

ORDER SHEET  
IN THE HIGH COURT OF SINDH KARACHI

Const. Petition No. S-61 of 2024

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Date	Order with signature(s) of Judge(s)
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Directions

- For orders as to maintainability of petition

11.05.2026

None present  
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None present, same was the position on the last two consecutive dates. In earlier part of the day the office was directed to call progress report as well as status of the trial/execution proceedings from the Trial Court/Rent Controller, if any. In compliance of directions of the Court the learned VIII<sup>th</sup> Senior Civil Judge/ Rent Controller, Karachi-South has submitted comments/report, which reads as under:-

“It is respectfully submitted that I have been directed to furnish a report regarding the present status of proceedings in the above-captioned rent matter. It is stated that the applicant/judgment debtor instituted the instant execution application before this Court seeking execution and implementation of the rent order dated 07.03.2023 passed by the learned Additional Controller of Rents, Clifton Cantonment, Karachi. After completion of requisite proceedings and hearing of the parties, the execution application was allowed vide order dated 26.01.2024 by the then learned Rent Controller, whereby the matter was fixed for compliance and further necessary proceedings. Subsequently, it transpired that vide order dated 19.01.2024 passed by the learned Additional Controller of Rents, Clifton Cantonment, Karachi, the operation of the order dated 07.03.2023 had been suspended. In this regard, the learned counsel for the judgment debtor filed a certified copy of the said suspension order along with statement dated 22.01.2024, which forms part of the judicial record. Thereafter, owing to suspension of the rent order, the matter remained pending and was being fixed from time to time for appearance of the parties and further proceedings; however, neither side appeared to actively pursue the matter. Presently, the case is pending adjudication and is fixed for further proceedings/compliance.

The above comments/report are respectfully submitted for the kind perusal and consideration of this Honourable Court.”

It appears that the petitioner, under the garb of restraining orders, has chosen to remain absent instead of pursuing the petition vigilantly, and in view of the report submitted by the Trial Court, seeks to keep the file alive without any just cause, thereby depriving the interest of justice.

Accordingly, in view of the above as well as in terms of the order dated 15.01.2024, this petition is hereby dismissed in default along with pending application(s), if any. The interim order passed on 02.02.2026 is also hereby recalled.

Let a copy of this order shall also be sent by fax to the learned Rent Controller for compliance.

Judge  
Head of Const. Benches