

ORDER SHEET**IN THE HIGH COURT OF SINDH BENCH AT SUKKUR****C. P. No. D – 2117 of 2017**

For Further Orders

C. P. No. D – 2209 of 2017**Hearing of Case**

- 1.For hearing of CMA 5821/2018
- 2.For hearing of CMA 14451/2017
- 3.For hearing of main case

Date of hearing	Order with signature of Judge
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28-09-2022

Mr. Z.A. Channa, Advocate for Petitioners in C.P.No.D-2117 of 2017
 Mr. Shewak Ram Valecha, Advocate for Petitioner in C.P.No.D-2209 of 2017
 Mr. Ahmed Ali Shahani, Assistant A.G-Sindh.

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C.P.No.D-2117 of 2017 was disposed of by this Court vide order dated 07.11.2017, whereby respondents No.2&3 (Deputy Commissioner, Sukkur and Assistant Registrar, Joint Stock Companies Sukkur) were directed to decide the applications / complaints filed by the petitioners within 15-days strictly in accordance with law and after hearing all concerned. Hence, the same is a disposed of petition.

Through **C.P.No.D-2209 of 2017**, the petitioner seeks directions to the respondent No.3 to show under what law and provisions, he has not fixed the date of election polling for Hindu Community on 17.11.2017 after issuing election schedule of 2017 for 11 seats. The petitioner also seeks directions to the respondent No.3 to announce new date of election polling without any delay.

Perusal of record shows that somehow controversy agitated in this petition was subject matter of C.P.No.D-2117 of 2017 which was disposed of vide order dated 07.11.2017, as mentioned above and such compliance report has already been filed by the relevant respondents on 15.11.2017 suggesting as follows:

(i) That if the name is to be amended, it has to be done by the elected management committee via an amendment in the record of Assistant Registrar, Joint Stock Companies.

(ii) To conduct the upcoming elections for the 07 members of the management committee only. If the membership of the committee is to be extended, it should be done via an amendment by the management committee in the record of the office of Assistant Registrar, Joint Stock Companies.

(iii) The Hindu Panchayat Association shall communicate the results of the election to the Assistant Registrar, Joint Stock Companies and the notification shall be issued by the Assistant Registrar regarding appointment of the elected members of the management committee.

(iv) The nominations for the elections may be called afresh and the interim setup of the committee may be allowed to be headed by the Assistant Commissioner Sukkur City and Assistant Registrar, Joint Stock Companies, jointly till the conduct of elections.

(v) The elected Management Committee shall ensure the audit is conducted on a yearly basis.

(vi) Future elections should be held on the basis of adult franchise and open electorate (within the community) instead of one male member being the voter for an entire family.

(vii) To strictly adhere to the procedures and the code of practice laid down in the MOA of the association.

The petitioner has not filed any objection to the aforesaid suggestions of the Deputy Commissioner Sukkur and Assistant Registrar, Joint Stock Companies Sukkur (respondents No.1&2 respectively in this petition). Hence, instant petition stands **disposed of** in the aforementioned terms along with CMA 14451 of 2017 by directing the respondent No.2 to conduct elections of

the Hindu Panchayat Association, Sukkur within a period of 02 (Two Months) hereof.

CMA 5821 of 2018 filed in C.P.No.D-2209 of 2017 by the applicant / intervenor under Order 1 Rule 10 CPC for his addition as petitioner No.2 is hereby dismissed on being infructuous, as the said petition has already been disposed of.

Office to place a signed copy of this order in captioned connected matter.

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