

ORDER SHEET
IN THE HIGH COURT OF SINDH BENCH AT SUKKUR
C. P. No. S – 83 of 2025

Date of hearing	Order with signature of Judge
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Fresh case

- 1. For orders on CMA No.232/2025 (Ex./A)
- 2. For orders on CMA No.233/2025 (S/A)
- 3. For hearing of main case

11.08.2025

Mr. Abdul Hafeez Bandhani, Advocate for the petitioner.

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Learned Counsel for the petitioner, by way of his statement, files affidavits-in-evidence of the petitioner and his witnesses.

This is a petition filed in respect of rent proceedings, whereby the present petitioner is the tenant. Learned Counsel for the petitioner states that petitioner, primarily, is interested in the recovery of advance amount, which was acquired by the respondent, and in this respect, the learned Rent Controller has failed to provide the conditional order, whereby the possession could have been acquired against repayment of the said amount.

Having heard the learned Counsel and observing that this Constitutional Petition is filed after the conclusion of the statutory proceeding, learned Counsel was called upon for the jurisdiction of the amounts available with the Rent Controller under the Sindh Rented Premises Ordinance, 1979, to which he stated that adverse inference can be made on the basis of proceeding as conditional order has not been passed. Accordingly, it is directed that the conclusions of the rent proceedings in the present matter shall not affect the proceedings, if any, filed by the parties in respect of the arrears of rent and the recovery thereof, as for the said purpose, the concerned Court shall record its own evidence and give its findings not affected by the rent proceedings in the present matter, and accordingly, with the said observations, this petition stands **disposed of** along with listed application.

J U D G E