963 (**'the Act'**) challenging the impugned order dated 07.11.2024 passed on an application under Section 17(9) of the Act. Vide impugned order the defence of the Appellant/opponent was struck of in failing to comply with the tentative rent order dated 05.09.2024.

Learned counsel for the Appellant has stated that the impugned order is illegal and should have not been passed due to the fact that a Civil Suit bearing No.290/2024 for specific performance has been filed by the Appellant. He has further stated that without going into the details of the said suit the impugned order has been passed.

Conversely learned counsel for the Respondent has stated that the rent application has been filed on the ground of default and sub-letting. He has further stated that in the impugned order the Appellant was only directed to deposit monthly rent at the rate of Rs.2,197/-, but the Appellant has failed to deposit the said amount as such his defence was struck of.

I have heard the learned counsel and perused the record. It is apparent that suit No.290/2024 was filed after filing of the Rent Application No.09/2024. It is also interesting to note that the learned counsel for the Appellant is relying upon two sale agreements, the first one can be found at page No.51 of this Court's file in which the agreement was allegedly executed with Respondent No.2 Zeenat

Yousuf, who herself admittedly was the tenant in the subject premises. Thereafter the appellant discovered that he has executed an agreement with an individual who was not competent to execute the same and thereafter he has lastly executed sale agreement with Respondent No.1 which is available at page No.41 of the case file and the same is the subject matter of suit No.290/2024. It is even more ironic to note that plaint of the said suit has been rejected and no appeal has been filed against the said order.

In view of what is stated above I see no illegality or infirmity to interfere in the impugned orders. Accordingly the instant First Rent Appeal is dismissed with no order as to costs.

JUDGE

Nadeem Qureshi "PA"