

ORDER SHEET
HIGH COURT OF SINDH, KARACHI

Date	Order with signature of Judge
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Present

Mr. Justice Muhammad Ali Mazhar.
Mr. Justice Agha Faisal.

C.P. No.D-8520 of 2017

Rizwana Shahid.....Petitioner

Versus

Federation of Pakistan & others.....Respondents

&

C.P. No.D-1816 of 2018

Nazli Abid NisarPetitioner

Versus

Federation of Pakistan & others.....Respondents

Date of hearing 01.06.2018

Mr. Muhammad Masood Khan advocate for the petitioner in C.P. No.D-8520/2017 and for respondent No.4 in C.P. No.D-1816/2018.

Mr. Zubair Ahmed Abro advocate for the petitioner in C.P. No.D-1816/2018 and for respondent No.3 in C.P. No.D-8520/2017.

Mr. Shahab Sarki advocate for the respondent 4 in C.P. No.D-8520/2017.

Mr. Salman Talibuddin, Additional Attorney General.

Petitioner Nazli Abid Nisar in C.P. No.D-1816/2018.

Seema Shahbaz respondent No.3 in C.P. No.D-5820/2017.

Mehreen Ellahi, respondent No.4 in C.P. No.D-8520/2017.

Shabana Asif, Khalida Khan, Afroz Shahid, Rabia Bilal, Rubina Laique, Members Executive Body of KWCCI.

None present for the respondent No.5 and 6 in C.P.No.D-8520/2017.

None present for the respondent No.3 in C.P. No.D-1816/2018.

Muhammad Ali Mazhar, J: This consolidated order will dispose of aforesaid petitions. In C.P. No.D-8520 of 2017 the

petitioner has sought the declaration of this court that the elections held on 16.10.2017 under the supervision of Administrator and the Election Commissioner were free and fair and the petitioner may be allowed to work in a free and fair manner and declare the impugned order dated 23.11.2017 passed by the Deputy Director of the respondent No.2 being null and void. Whereas in C.P. No.D-1816/2018 the petitioner has prayed for the declaration that the election of the respondent No.4 Syeda Saeeda Bano as vice president of the Women Chambers of Commerce and Industry was irregular and void ab initio. She has sought the directions against the respondent No.2 to decide the complaint/appeal of the petitioner on merits.

The aforesaid chronological events demonstrates that in fact in both the petitions some election disputes have been raised vice versa in connection with Karachi Women Chambers of Commerce & Industry District East (herein after referred to as KWCCI) which is a trade body registered with Director General of Trade Organization. After arguing at some length, learned counsel for the parties as well as the parties present in court agreed to some modalities to resolve their dispute and consented to the disposal of these petitions on the following terms:-

- i. The election of the KWCCI for the term 2018-2019 will be conducted on 15.07.2018 without any fail.
- ii. The General Secretary of the KWCCI, East shall ensure that all formalities required to be completed for the election shall be completed within time so that the election shall be conducted on 15.07.2018 without any delay.
- iii. The successful managing committee shall takeover charge on 01.10.2018. However, the present office bearers/managing committee shall continue their

offices up to 30.09.2018 and handover the charge to the newly elected managing committee on 01.10.2018.

- iv. All agreed that election should be conducted under the supervision of Nazir of this court. The General Secretary of the present managing committee shall contact the Nazir within ten days and place on record the entire procedure and process of the election. The election commissioner so appointed will also remain in contact with the Nazir and he will intimate the date and time of the elections so that Nazir may depute any responsible officer from his office or he may attend himself the election process for the supervision purpose.
- v. The venue of the election shall be informed to the Nazir. The Nazir's fee shall be Rs. 50,000/- which will be paid by the petitioners and private respondents of both the petitions in advance in equal proportion.
- vi. The election results shall be compiled and finalized by the Election Commissioner and deliver the copy to Nazir. The Election Commissioner shall also send copy of results to Director General of Trade Organization for further necessary action.

Copy of this order may be transmitted to the learned Additional Attorney General, Director General of Trade Organization, Islamabad and the Nazir of this court.

JUDGE

JUDGE