

ORDER SHEET
IN THE HIGH COURT OF SINDH, KARACHI

C.P No. D-4277 of 2022

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Date	Order with signature of the Judge
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Priority

1. For order on office objection No.6, 7, 18, & 26.
2. For hearing of CMA No.18219/2021
3. For hearing of main case.

20.07.2022.

Syed Mureed Ali Shah, Advocate for the Petitioners.

Mr. Sanaullah, Advocate for respondent No.4 (C.P No. D-4277/2022)

Mr. Shoaib Khatian for respondent No.4

Mr. Saifullah, AAG a/w Sarmad Sarwar, Law Officer, ECP.

Mr. Abdul Wahab, D.A.G.

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Through these Petitions, the Petitioner has challenged the acceptance of nomination papers of the respective private Respondents for the forthcoming local body election 2022 on the ground that they were in default of their dues towards HESCO at the time of submission and had made a false declaration in that regard. Learned counsel submits that the No Dues Certificates submitted by the Respondents in support of their nominations were forged and fabricated. However, as it transpires no appeal was filed against the decision of Returning Officer. Under the circumstances, the direct approach by the Petitioner to this Court under Article 199 of the Constitution is misconceived, especially as the matter entails question of fact which cannot be conclusively determined in the present proceedings. Needless to say, if any grievance subsists or cause of action arises subsequent to the outcome of the forthcoming election, the Petitioner may avail the appropriate remedy before the competent forum. The Petitions thus stand dismissed.

Judge

Judge

