

ORDER SHEET  
IN THE HIGH COURT OF SINDH AT KARACHI

High Court Appeal No. 293 of 2024  
High Court Appeal No. 294 of 2024

DATE	ORDER WITH SIGNATURE OF JUDGE(S).
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**Hearing of Case (Priority)**

1. For hearing of main case
2. For hearing of CMA No. 1826/2024

**07.04.2026**

Mr. Talha Javed, Advocate for the Appellant in HCA No. 293/2024

Mr. Rehan Kayani, Advocate for the Appellant

Mr. Jehanzeb Baloch, Advocate for the Respondent No. 1

Mr. Jan Muhammad Khuhro, Additional Advocate General, Sindh

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At the very outset, learned counsel for the Appellant submits that, in view of the subsequent developments and orders passed in the rent proceedings, the present appeals have become infructuous and the Appellant does not wish to press the same. It is further contended that pursuant to the directions of this Court vide order dated 10.05.2023 passed in Suit No. 420 of 2022, as subsequently maintained in High Court Appeal No. 234 of 2023 decided on 23.01.2024, the Appellant had deposited an amount of PKR 17,017,000/- with the Nazir of this Court and, since the lis involved in these appeals no longer survives, the said amount may be ordered to be refunded to the Appellant.

Learned counsel for the Respondent/landlord, under the instructions, while recording no objection, fairly states that he has no objection to the return of the aforesaid amount to the Appellant, without prejudice to his rights and contentions, if any, in accordance with law.

Perusal of the record reflects that the dispute between the parties emanates from a tenancy arrangement in respect of premises situated at Clifton, Karachi. The Appellant had instituted Suit No. 420 of 2022, wherein this Court, vide order dated 10.05.2023, directed deposit of disputed amounts arising out of the tenancy, including rent liability, pertaining to the subject premises. The said directions were subsequently maintained in High Court Appeal No. 234 of 2023 decided on 23.01.2024. In compliance thereof, the Appellant deposited a cumulative amount of PKR 17,017,000/- with the Nazir of this Court through cheques dated 29.01.2024 and 07.02.2024, which were duly credited on 09.02.2024 in the said proceedings.

It further transpires from the record that parallel proceedings were pending before the learned Rent Controller, Karachi South, including Rent Case No. 983 of

2022, and execution proceedings arising therefrom, wherein the learned Senior Civil Judge/Rent Controller, vide order dated 09.03.2026, has passed consequential directions. In view of these subsequent developments in the rent proceedings, the controversy involved in the present appeals no longer survives, rendering the same infructuous.

The Nazir's report confirms deposit of PKR 17,017,000/-, which has accrued profit up to Rs.20,043,466/- through TDRs.

Accordingly, both appeals are dismissed as not pressed. The Nazir is directed to refund/return the deposited amount along with accrued profit till the date to the Appellant, after due verification, in accordance with rules. Such release shall be without prejudice to the rights of the parties in other proceedings.

**JUDGE**

**JUDGE**

Shabir/PS

