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ORDER SHEET
IN THE HIGH COURT OF SINDH, CIRCUIT COURT, LARKANA
C. P. No.D-501 of 2022

Date of Hearing	ORDER WITH SIGNATURE OF JUDGE
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1. For orders on office objection.
2. For hearing of M.A. No.1742/2022.
3. For hearing of Main Case.

M/s Mazhar Ali Mangan and Mansoor Ali Dahani, advocates for the petitioners.

Mr. Abdul Hamid Bhurgri, Addl. A.G.

Mr. Mohammad Imran Abbasi, Asst. Attorney General.

Mr. Sumair Ahmed Umrani, advocate for respondents No.8 & 9.

Date of hearing 08-06-2022

Date of order 08-06-2022

This is a petition filed by the petitioners in respect of Local Bodies Elections of 2022 in respect of Chairman and Vice Chairman, UC-2, Sachal Town, Larkana, for which nominations were filed by the petitioners, which were rejected by order dated 27.05.2022 as given by the Returning Officer, Sachal Town, UC-1 to 5, Larkana, whereby the said nomination papers were rejected on account of contradiction said to have been found in the documents filed by the petitioners as to the sale, wherein the date of issuance of CNIC was considered as year 2022 and the sale was said to have been effected in the year 2020, as such, the same was considered forged and fabricated, for which the petitioners were not considered as SADIQ and AMIN.

2. Learned Counsel for the petitioners has brought before us the document and stated that the photocopy of CNIC was managed by the respondents, whereas the document as available with him carried the earlier issue date, wherein the date of issue was 06.04.2015 and as such

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the sale agreement of the year 2020 could not be doubted on that basis

Photocopy of the said document has been kept on the record.

3. Learned Counsel for the respondents No.8 and 9 contends that this is not the same document, as was brought up before the Returning Officer and he had obtained a photocopy of the same, which was filed by way of statement dated 01.06.2022 before the said forum.

4. Learned Addl. A.G. as well as the other learned Counsels present however relied upon the record present before the Court.

5. Having heard learned Counsel for the parties and going through the impugned order, we have observed that the Returning Officer had discussed another property and reference to the copies of CNIC in respect of property, which was pertaining to alienation by sale agreement whereas the other property was managed by way of sale deed, as such we observe that the missing of the facts in the matter does not require the impugned order to be entertained as proper exercise of power and jurisdiction, which accordingly is set aside and the petition was allowed to the extent that the petitioners be entertained as valid candidates in the matter.

These are the reasons of our short order dated 08.06.2022.


JUDGE


JUDGE