

ORDER SHEET
BEFORE THE ELECTION APPELLATE TRIBUNAL FOR SINDH AT SUKKUR
(Before Mr. Zulfiqar Ali Sangi)

Election appeal No.S-39 of 2024

Ali Murtaza Rehman Thaheem v. Muhammad Bux Khaskheli and others

DATE OF HEARING	ORDER WITH SIGNATURE OF JUDGE
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1. For hearing of CMA No. 85/2024
2. For hearing of main case.

Date of hearing 09.01.2024

Date of decision 09.01.2024

Mr. Abdul Rasheed Kalwar, Advocate for appellant
None present for respondent No.1

Mr. Zeeshan Hyder, Law Officer, Election Commission of
Pakistan

Mr. Dareshani Ali Hyder 'Ada' DAG

Mr. Muhammad Umair Election Officer Sanghar
representative of Election Commission of Pakistan

Mr. Fahad Aijaz RO PS-44 Sanghar-V

ORDER

Zulfiqar Ali Sangi J;- Through this Election Appeal, the appellant has challenged the impugned order dated 30.12.2023, passed by the Returning Officer PS-44 Sanghar-V whereby nomination form of the respondent No.1, was accepted. Notice were issued to the respondents but respondent No.1, called absent. Counsel for appellant mainly challenged the order on the ground that the respondent No.1, has concealed the assets in the nomination form and the affidavit attached with, however he is unable to identify any of such property which has not been declared by the respondent No.1, in the nomination form and the annexures attached thereto. Returning Officer is present and submit that entire documents of the assets has been provided by the candidate before him along with nomination form and properly were examined. He further states that though objections were filed by the appellant but at the time of scrutiny he was called absent and even he has not applied/obtained the detail order where his entire objections were discussed and decided. He also brought original file in respect of the nomination form which was assessed and found that the respondent No.1, has given entire details of the properties and copy of returns/wealth statement submitted by him before the FBR. The appellant has not produced certified true copy of the detail order as required by Rule 54 (3) of the Election Rules 2017.

However the same was produced by the Returning Officer along with para-wise comments.

Under such circumstances no illegality or infirmity is found in the order passed by Returning Officer, the same is maintained and appeal is dismissed along with the listed application.

J U D G E