

ORDER SHEET
THE HIGH COURT OF SINDH KARACHI

C.P. No. D – 75 of 2024

[Manzoor Ahmed Khushik v. Election Commission of Pakistan and others]

DATE

ORDER WITH SIGNATURE OF JUDGES

1. For orders on Misc. No. 346 of 2024.
2. For orders on office objection Nos. 1 & 20.
3. For orders on Misc. No. 347 of 2024.
4. For orders on Misc. No. 348 of 2024.
5. For hearing of Main Case.

08-01-2024

Mr. Shabih-ul-Hussain Qureshi, Advocates for the Petitioner.

1. Urgency granted.

3. Exemption granted subject to all just exceptions.

2, 4 & 5. The Petitioner is aggrieved of the rejection of his nomination papers by the R.O. vide order dated 29.12.2023. Not surprisingly, the office has objected to the maintainability of the petition without availing the remedy of an appeal before the Election Tribunal under Section 63 of the Election Act, 2017. Learned counsel submits that the R.O. did not provide a certified copy to the Petitioner until 03.01.2023, which was the last date for filing an appeal before the Election Tribunal. However, the Petitioner does not explain what prevented him from approaching this Court earlier for directions for certified copy, nor the reason for not filing the appeal on 03.01.2024 as the office of the Tribunal was open till late hours to accept appeals. The Petitioner was therefore not vigilant himself. In such circumstances, we are not inclined to exercise discretion under constitutional jurisdiction. The petition is therefore dismissed.

JUDGE

JUDGE