

**ORDER SHEET
IN THE HIGH COURT OF SINDH AT KARACHI**

Date

Order with Signature of Judge(s)

Present:

Mr. Justice Muhammad Ali Mazhar

Mr. Justice Agha Faisal

CP No.D-7413 of 2019

Abdul Rasheed Memon, Advocate.....Petitioner

Versus

Sindh Bar Council & Others.....Respondents

CP No.D-7405 of 2019

Muhammad Idrees Alvi.....Petitioner

Versus

Sindh Bar Council & Others.....Respondents

CP No.D-7365 of 2019

Rukshanda Waheed, Advocate.....Petitioner

Versus

Sindh Bar Council & Others.....Respondents

Date of hearing 19.11.2019

Mr. Muhammad Tariq, advocate along with the petitioner in C.P. No.D-7413 of 2019.

Ms. Farah Alvi, advocate along with the petitioner in C.P. No.D-7405 of 2019.

Mr. Shahid Ali Qureshi, advocate along with the petitioner in C.P. No.D-7365 of 2019.

Mr. Haider Imam Rizvi, advocate, Sindh Bar Council.

Mr. Munir ur Rehman, Election Commissioner alongwith Mr. Rehan Aziz Malik, advocate.

Mr. Muhammad Aqil, President, Sindh High Court Bar Association, Karachi.

Syed Khurram Nizam, Honorary Secretary, Sindh High Court Bar Association, Karachi.

Saleem ul Haq, Member Executive Committee, Sindh High Court Bar Association, Karachi, Mr. Zaid Abbasi, advocate,

Mr. Muhammad Imran Younis, advocate, Mr. Khalil Ahmed Siddiqui, advocate, Mr. Jehangir Ali Khan, advocate.

Muhammad Ali Mazhar, J.: C.P. No.D-7405 of 2019 is fixed as a fresh case. No notice has been issued so far in this petition. However, Barrister Raja Muhammad Arsalan, advocate waives the notice on behalf of the Sindh Bar Council. CP No.D-7413 of 2019 was fixed for orders yesterday and the notice was issued for today but it is fixed for orders as to non-prosecution. In this case also Barrister Raja Muhammad Arsalan waives the notice for Sindh Bar Council, however, he has filed Vakalatnama in CP No.D-7365 of 2019 for the respondent No.1 and in two other petitions, in which he has waived the notice, undertakes to file Vakalatnama in the office.

2. All the petitioners are aggrieved by the rejection of their nomination papers by the learned Election Commissioner, submitted for Sindh High Court Bar Association Elections 2019-2020. They had filed appeals to the Managing Committee of Sindh High Court Bar Association, which were also rejected, thereafter, in order to avail their statutory right, Ms. Rukhshanda Waheed advocate and Mr. Muhammad Idrees Alvi, advocate, have filed appeals to the Sindh Bar Council. Learned counsel for the Sindh Bar Council submits that the appeal of Mr. Muhammad Idrees Alvi, was heard and order is reserved, whereas, appeal of Ms. Rukhshanda Waheed advocate is fixed for hearing tomorrow before the competent authority of Sindh Bar Council.

3. Mr. Abdul Rasheed Memon, advocate wants to file appeal today. Since after rejection of nomination papers by the Election Commission as well as the Managing Committee of Sindh High Court Bar Association, further decision vests in Sindh Bar Council in

appeals. The elections are also scheduled on 23.11.2019 and according to Mr. Munir ur Rehman, learned Election Commissioner, Sindh High Court Bar Association Elections 2019-2020, ballot papers have already been printed.

4. In view of above, the Sindh Bar Council is directed to decide the pending appeals of all three appellants within two days. Learned counsel for the Sindh Bar Council as well as the member of Sindh Bar Council Mr. Haider Imam Rizvi advocate shall ensure that the pending appeals will be decided within two days by the Executive Committee of Sindh Bar Council. However, it is clarified that if the appeal/appeals filed by the petitioners are allowed by the Sindh Bar Council and they are found eligible to contest the on-going elections, the petitioners will bear the expenses for reprinting of ballot papers, which cost will be paid to the Sindh High Court Bar Association. A copy of this order may be transmitted to the learned Chairman Executive Committee and Vice Chairman, Sindh Bar Council as well as the learned Advocate General Sindh for compliance. All the petitions are disposed of in above terms.

JUDGE

JUDGE