

**ORDER SHEET**  
IN THE HIGH COURT OF SINDH KARACHI  
C.P. No. D-7565 of 2015

DATE	ORDER WITH SIGNATURE OF JUDGES
------	--------------------------------

Present

**Mr. Justice Muhammad Ali Mazhar.**

**Mr. Justice Adnan Iqbal Chaudhry.**

1. For hearing on Misc. No. 37275/2015
2. For hearing of main case.

**03.10.2018**

**Mr. Aftab Ahmed, advocate holding brief for Mr. Muhammad Ashraf Samoo, advocate for the Petitioner**

**Mr. Ghulam Shabbir Shah, AAG alongwith Ms. Farkhunda Mangi, State Counsel**

\*\*\*\*\*

**Muhammad Ali Mazhar, J:** Basically the petitioner has prayed that Rule 42(A) of the Sindh Local Council (Elections) Rules, 2015, is against the fundamental rights and the Constitution of Islamic Republic of Pakistan. The case was fixed yesterday when learned AAG pointed out that similar issue has already been taken up and resolved in C.P. No. D-2703/2016. Today he has submitted reported judgment in the case of ***Nadar Shah and 9 others vs. Province of Sindh through Secretary and another (PLD 2016 Sindh 586)*** in which learned Division Bench in paragraph-24 held that Rule 42(A) of the Sindh Local Councils (Elections) Rules, 2015, shall have no legal effect in view of order passed on 15.04.2016 by the Hon'ble Supreme Court in Civil Appeals No. 760 to 786 of 2016 as well as it is *ultra vires* the parent statute. Since grievance of the petitioner has already been redressed, therefore, this petition is disposed of accordingly.

**JUDGE**

**JUDGE**