

ORDER SHEET
HIGH COURT OF SINDH AT KARACHI

C.P.No.D-2231 of 2017

DATE

ORDER WITH SIGNATURE(S) OF JUDGE(S)

Before:-

Mr.Justice Muhammad Ali Mazhar

Mr.Justice Yousuf Ali Sayeed

Church Missionary Trust
Association of Pakistan.....Petitioner.

Versus

Province of Sindh & others.....Respondents.

21-01-2020

Mr.Salahuddin Khan Gandapur and Mr.Sabir Shah,
Advocates for the Petitioner.

Mr.Jawad Dero, Additional Advocate General.

Mr.Mohsin Raza, Superintendent, on behalf of Respondent
No.3 (Assistant Registrar, Joint Stock Companies Sindh) is
present.

Mr.Mansoor Mir, Advocate along with Mr.Yousaf M. Gill,
President of the Association is present.

Muhammad Ali Mazhar, J: This petition has been filed for the directions against the respondent Nos.2 and 3 to approve the change of office bearer of the petitioner as per provision of law. Learned counsel for the petitioner pointed out page 17 of the petition, which is a letter written by the General Secretary of the petitioner to the Provincial Assistant Registrar, Joint Stock Companies Sindh, Karachi, through which some documents were submitted regarding new elections of the executive committee/board of the Church Missionary Trust Association of Pakistan for the period of next five year from 12.01.2015 to 11.01.2020.

2. Since the original comments are not available in the court file, therefore, learned Additional Advocate General has submitted copy of comments of the respondent No.3 in which

he has shown the names of office bearers of the Association for the period 2014-2019. The name at Serial No.1 is of Yousaf M. Gill as the President, who is present in court and also wants to become a party in this petition. He further submits that new elections were conducted in March, 2019 for a term of five years which will expire in 2024. The Assistant Registrar, Joint Stock Companies Sindh also raised the objection that the election for the period 2015-2020 cannot be said to be proper and legal.

3. Some factual disputes are involved and an application was also filed by the petitioner in 2014 for the change of office bearers, which was to be decided by the respondent Nos.2 and 3 promptly, but the said application is pending, whereas new elections have already been conducted. In exercise of powers conferred under Order 1 Rule 10 CPC, we on court motion implead Yousaf M. Gill as respondent No.4. Mr.Mansoor Mir, Advocate representing him undertakes to file Vakalatnama in the office and learned counsel for the petitioner shall also file amended title.

4. In order to resolve the controversy, this petition is disposed of with the directions to the respondent No.2 to summon the petitioner through duly authorised representative and newly elected members of the executive committee and after providing ample opportunity of hearing to all the stakeholders decide the matter within one month.

Judge

Judge

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