



2. An application (CMA No.23007/2019) under Order 1 Rule 10 CPC has been filed by Applicant/Intervener Nawab Salim Khan, who wants to be impleaded in this petition and he supports the contention raised by the petitioners. By consent CMA No.23007/2019 is allowed and he is impleaded as respondent No.8 in this petition. The petitioners' counsel may file amended title in the office for record.

3. Learned counsel for respondent No.7 argued that the Elections were conducted under the supervisions of Provincial Registrar and Section Officer. There was no illegality in the election and after election 20 office bearers were elected who are performing their duties. He further argued that the last elections were conducted in the month of September, 2018. On the contrary, counsel for petitioners argued that in the election various persons from outside cast their votes, who are not the residents of the A-one Centre and at that time the list of the voters was not properly examined and various other illegalities have been committed, therefore, they have approached this court for re-election.

4. A copy of Memorandum and Article of Association is available on record. According to Article 14 of Memorandum and Article of Association mechanism of elections have been provided. It is stated under Article 14(a) that Election for the office bearers of the Managing Committee will be conducted every alternate year by the Election Committee comprising of one Chairman and two members to be nominated by the Managing Committee whose terms have to be completed.

5. After arguing at some length by the counsel for the petitioners, learned AAG as well as counsel for respondent No.7

(A-One Centre Welfare Association), they have agreed to modalities to resolve the dispute in the following manner:-

- (a) The Election for the terms 2020-2021 shall be conducted on 12.01.2020 by the Provincial Registrar, who is present in court. He shall ensure that all procedural requirements shall be completed transparently within 20 days before the elections.
- (b) The petitioners and office bearers of respondent No.7 shall provide voters list in advance to the Provincial Registrar along with their objections if any with regard to the residents or non-residents issue. The list shall be provided before 30 days of the date of election to the Provincial Registrar for verification.
- (c) The Provincial Registrar according to Memorandum and Article of Association will call General Body Meeting. The nomination papers shall be filed and objection if any will be decided by the Provincial Registrar before 15 days of the election.
- (d) The petitioners as well as intervener shall not cause any interference or hindrance to the present managing committee. After conducting elections, the Provincial Registrar shall announce the result and handover the charge to the newly elected managing committee of A-One Centre Welfare Association.
- (e) By consent of the parties the entire process of the election shall also be supervised by the Nazir of this court. The parties shall provide copies of all relevant documents, which they will also provide to the Provincial Registrar. The fee of the Nazir shall be

Rs.20,000/- which shall be paid in advance by the Applicant/Intervener Nawab Salim Khan, who has voluntarily agreed to pay this amount.

- (f) Till the date of election the present managing committee of the respondent No.7 shall act strictly in accordance with law and their Memorandum and Article of Association.

The petition is disposed of along with pending applications in the above terms.

Office is directed to transmit copy of this order to learned AAG, Provincial Registrar as well as Nazir of this court.

Judge

Judge

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