

ORDER SHEET
IN THE HIGH COURT OF SINDH AT KARACHI

C.P. No.D-4240 of 2022

Date Order with signature of Judge

For hearing of main case.

20.07.2022.

Mr. Jehangir Khan, Advocate for the Petitioner.
Mr. Saifullah, Assistant, Advocate General, Sindh alongwith M/s.
Abdullah Hanjrah and Sarmad Sarwar, Law Officers, ECP.
Mr. Abdul Wahab Balouch, DAG.

The Petitioner had apparently submitted his Nomination Paper seeking to contest the forthcoming Local Government Election from Ward-01, Union Committee-07, Shah Faisal Town, Karachi, but the same was rejected by the Returning Officer on the ground that his Secunder was not registered as a voter/elector from the relevant constituency. The Petitioner failed to file any Appeal and has resorted to the Constitutional Jurisdiction of this Court under Article 199 directly.

Furthermore, nothing has been placed on record to demonstrate any illegality or infirmity in the order passed by the Returning Officer as to the status of the Secunder, and the issue has already been decided by a learned Division Bench of this court vide order dated 30.06.2022 in C. P. No. D-3990 of 2022 and connected matters, where with reference to the judgment of the Honourable Supreme Court of Pakistan in the case reported as ***Rana Muhammad Tajammal Hussain V/s. Rana Shaukat Mahmood (PLD 2007 Supreme Court 277)*** it was held that the defect is of a substantial and incurable nature, hence could not be permitted to be cured by either the Returning Officer, the Appellate Authority or this Court. That being so, the Petition stands dismissed accordingly.

JUDGE

JUDGE

MUBASHIR