

**ORDER SHEET**  
**IN THE HIGH COURT OF SINDH, KARACHI.**  
**CONST. PETITION NO. D-5723 OF 2022**

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Dated    Order with signature of Judge.

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Hearing

1. For order on office objection No.18
2. For hearing of Main Case

17.10.2022

Mr. Muhammad Ramzan Tabassum, Advocate for the Petitioner  
Kazi Abdul Hameed Siddiqui, DAG  
Ms. Leela @ Kalpana Devi, Additional Advocate General Sindh  
Mr. Abdullah Hinjrah, Senior Law Officer and Mr. Sarmad Sarwar, Law  
Officer, Election Commission of Pakistan

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**YOUSUF ALI SAYEED, J.-** The Petitioner is a candidate in the forthcoming Local Government Elections for the post of Chairman of U.C. No.3, Shah Faisal, Municipal Town Committee, District Korangi, Karachi and has sought postponement of that election on the ground that one of the candidates has passed away, with Rule 21 of the Sindh Local Council (Election) Rules, 2015 (**“the Rules”**) being cited in that regard.

2.        The comments which have been filed on behalf of the Respondent Nos. 2 and 3, being the concerned functionaries of the Election Commission of Pakistan (the “ECP”) acknowledge the demise of the candidate and clarify *inter alia* that In view thereof, the Returning Officer/Assistant Commissioner Shah Faisal Town Municipal Corporation has issued a Public Notice in terms of the aforementioned Rule as to postponement of the relevant election. Indeed the copy of the public notice filed alongwith the comments reads as follows:-

“This is to certify that, Mr. Liaquat Ali Arain S/o Bashir Uddin holding CNIC No. 42201-9850237-1, resident at House No.3/1369, Shah Faisal Colony has expired on 21.07.2022, and belongs to Pakistan Peoples Party contesting candidate for Chairman of Union Committee No. 03, Green Town, Town Municipal Committee, Shah Faisal, District Korangi, Karachi.

The Election for the category of Chairman/Vice Chairman of Union Committee No.03 Green Town, Town Municipal Committee, Shah Faisal, District Korangi Karachi is hereby postponed till further orders.”

3. The comments go on to clarify that after holding the second phase of the Local Government Elections the ECP will issue a separate fresh election schedule for all such seats which have fallen vacant due to the death of a candidate.

4. Under the circumstances, no cause for interference stands made out in exercising of the Constitutional jurisdiction of this Court and the petition stands dismissed accordingly alongwith listed application.

Judge

Chief Justice

Amjad PS