

ORDER SHEET

IN THE HIGH COURT OF SINDH BENCH AT SUKKUR

C. P. No. D – 608 of 2022

Date of hearing	Order with signature of Judge
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Fresh case

1. For orders on CMA No.2385/2022 (U/A)
2. For orders on CMA No.2386/2022 (Ex./A)
3. For hearing of main case
4. For orders on CMA No.2387/2022 (Stay)

30-05-2022

Mr. Anwar Ali Lohar, Advocate for the Petitioners.

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- 1.** Urgency is granted.

- 2.** Exemption is granted subject to all just legal exceptions.

- 3 & 4.** Through this Petition, the Petitioners have impugned order dated 26-05-2022 passed by the Appellate Tribunal (SLCE), Ghotki in Election Appeal No.64 of 2022. The order reads as under:

“Zaheer Hussain Shah, appellant/objector is aggrieved by an order dated 20.5.2022 (impugned order), whereby respondent No.1 acceded to the nomination of respondents No.2 & 3/candidates for the seat of Chairman and Vice Chairman UC-20 Jamal, Taluka and District Ghotki. This brought appellant to this court, I have heard learned counsel for respective parties and objection to the nomination of respondents No.2 & 3 based on concealment of assets is found by me of no legal force as such no any dues are alleged candidates/ respondents No.2 & 3 against the Suzuki company, qua respondent No.2 has submitted affidavit stating therein that true account of his assets find mentioned in the nomination/assets form together with a letter issued to him by Excise and Taxation Department, whereby a vehicle registered in his name and other objection to the effect that propose and seconder are defaulter of SEPCO has not been necessarily mentioned to claim for disqualification of candidate under section 36 of Sindh Local Government Act, 2013. To this pivotal point, appellant has nothing to rebut the same on legal and factual basis, therefore, appellant could not convince this court to show that order impugned was passed against the law.

In views of above, present appeal devoid of substance stands dismissed.”

Perusal of the aforesaid order reflects that the same has been passed after appraisal of facts and there does not appear to be any

illegality in the same. While confronted, Counsel has referred to some letter of Officer of Excise and Taxation, Ghotki dated 25-05-2022; however, perusal of the same reflects that neither any amount has been mentioned nor as to under what head the amount is outstanding.

In view of the above, no case for indulgence is made out. The Petition being misconceived is hereby **dismissed in *limine*** with pending application.

J U D G E

J U D G E

Abdul Basit