

ORDER SHEET
IN THE HIGH COURT OF SINDH AT KARACHI

C.P. No.D-3988 of 2022

Date Order with signature of Judge

For hearing of Main Case.

18.07.2022

Syed Asam-ul-Haq, Advocate for the Petitioner.

The Petitioner has invoked the Jurisdiction of this Court under Article 199 of Constitution, impugning the Order dated 22.06.2020 made by the Returning Officer UC-11, Ward No.3, District East, Karachi, rejecting the Nomination Paper submitted by him as a Candidate for Election for the category of General Member from that Constituency in respect of the forthcoming Local Body Election on the ground that his Proposer was not qualified as he was not a registered Voter of the concerned Constituency.

As a transpires, the aforementioned Order was not assailed by the Petitioner in Appeal in terms of the mechanism prescribed under the Sindh Local Councils (Election) Rules 2015. Even otherwise, the Petitioner's case turns on the attention that he was not provided an opportunity to present a new Proposer, which is untenable as it is well settled that the requirement is mandatory

in nature and a discrepancy in that regard cannot be cured subsequently. If any authority is required, one need look no further than the Judgment of the Hon'ble Supreme Court in the case reported as Rana Muhammad Tajammal Hussain Vs. Rana Shaukat Mahmood PLD 2007 Supreme Court 277, and of the Lahore High Court in the case reported as Jamshed Iqbal Cheema vs. The Election Appellate Tribunal and 19 others 2022 CLC 463. That being so, the Petition stands dismissed.

JUDGE

JUDGE

M.Javid/PA