

ORDER SHEET
IN THE HIGH COURT OF SINDH, CIRCUIT COURT, HYDERABAD

C.P. No.D-1948 of 2022

DATE	ORDER WITH SIGNATURE OF JUDGE
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For orders on M.A. 7387/2022
For orders on office objection
For orders on M.A. 7388/2022
For orders on M.A. 7389/2022
For hearing of main case

01.06.2022

Mian Taj Muhammad Keerio, advocate for petitioner.

Against the order of the Appellate Tribunal for Local Government Elections 2022, petitioner has filed this petition. In terms of the impugned order the appeal was dismissed whereby the nomination papers were accepted in terms of the concurrent findings. The only ground that was agitated is that in terms of section 36(i) he is disqualified to participate in the elections.

Learned counsel has relied upon a letter issued by the Town Committee Chachro, District Tharparkar that in an open auction a shop was awarded.

We have heard the learned counsel. This could hardly be within the frame of section 36(i) as it requires that the contract for work to be done or goods to be supplied to a Council or has otherwise any direct pecuniary interest in its affairs. Acquiring of shops under open competitive bids cannot be kept at par for availing any direct pecuniary interest in the affairs of the Council. Respondent No.6 participated in an open auction for acquiring shops and he paid the market value. Hence, section 36(i) would not apply and the appeal of the petitioner was rightly dismissed. We, therefore, dismiss this petition.

JUDGE

JUDGE