

ORDER SHEET
ELECTION APPELLATE TRIBUNAL SUKKUR.
(BEFORE MR. JUSTICE IRSHAD ALI SHAH)
Election Appeal No.S-31 of 2024
(Sagheer Ahmed Khan Lund Vs Federation of Pakistan & others)

DATE OF HEARING	ORDER WITH SIGNATURE OF JUDGE
-----------------	-------------------------------

1. For Orders on CMA No. 66/2024 (Ex./A)
2. For hearing of main case.

09-01-2024.

Mr. Khan Muhammad Sangi, advocate for the appellant.
Mr. Qurban Ali Malano, advocate for the private respondent.
Mr. Dareshani Ali Hyder "Ada" DAG, Pakistan.
Mr. Zeeshan Haider Qureshi Assistant Director (Law) ECP.

1. Deferred.
2. The appellant by way of instant election appeal has impugned the order of the Returning Officer whereby his nomination paper to contest election from PS-19 (Ghotki-II) has been rejected for the reason that an amount of Rs. 3.587 Million is outstanding against him and there is liability of Electricity Bill worth Rs. 121,831- against him.

It is contended by learned counsel for the appellant that the appellant has never been adjudged as a defaulter; the loan and liability he has cleared, as such he could not be denied right to contest election. By contending so, he sought for acceptance of nomination paper of the appellant.

Learned DAG was fair enough to say that after clearance of the loan and liability, the appellant could be allowed to contest election in terms of section 62 (10) of Election Act-2017.

Learned counsel for the private respondent and learned Law Officer of ECP have sought for dismissal of instant election appeal by contending that the appellant has failed to make disclosure of loan and liability in his nomination paper and

affidavit attached to it; therefore, subsequent clearance whereof is not enough to him qualified to contest election.

Heard arguments and perused the record.

Admittedly, the appellant has never been adjudged as defaulter by any Court/Tribunal. The outstanding loan/liability now has been cleared. By such act, the appellant has remedied his omission. As such the impugned order could not be sustained; consequently the nomination paper of the appellant shall be deemed to have been accepted.

The instant Election Appeal is disposed of accordingly.

Judge/Appellate Tribunal