

**ORDER SHEET
IN THE HIGH COURT OF SINDH AT KARACHI**

C.P. No. D-5838 / 2018

ORDER WITH THE SIGNATURE OF THE JUDGE

1. For order on Misc. No. 25305/2018
2. For order on office objections.
3. For order on Misc. No. 25306/2018
4. For order on Misc. No. 25307/2018
5. For hearing of main case.

13.08.2018

Mr. Muhammad Amir Khan, advocate for the petitioner.

Petitioner has challenged the order dated 28.07.2018 whereby the application moved by the petitioner for re-counting of votes of Constituency PS-122 was dismissed. Against this order petitioner has presented instant petition on 10.08.2018 with a prayer that some directions may be issued for recounting. Sub-section 5 of Section 95 of Election Act, 2017 deals with powers of Returning Officer for recounting but before commencement of consolidation proceedings whereas under sub-section 6, some powers have been given to Election Commission of Pakistan for recounting but before conclusion of consolidation proceeding. Consolidation of results have been completed and Election Commission of Pakistan has notified names of winning candidates. At this stage, neither the Returning Officer has any power nor E.C.P. for recounting. The only remedy available to the petitioner is to file election petition in accordance with Election Act, 2017. The petitioner may also move an application before Election Tribunal for recounting. Petition is dismissed accordingly alongwith listed applications.

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