

ORDER SHEET  
**IN THE HIGH COURT OF SINDH AT KARACHI**  
CP D 6342 of 2022  
CP D 6358 of 2022

DATE

ORDER WITH SIGNATURE OF JUDGE

**CP D 6342 of 2022**

1. For hearing of CMA No.26888/2022
2. For hearing of main case.

**CP D 6358 of 2022**

1. For hearing of CMA No.26961/2022
2. For hearing of main case.

**25.10.2022.**

Mr. Pervaiz Khurram, advocate for the petitioner in CP D 6342 of 2022

Mr. Shehroze Khan, advocate for the petitioner in CP D 6358 of 2022

Mr. Mehar Ali/Respondent No.3

Syed Vizarat Ali, Advocate for respondent No.5

Mr. Yasir Ahmed Shah, Assistant Attorney General

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In both these Petitions, the Petitioner Unions have impugned some Voters List prepared by Respondent No.3 for conducting Elections in Respondent No.5. Today, Respondent No.3 is in attendance and submits that pursuant to the impugned voter list, the Elections have been conducted, whereas, both the Petitioner Unions have participated in these Elections; hence, no case is made out. While confronted, Petitioners' Counsel have not been able to controvert such factual position; but have jointly made an attempt to argue that their members, who were contractual employees of Respondent No.5, were left out and excluded from the Voters List; hence, the Elections are invalid.

However, in our view, since Elections have already been held, wherein, Petitioners have participated, therefore, to that extent the petitions have become infructuous and no case for further indulgence is made out for the present purposes, leaving the petitioners to challenge the very result of these Elections, if at all, permissible in law.

Nonetheless, even otherwise record reflects that Respondent No.3 had visited the premises of Respondent No.5 and held several meetings to conduct inquiry as to the eligibility of the voters, for which minutes were also issued and it is an admitted position that the Petitioner Unions failed to substantiate their claim that these contractual employees were ever working in Respondent No.5. Even before us no supporting document has

been annexed. This, otherwise being a complete factual exercise cannot be held in this Constitutional jurisdiction.

In view of such position, both these petitions have not only become infructuous; but are also incompetent and devoid of any merits; hence, are hereby dismissed. Office to place copy of this order in the connected petition, as above.

Judge

Judge

Ayaz ps.