

# ORDER SHEET

IN THE HIGH COURT OF SINDH, KARACHI  
C.P. No.D-3054 of 2019

---

**Date**                      **Order with signature of Judge**

---

**Present**

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

Ms. Sonia Naqvi.....Petitioner

Versus

Society of Obstetricians and  
Gynecologist of Pakistan & another.....Respondents

**Date of hearing: 03.05.2019**

Mr. Asad Iftikhar, Advocate for the Petitioner.

-----

**Muhammad Ali Mazhar, J:** The petitioner claims to be an elected office bearer of respondent No.1 which is a Society of Obstetricians and Gynecologist of Pakistan. She has approached this court for the direction to the Nazir of this court to conduct elections of the respondent No.1 Society which is scheduled to be held on 04.05.2019. A restraining order has also been sought against the respondent No.1 from conducting elections of the respondent No.1 Society through E-voting system. At the same time further direction has also been sought against the respondent No.2 to withhold the elections of the respondent No.1 until proper procedure is formulated for E-voting. Though the petitioner states in the petition that the respondent No.1 is a registered society but nothing has been placed on record to show whether it is registered under the Societies Registration Act or the

Companies Ordinance/Companies Act. Even if it is registered under the Companies Ordinance/Companies Act or the Societies Registration Act, being a private society it is not amenable to the writ jurisdiction of this court nor the society can be construed a person performing functions in connection with the affairs of the Federation or the province or the local authority within the territorial jurisdiction of this court. The petition on the face of it is not maintainable, however, after arguing at some length the learned counsel wants to seek appropriate remedy in accordance with the law. The petition is dismissed alongwith listed application, however, the petitioner may avail appropriate remedy in accordance with law.

Judge

Judge

*Asif*