

ORDER SHEET  
IN THE HIGH COURT OF SINDH, KARACHI  
C. P. No. D-333 of 2020

Date	Order with signature of Judge
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PRIORITY

- 1. For order on CMA No.15777/2020.
- 2. For order on CMA No.15778/2020.
- 3. For order on CMA No.14804/2020.
- 4. For order on CMA No.14805/2020.
- 5. For order on CMA No.6961/2020.
- 6. For order on CMA No.6962/2020.
- 7. For order on CMA No.8934/2020.
- 8. For order on CMA No.8935/2020.
- 9. For order on CMA No.8936/2020.
- 10. For order on CMA No.8937/2020.
- 11. For order on CMA No.8938/2020.
- 12. For order on CMA No.8939/2020.
- 13. For order on CMA No.8940/2020.
- 14. For order on CMA No.8941/2020.
- 15. For order on CMA No.8942/2020.
- 16. For order on CMA No.8943/2020.
- 17. For order on CMA No.8944/2020.
- 18. For order on CMA No.8945/2020.
- 19. For order on CMA No.8946/2020.
- 20. For order on CMA No.8947/2020.
- 21. For order on CMA No.8948/2020.
- 22. For order on CMA No.8949/2020.
- 23. For order on CMA No.8950/2020.
- 24. For order on CMA No.8951/2020.
- 25. For hearing on CMA No.5102/2020.
- 26. For hearing of CMA No.1400/2020.
- 27. For hearing of main case.

Present  
**Mr. Justice Muhammad Ali Mazhar.**  
**Mr. Justice Yousuf Ali Sayeed.**

Syed Mehmood Akhtar Naqvi.....Petitioner

Versus

Government of Sindh & others.....Respondents

08.09.2020

Petitioner present in person.  
Mr. Ch. Muhammad Atif, advocate holding brief Mr. Muhammad Haseeb  
Jamali, Advocate for Interveners.  
Mr. Kafeel Ahmed Abbasi, D.A.G.

Mr. Sheheryar Mehar, A.A.G.  
 Mr. Abdullah Hanjra, Sr. Law Officer ECP.  
 Mr. Zafar Iqbal Hussain, Special Secretary ECP,  
 Mr. Ijaz Anwar Chohan, Election Commissioner Sindh.

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**Muhammad Ali Mazhar, J:** Actually this petition pertains to the directions to the Election Commission of Pakistan for holding local government elections in the Province of Sindh within 120 days as mandated under Section 219 of the Elections Act 2017. On the last date of hearing, Mr. Abdullah Hanjra, law officer, Election Commission of Pakistan and Mr. Muhammad Jawed Khan, Provincial Election Commissioner, ECP, Karachi appeared and categorically stated that the tenure of Local Government will expire on 30.08.2020 and within 120 days the ECP will conduct Local Government elections in Sindh. They requested for time to submit the said statement in writing. Today, Mr. Muhammad Umer Lakhani, advocate appeared and filed his vakalatnama on behalf of respondents No.2, 3 and 5 alongwith statement of Mr. Zafar Iqbal Hussain, Special Secretary ECP. The statement is reproduced as under:-

**“STATEMENT**

*Respectfully Sheweth,*

*I, Zafar Iqbal Hussain, Special Secretary, Election Commission of Pakistan, ECP Secretariat, Islamabad do hereby state that the term of Local Government Councils in Sindh Province has expired on 30<sup>th</sup> August, 2020 and that under section 219 (4) of the “Election Act, 2017” and section 21 (3) of the “Sindh Local Government Act, 2013”, it is the mandate and duty of the ECP to conduct Local Government elections within a period of 120 days after expiry of term of the local government. The Election Commission is fully committed to conduct the said local government elections within a period of 120 days, subject to the followings:-*

- 1. Provision of notifications regarding number of seats/ constituencies of the local government and requisite maps, etc.*
- 2. Any order/judgment of the august Supreme Court or of any other Hon’ble Court.*
- 3. Any situation/circumstances beyond the control of the Election Commission; and,*

4. *Any amendment in the Local Government Act extending the transition period of the local governments of Sindh; or,*
5. *Any other legal hindrance, etc.*
2. *This statement is submitted as directed by this Hon'ble Court, please.*

*Sd/-*  
*(Zafar Iqbal Hussain)*  
*Special Secretary*  
*Election Commission of Pakistan*  
*ECP Secretariat, Islamabad"*

The petitioner has also produced a notification issued by the Secretary, Sindh Local Government Board, which shows that all offices of elected Mayors, Deputy Mayors, Chairmen, Vice Chairmen, members, representative and such office bearers of Metropolitan Committees, Union Committees and Union Councils, in Sindh shall cease to exist w.e.f 31<sup>st</sup> August, 2020.

Mr. Muhammad Umer Lakhani, learned counsel for the respondents No.2, 3 and 5 submits that 120 days for holding elections is provided under section 219 of the Elections Act, 2017, which starts from 31.08.2020. The statement is taken on record. The petition is accordingly disposed of alongwith pending applications with the directions to ECP to conduct local government elections in the Province of Sindh within 120 days in accordance with law.

JUDGE

JUDGE

MUBASHIR