

29

ORDER-SHEET
IN THE HIGH COURT OF SINDH, CIRCUIT COURT LARKANA
Constt. Petition No. D- 1270 of 2015.

Date of hearing	Order with signature of Judge
29.10.2015.	

For Katcha Peshi.

Mr. Sajid Ali Gorar, Advocate for petitioner.
Mr. Abdul Hamid Bhurgri, Addl. A.G. assisted by Mr. Asif
Raza Jatoi, State Counsel.
Mr. Mushtaq Ahmed Korejo, Standing Counsel.

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Through instant petition, petitioner has prayed for setting aside impugned Order dated 12.10.2015, passed by appellate authority and directions to respondents to restore/ accept nomination paper of petitioner for seat of General Member Ward-2 U.C Magsi, of Taluka Mehar, District Dadu.

At the outset learned counsel for petitioner contends that petitioner submitted nomination form for general member for ward-2, U.C Magsi, Taluka Mehar, but mistaken the Returning Officer issued form of Member District Council. Learned counsel contends that on this account the petitioner may not be penalized.

On the other hand learned A.A.G. contends that in-fact two receipts have been submitted and candidate must be conscious while submitting form and in-fact deficit amount was paid, now he has changed his version, as such plea is unwarranted under the law.

Learned Standing Counsel concedes to the extent that since Rs.2000/- fees was paid regarding fees of two forms, this mistake can be cured and petitioner may not be deprived from contesting election.

We have seen the impugned order as well as appended documents with this petition and we are of the view that since petitioner paid challan of Rs.2000/- and he intends to contest

51

election from Ward-2 of U.C Magsi, Taluka Mehar and that was the requisite fees, accordingly order passed by appellate authority and Returning Officer are hereby set aside. Nomination form of the petitioner is accepted on general member Ward-2, U.C Magsi, of Taluka Mehar, District Dadu.

The petition sands disposed of.

