

ORDER SHEET

IN THE HIGH COURT OF SINDH, KARACHI

C.P. No.D-744 of 2025

(Nazirullah Mehsood Advocate v Province of Sindh & others)

C.P. No.D-2243 of 2024

(Quetta Town cooperative Housing Society v Province of Sindh & others)

C.P. No.D-374 of 2025

(Nazrullah Mehsood Advocate v Province of Sindh & others)

Date

Order with signature of Judge

Before:-

Mr. Justice Adnan-ul-Karim Memon

Mr. Justice Zulfiqar Ali Sangi

Date of hearing and order:- 17.02.2026

Mr. Khan Zaman Khattak, advocate for the petitioners in C.P NoD-744/2025 & 374/2025.

Mr. Muhammad Vawda, advocate for the petitioners in C.P No.D-2243/2024.

Mr. Zohaib Sarki, advocate for the respondents.

Mr. Abdul Khusheed Khan, advocate for interveners.

Mr. Abdul Samad Memon, advocate for interveners.

Mr. Ali Safdar Depar, AAG along with Mirza Ahmed Kamal, Registrar Cooperative Societies Department-III Karachi.

ORDER

Adnan-ul-Karim Memon, J. – The petitioners have filed Constitutional Petitions under Article 199 of the Constitution of Pakistan, 1973, concerning the Quetta Town Co-Operative Housing Society Ltd., Scheme 33, Karachi.

2. In C.P. No. 744 of 2025, the petitioner seeks inclusion in the society's members' list and a status quo on the upcoming elections.

3. In C.P. No. D-2243 of 2024, the petitioner challenges Order No. RCS/KYC/276/2024, claiming it is unconstitutional, illegal, and mala fide, and seeks its suspension and restraint on any coercive actions by the respondents.

4. In C.P. No. D-374 of 2025, the petitioners contend that the proposed elections are unlawful without proper election rules, challenge the appointment of Mr. Alam Baig as election member, and seek declarations validating the Registrar's order to conduct elections of the full management committee.

5. One petitioner, owner of Plot No. B-385, also challenged his exclusion from the voters' list for the elections scheduled on 23-02-2025, claiming his right to vote and contest as an eligible member and former president.

6. The society counsel contended the petitions are mala fide, noting his prior suspension and non-compliance with deadlines. Interveners, Muhammad Memon and Khair Bano, similarly sought inclusion in the voters' list. The Registrar reported that prior Court orders had not been fully implemented, preventing fair elections.

7. In view of the foregoing, it is clear that the petitions raise legitimate concerns regarding the conduct of elections, inclusion of eligible members in the voters' list, and adherence to the Society's bylaws and the Sindh Cooperative Societies Act, 2020.

8. To ensure transparency, fairness, and compliance with the law, this Court with the consent of the parties present in Court considers it appropriate to appoint the Nazir of this Court as Commissioner to supervise the elections of the President and the Managing Committee in accordance with the society's bylaws and the Sindh Cooperative Societies Act, 2020. The Registrar is directed to provide complete society records to the Commissioner for verification and preparation of a valid voters' list. The elections shall be conducted within two months or as per direction of the Nazir, after which the records shall be handed over to the newly elected management. All parties are directed to fully cooperate and refrain from interfering with the election process. The Commissioner's fee of Rs. 300,000 shall be paid in advance by the society from its funds. The Commissioner is also empowered to hear and decide all legitimate questions or objections related to the election process including voter lists, and genuine plot owners/members, after giving an opportunity of hearing to all concerned parties. The Commissioner is empowered to take all necessary steps for conducting the election in accordance with law.

9. The petitions along with all pending application(s) are disposed of accordingly

JUDGE

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