

ORDER SHEET
IN THE HIGH COURT OF SINDH, KARACHI
C.P. No.D-343 of 2020

Date	Order with signature of Judge
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Present
Mr. Justice Muhammad Ali Mazhar
Mr. Justice Yousuf Ali Sayeed

M/s. Mateen Shopping Galaxy Association.....Petitioner

Versus

Province of Sindh & others.....Respondents

21.08.2020

Mr. Zafar Iqbal, Advocate for the Petitioner.
Mr. Qamar Raza Khokhar, Advocate for Respondents No.4.
Mr. Sheheryar Mehar, A.A.G.
M/s. Shafiq Ahmed & Atta Mohiuddin, Assistants in the
office of Provincial Assistant Registrar, Directorate of Industries,
Joint Stock Companies, (Registration Wing), Government of
Sindh present.

Muhammad Ali Mazhar, J: The learned counsel for the petitioner argued that the respondent No.2 may be directed to conduct the election of M/s. Mateen Shopping Galaxy Association under his supervision as per bylaws of the association. He further argued that the elections were due in the month of June, 2019 and according to Article 21 of the Articles of Association of M/s. Mateen Shopping Galaxy Association it is the responsibility of the General Secretary that after every two years he should convene a meeting of general body for election of the members of managing committee and its office bearers. The petitioner has further prayed against the respondent No.3 to hand over the record of 400 shop owners as well as sought directions against the respondent No.4 to hand over the record of 16 shop owners so that they can apply for membership of the association and when we asked the learned counsel as to how these prayers are maintainable and how he can press or force any person to become member of the association, he did not press these prayers and argued that he would be satisfied if certain directions are given to respondent No.2 to conduct the elections on the basis of voters' list of the existing

members. The learned counsel for the respondent No.4 who is also one of the members of M/s. Mateen Shopping Galaxy Association has no objection. Mr. Shafiq Ahmed, Assistant in the office of Provincial Assistant Registrar submits that the directions given by this court in this order will be communicated to the Provincial Assistant Registrar to comply in letters and spirit. The petition is disposed of in the following terms:

- i) The Provincial Assistant Registrar shall initiate the election process in terms of Article 21 of the Article of Association of M/s. Mateen Shopping Galaxy Association with the assistance of present General Secretary.
- ii) The General Secretary will convene the general body meeting and under the supervision of respondent No.2 the date of elections will be announced.
- iii) An election committee shall be constituted under the supervision of respondent No.2 in the general body meeting.
- iv) The respondent No.2 shall supervise the election process and the charge shall be handed over to the successful committee in presence of the respondent No.2.
- v) The entire process shall be finalised/conducted and the charge shall be handed over to the newly elected committee within 45 days.

Pending application is also disposed of.

A copy of this order may be transmitted to the Provincial Assistant Registrar for compliance.

Judge

Judge

