

ORDER SHEET
IN THE HIGH COURT OF SINDH AT KARACHI

C.P. No.D-4113 of 2022

Date Order with signature of Judge

PRIORITY

1. For hearing of CMA No.17708/2022
2. For hearing of main case.

20.07.2022.

Mr. Umer Farooque 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 submitted his Nomination Paper seeking to contest the forthcoming Local Government Election from Union Committee-06, Ward No.3, TMC, Malir Town, Karachi, but the same was rejected by the Returning Officer on the ground that the Proposer was not present at the time of scrutiny, hence his signature could not be verified. An Appeal was filed by the Petitioner in the matter advancing a bare plea that his Proposer had not been present due to ill health, but that too came to be dismissed on 25.06.2022, with it being observed by the Election Tribunal that the Petitioner had failed to produce the Proposer within the given timeframe without showing any proper cause and despite being afforded ample opportunity. Furthermore, it was also observed that the signature on the Nomination Paper purporting to be that of the Proposer was also at variance with the signature appearing on an affidavit subsequently submitted by him. Under the given circumstances, it is evident that the Proposer was absent at the time of scrutiny and nothing has been placed on record to even support the plea of illness and indicate any genuine reason for such absence. The orders of the fora below are unexceptionable and no error or illegality has been pointed out warranting correction in exercise of power under Article 199 of the Constitution. That being so, the Petition stands dismissed accordingly.

JUDGE

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