

ORDER SHEET
IN THE HIGH COURT OF SINDH, CIRCUIT COURT, LARKANA
C.P.No.D-1260 of 2015.

DATE OF HEARING	ORDER WITH SIGNATURE OF HON'BLE JUDGE
--------------------	---------------------------------------

For Katcha Peshi.

29.10.2015.

Mr. Khadim Hussain Khoso, advocate for the petitioner.

Mr. Rafique Ahmed Abro, advocate for intervener.

Mr. Mushtaque Ahmed Kourejo, Standing Counsel.

Mr. Munwar Ali Abbasi, Asstt. A. G.

Through instant petition, the petitioner prays as under :

- a) That this Honourable Court may graciously be pleased to declare the above act of Respondents of changing of the Polling Station No.4 of U.C Karira from the GPS Jam Khan Khoso to GPS Ghulam Haider Magsi as malafide null and void.
- b) To direct the respondent No.1 to restore the location of the polling station No.4 of U.C Karira Taluka Meero Khat at Government Primary School Jam Khoso instead of GPS Ghulam Haider Magsi.

Record reflects that previously Polling Station Jam Khan Khoso was established in 2013, thereafter, in present election same Polling Station was declared such letter is available at page 11. Again Returning Officer has declared Polling Station Ghulam Haider Magsi. It is also matter of record that petitioner approached D.R.O for redressal of his grievance but he was not heard and on the contrary this matter was referred to Returning Officer. Returning Officer, present in Court contends that he is not competent to change the Polling Station.

Learned Addl. A. G contends that this is belated stage and now no purpose would be served if the Polling Station is changed.

Mr. Rafique Ahmed K. Abro, advocate files Vakalatnama and application under Order 1 Rule 10, C.P.C on behalf of Ghulam Mujtaba and contends that in fact due to delimitation the Polling Station has been changed.

Perusal of record reflects that there is apparently malfeasance on the part of the Returning Officer and in such circumstances District Returning Officer



33

was required to examine this aspect. Accordingly, District Returning Officer shall decide this controversy today by deputing any responsible person for visiting the site as enunciated in the case of Workers Party Pakistan in para 51 as well as guideline given by the Election Commission of Pakistan. Learned D.R.O shall pass speaking order and such compliance report shall be submitted by tomorrow. Returning Officer is present in Court, he shall communicate this order to D.R.O and petitioner shall approach to D.R.O for redressal of his grievance.

M.Y.Panhwar/**

