

ORDER SHEET
IN THE HIGH COURT OF SINDH, KARACHI.
C.P No. D-5768 of 2022

Dated Order with signature of Judge.

Fresh case

1. For order on Misc. No. 24587/2022
2. For order on Misc. No. 24588/2022
3. For order on Misc. No. 24589/2022
4. For hearing of Main Case

30.09.2022.

Shaikh Jawaid Mir, Advocate for the Petitioner.

YOUSUF ALI SAYEED, J- The Petition pertains to the election of the Managing Committee of the Rice Exporters Association of Pakistan (“**REAP**”), a licensed trade organization under Trade Organization Act, 2013.

The grievance espoused by the Petitioner proceeds on the basis that had submitted his nomination for election as a member of the Managing Committee of REAP, and the assertion that he had then withdrawn the same under duress, but after the last date prescribed for withdrawal, hence the same ought not to have been accepted. It is said that a complaint/representation had then made by the Petitioner to the Regulator of Trade Organization as per rule 18 (13) of Trade Organization Act, 2013, but to no avail.

In that backdrop, it has been prayed that the acceptance of the Petitioner’s withdrawal as a candidate and the Order of the Regulator be declared to be illegal and void *ab initio* and that the election be conducted afresh after including the name of Petitioner as a candidate with the respondents being restrained from announcing the result of what has implausibly been termed by the Petitioner to be an ‘engineered election’ at the general meeting to be held on 30.09.2022.

Having considered the matter, we are of the view that there is no error or infirmity afflicting the Order of the Regulator in light of the Petitioner's admitted conduct in withdrawing his candidature, with it rightly being observed that a matter of that nature did not fall within the parameters of Rule18(13), and we see no force in the submission advanced by learned counsel that the Election Commission of REAP ought to have at least called and examined the Petitioner prior to processing his withdrawal.

Needless to say, the purpose of Article 199 is not to protect a party from his own folly and in the absence of any error on the part of the Regulator no case otherwise stands made for exercise of constitutional jurisdiction of this Court in relation to the affairs of a private association.

That being so, while granting the application for urgency we hereby dismiss the Petition in *limine* along with the other miscellaneous applications.

JUDGE

CHIEF JUSTICE