

**ORDER SHEET**  
**IN THE HIGH COURT OF SINDH AT KARACHI**  
**CP No. D-2159 of 2025**

( *Maroof Ahmed v. The Government of Sindh & Others* )

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<b>DATE:</b>	<b>ORDER WITH SIGNATURE(s) OF JUDGE(s)</b>
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- 1. For Orders on CMA No. 10543 / 2025 (Urgent App)
- 2. For Orders on Office Objection No.1 to 4
- 3. For Orders on CMA No. 10544 / 2025 (Exemption App)
- 4. For Orders on CMA No. 10545 / 2025 (O 39 R.1 & 2 CPC)
- 5. For Hearing of Main Case

**23-5-2025**

Mr. Afzal Ali Lanjar, Advocate for Petitioner

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- 1. **Sana Akram Minhas J:** The Petitioner, a resident of a building known as “*Jauhar Complex*” has challenged the elections of the “*Jauhar Complex Residents Welfare Association*” – a registered private body representing the residents of the said building – which were held on 20.4.2025. The challenge is based, inter alia, on the allegation that the elections were conducted using a fraudulent or fabricated voter list (as specifically alleged in paragraphs 12, 15 and 19 of the main Petition). The Petitioner accordingly seeks a declaration that the impugned elections are void, and prays for the conduct of fresh elections under the supervision of the Nazir of this Court, after the preparation of a valid and verified voter list by him.
  
- 2. Without entering into the broader question of whether a private residents’ association – which is not impleaded as a party – is amenable to the writ jurisdiction of this Court under Article 199 of the *Constitution of Pakistan, 1973*, it is evident that the alleged fabrication of the voter list raises a question of fact. Such a determination requires the production and appraisal of evidence, necessitating a factual inquiry and possibly the recording of evidence before a competent forum. This exercise lies beyond the scope of proceedings under Article 199, which are limited in nature and not designed to resolve complex factual controversies. This Court remains cognizant of the inherent limitations in the exercise of its constitutional jurisdiction.
  
- 3. This Petition, being outside the scope of Article 199 of the Constitution, is therefore **dismissed in limine**. The Petitioner may avail the remedy available before the competent civil court in accordance with law, should he choose to agitate the matter further.

**JUDGE**

**JUDGE**