

ORDER SHEET  
IN THE HIGH COURT OF SINDH AT KARACHI

**SUIT NO.NIL(-2938)/2021**

-----  
Date

Order with signature of Judge  
-----

For hearing of CMA No.19409/2021

**18.11.2021**

Mr. Jafar Raza advocate for plaintiffs.

.....

Mr. Abid S. Zuberi advocate files Vakalatnama and C.A. on behalf of dependent No.4, copy provided to counsel for plaintiff who files statement alongwith certain documents; taken on record.

2. Heard.

3. Admittedly Suit Nos.2117/2020, 235, 236 and 834 of 2021 are pending before this court wherein almost all plaintiffs and defendants are party and validity of Rules is subjudiced before this court. Besides, order was passed that no coercive action shall be taken.

4. In present suit, plaintiffs are seeking elections to be conducted as per committee and under the supervision of the official assignee. Learned counsel for defendant has referred application of plaintiff No.5 in suit No.1670/2020 wherein he has prayed that "*This honourable court may graciously be pleased to direct defendant No.4 and 4(a) to immediately hold elections of defendant No.2 Society.*" Learned counsel for defendants extends no objection if plaintiff No.5 intends to contest the elections though his nomination form was turned down. Accordingly his nomination form shall be treated as accepted and committee shall allow plaintiff No.5 to contest the

election as per byelaws. Official assignee shall observe the election process and submit report before this court as well defendant No.3 shall nominate any officer who shall also observe the election process alongwith the official assignee whereas final outcome will be decided by this court after hearing the parties.

5. At this juncture learned counsel for defendant No.4 contends that there are several applications against Owais Taj Arain, an officer of the office of the Registrar therefore he may not be nominated to observe the election process. Accordingly, it is expected that defendant No.2 will assign this task to any officer except Owais Taj Arain. Needless to mention that any order passed by defendants No.2 and 3 shall not come in the way of this order.

6. To come up on 14.12.2021.

IK

**J U D G E**