ORDER SHEET

THE HIGH COURT OF SINDH, AT KARACHI

C.P. No.D-4723 of 2018

Date | Order with signature(s) of Judge(s)

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1. For orders on Misc. No.9163/2020
2. For orders on office objection
3. For hearing of main case.

24.09.2020

Petitioner is present in person.

Mr. Muhammad Ali Jan, Advocate for Respondent No.3.

Mr. Abdul Jaleel Zubedi, Assistant Advocate General, Sindh.

We have heard the petitioner, who is appearing in person, as well as Mr. Muhammad Ali Jan, Advocate and learned Assistant Advocate General, Sindh. The primary concern of the petitioner is that there is some malpractice going on in the Society and that they have not conducted transparent transactions. The members are being discriminated insofar as scrutiny of the official records of the Society are concerned and that the petitioner may be allotted two commercial plots on payment of nominal/initial costs as prevailing at the time when the Society was launched.

Insofar as, the oral request to the extent of additional residential plot is concerned, that is inconceivable since there is no land available with the Society. Even otherwise, such request cannot be considered as he was granted residential plot of 120 square yards, which was requested for in the application. In case, such residential plots are available and byelaws permits, members' applications be considered.

We dispose of this petition with directions that Society shall hold elections strictly in accordance with the byelaws of the Society, failing whereof, Registrar Cooperative Society is at liberty to take action as deemed fit under the law. The commercial plots are not liable to be granted to an individual, unless public notice is issued and auction process is followed, therefore, this request of petitioner cannot be granted for allotment of two commercial plots. Members are at liberty to approach the Society office for the scrutiny of official records after complying all codal formalities.

The petition stands disposed of in above terms along with listed application.

J U D G E

*Faizan/PA**

J U D G E