

Order Sheet
IN THE HIGH COURT OF SINDH KARACHI

CP No.S-1358 of 2023

[Syed Javed Raza v. Ali Hassan and 3 others]

CP No.S-1359 of 2023

[Syed Javed Raza v. Aadia Pervaiz Ahmed and 3 others]

CP No.S-1360 of 2023

[Syed Javed Raza v. Ali Hassan and 3 others]

Mr. Imran Ahmed, Advocate for the Petitioners

Mr. Muhammad Ramzan Tabassum, Advocate
for the Respondent

Mr. Muhammad Kamran, Assistant Advocate
General Sindh

Dated of hearing: 02.02.2026

Date of Reasons: 03.02.2026

ORDER

Nisar Ahmed Bhanbhro, J. Through this consolidated order, I intend to dispose of instant petitions as the common questions of law and facts are involved therein.

2. In above captioned petitions, the petitioner *Syed Javed Raza* has assailed judgments dated 19th October, 2023 passed in First Rent Appeals No.73, 74 & 75 of 2023 by learned IXth Additional District Judge (MCAC) Karachi East, whereby orders dated 31.03.2023 passed in Rent Case No.12 of 2019 (*re-Syed Javed Raza v. Ali Hassan and another*), Rent Case No. 13 of 2019 (*re-Syed Javed Raza v. Aadia Pervaiz and another*), Rent Case No.14 of 2019 (*re-Syed Javed Raza v. Ali Hassan and another*) were maintained.

3. Learned counsel for the petitioner submitted that the petitioner is owner of Plot No.42 admeasuring 235.83 square yards situated at Survey No.108, Saleem Housing Project, Drigh Colony No.03, Karachi. The petitioner had appointed Respondent No.2/Muhammad Gulsher Khan as attorney for induction of tenants and collection of rent. It was argued that the respondents/tenants entered into a rent agreement dated 14-07-2016 in respect of Shops No.1 to 4 for a period of two years ending in October-2018, but thereafter failed to vacate the premises and defaulted in payment of rent w.e.f. 01-11-2018 in violation of the terms of tenancy. Learned counsel further contended that the power of attorney was revoked through legal notice dated 18-08-2018, duly served upon the respondents, yet they neither paid

rent to the petitioner nor replied to the notice, rendering them defaulters since September-2018. It was lastly urged that the petitioner bona fide requires the premises for his personal use to establish a mart for earning livelihood for his family. He prayed to allow the petitions.

4. Learned counsel for the respondents/tenants controverted the claim and submitted that Muhammad Gulsher Khan is the owner of the property in question, who inducted the respondents as tenants, executed the tenancy agreement, and has been regularly receiving rent. It was contended that the respondents neither know the petitioner nor were ever informed of his alleged ownership, and they have no knowledge of any dispute between the petitioner and respondent No.2. Learned counsel further submitted that respondent No.2 had purchased the property as benamidar, though the sale deed stands in the name of the petitioner, and that civil suits bearing Nos.1475 of 2018 and 1837 of 2018 between the parties regarding ownership, possession, rent and mesne profits are pending adjudication before the competent court. It was argued that no notice was ever served upon the respondents by the petitioner, and that the present proceedings have been initiated malafides to pressurize the respondents in a dispute with respondent No.2, despite the respondents running their business peacefully. Learned counsel lastly prayed for dismissal of the instant petitions.

5. Heard arguments and perused material available on record.

6. Admittedly, the parties viz. Petitioner and Respondent No.2 are adjudicating before Civil Courts over a title of the demised premises wherein the petitioner also filed a Suit for possession against the respondent No.2 Muhammad Gulsher Khan. The Courts below, in such circumstances, rightly observed that the scope of the adjudication by Rent Controller was lacking in the present proceedings as it relates to civil dispute. Counsel for the petitioner failed to point out any illegality, perversity or misreading and non-reading of evidence available on the face of record calling for indulgence of this Court to disturb the concurrent findings on the facts rendered by the Courts below.

7. Consequently, these petitions fail and are accordingly dismissed alongwith pending application(s). These are the reasons of short order dated 02.02.2026, whereby these petitions were dismissed.

JUDGE