

**IN THE HIGH COURT OF SINDH, KARACHI**  
Constitution Petition No. 3557 of 2022

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Date Order with signature of Judge

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Present: *Mr. Justice Muhammad Junaid Ghaffar*  
*Mr. Justice Amjad Ali Sahito*

Petitioner: Nafees-ur-Rehman,  
Through Mr. Qaim Ali Memon, Advocate.

Respondents: Federation of Pakistan & Others.  
Through Mr. Khaleeq Ahmed DAG.  
Mr. Sarmad Sarwar, Law Officer ECP.  
Ms. Farah Gul, Election Officer.

Date of hearing: 23.06.2022.

Date of Order: 23.06.2022.

**ORDER**

**Muhammad Junaid Ghaffar, J:** Through this Petition, the Petitioner has sought change of his Electoral Roll from one area to another, on the ground that it has been incorrectly registered on some wrong address.

2. Notice was ordered and comments have been filed and today Counsel for the Petitioner submits that pursuant to Notification dated 10.06.2022 since the date of Election is 24.07.2022; hence, the application filed by the Petitioner available at Page 19 be directed to decided in accordance with law.

3. On the other hand, Law Officer of Election Commission submits that the application has never been received, whereas, after announcement of Election schedule no such request can be entertained in view of Section 39 of the Election Act 2017.

4. We have heard the Petitioner's Counsel as well as Law Officer of Election Commission of Pakistan and perused the record.

5. Along with the Petition the Petitioner has annexed the purported application addressed to the Election Commission and others available at Page 19 of this Petition; however, there is no date mentioned on the said application which could reflect that as to when the Petitioner had approached the Election Commission. While confronted, Petitioner's Counsel has relied upon some postal receipt filed along with the Petition. The same also shows

that the application was dispatched on 13.06.2022, if any. Section 39 of the Election Act, 2017, provides that no revision and correction or transfer in an electoral Roll of an electoral area shall be made under Section 38 during the period beginning 30 days before the day on which the term of a Local Government is due to expire till announcement of the result of the said election. In this case admittedly, the election schedule was announced on 10.06.2022 calling nomination papers, whereas, even by the Petitioner's own case, the application was made on 13.06.2022. In that case, no case for indulgence is made out. The petitioner ought to have been vigilant to pursue his case, and therefore, the Petition is misconceived and is hereby dismissed.

**J U D G E**

**J U D G E**

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