

**ORDER SHEET**  
**IN THE HIGH COURT OF SINDH AT KARACHI**

**C.P.No.D-687 of 2024 a/w**

C.P.Nos.D-688, 698 to 712 of 2024,  
714 to 721 of 2024, 724 & 725 of 2024,  
732 to 748 of 2024

C.P. Nos.D-756 to 759, 765 to 768, 773 of 2024

Date	Order with signature of Judge
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**13<sup>th</sup> February 2024**

**ADVOCATE FOR PETITIONERS.**

Mr. Salahuddin Ahmed, Advocate

M/s. Muhammad Jibrán Nasir and Ahrar Javed Bhutto, Advocates.

Mr. Muhammad Umar Lakhani alongwith M/s.Syed Talha Shah Hasni and Ishfaq Ahmed Khan, Advocates.

M/s. Haider Waheed and Asad Ashfaq Tola, Advocates.

Mr. Saifullah Sachwani, Advocate.

Mr. Rafique Ahmed Shaikh, Advocate.

Mr. Saad Fayyaz, Advocate

M/s. Javaid Ahmed Chhatari a/w Farah Awan, Advocates.

Mr.Haq Nawaz Talpur, Advocate

Mr. Muhammad Waseem Shaikh, Advocate

M/s. Basil Nabi Malik and Bilal Ahmed Khan, Advocates.

Ms. Amna Usman, Advocate

Mr. Faraz Ali Khan, Advocate

M/s. Ali Tahir and Muhammad Hashim, Advocates.

Mr. Farjad Ali Khan, Advocate

Mr. Usman Farooq, Advocate

M/s. Munwar Ali and Ayaz Ali Solangi, Advocates

Ms. Sana Abid, Advocate

Mr. Farhan Javed Memon, Advocate.

Mr. Qaiser Javed, Advocate.

Mr. Ali Ahmed Paul, Advocate & Petitioner in person.

Mr. Salman Sabir, Advocate

Mr. Tassaduq Nadeem, Advocate

Mr. Imran Ali Methani, Advocate

Mr. Sarfraz Ali Metlo, Advocate

Mr. Nusrat Ali Shar, Advocate

Syed Shahbaz Ali Shah, Advocate

Mr. Sheeraz Ahmed Siddiqui, Advocate.

M/s. Rafiq Khan, Furqan Ahmed, Hassan Ali and Furqan Ali, Advocates.

M/s. Zaheer uddin Mehsud, Khan Zaman, Shiraz Siddiqui, G.M. Azad, Shahida Kamal, Zahida Kamal and Farhan Sardar, Advocates.

M/s. Sajjad Ahmed Deepar and Yousuf, Advocates.

Dr. Huma Sodher, Advocate

Mian Shahbaz Ali, Advocate

M/s. Samreen Ali Rizvi and Hasnain Ali Chohan, Advocates.

Sheikh Farrukh Hussain, Advocate.

Mr. Shahbaz, Advocate.

Mr. Abrar Jawaid Bhutto a/w Mr. Munir Iqbal, Advocates.  
 Mr. Farrukh Usman, Advocate.  
 Syed Ahmed Zaidi, Advocate.  
 Mr. S.M. Jahangir Akhtar, Advocate.  
 Mr. Muzammil Qureshi, Advocate.  
 Khawaja Muhammad Azeem a/w Mr. Muteeullah Gondal,  
 Advocates.

ADVOCATE FOR RESPONDENTS.

Dr. Muhammad Farogh Naseem a/w M/s. M. Tariq Mansoor, M. Naeem Siddiqui and Muhammad Akbar Khan, Advocates.  
 Mr. Zia-ul-Haq Makhdoom, Additional Attorney General for Pakistan assisted by Mr. Khaleeq Ahmed, Deputy Attorney General alongwith M/s. Hira Agha and Fatima Ashfaq, Advocates.  
 Mr. Rahman Ghous, Advocate.  
 Shaikh Jawaid Mir, Advocate a/w M/s. Hidayat Ali Laghari, Shahryar Ibrahim Soho, Samreen Ehtesham and Abdul Khalid Khan, Advocates.  
 Mr. Shaukat Ali Shaikh, Advocate.  
 Mr. Dur Muhammad Shah, Advocate.  
 Mr. Irshad Ali Shar, Advocate.  
 Mr. Hassaan Sabir, Advocate.  
 Mr. Abdul Sadiq Tanoli, Advocate.  
 M/s. Miran Muhammad Shah, Qazi Muhammad Bashir, Additional Advocate Generals, Saifullah, Asst. Advocate-General, Sindh.  
 M/s. Abdullah Hanjrah, Deputy Director [Law] and Sarmad Sarwar, Assistant Director, Provincial Election Commission of Pakistan.

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After hearing the learned counsel for the parties at some length and keeping in view the statement alongwith comments filed on behalf of the Election Commission of Pakistan dated 13.02.2024, as well as in view of the fact that alternate remedy is available to the petitioners under Sections 8 and 9 alongwith other relevant provisions of the Elections Act, 2017 read with Elections Rules, 2017 as well as Constitution of Pakistan, 1973, the aforesaid Constitutional Petitions are disposed of in the following terms: -

1. All the petitioners before us, who have expressed their common grievance to the effect that there has been violation of the provisions of Sections 92 and 95 of the

Elections Act, 2017, while preparing consolidated results in the shape of Form-47 issued by the Returning Officers, do not tally with the results in the shape of Form-45 issued by the Presiding Officers of the Polling Stations, shall be considered as complaint(s) in terms of Sections 8 and 9 of the Elections Act, 2017 before the Election Commission of Pakistan, copies of which have been supplied/sent through email, etc. to Election Commission of Pakistan, who shall decide such complaint(s) after hearing all the necessary parties expeditiously, however, before the cut of date for issuance of Notification in terms of Section 98(1) of the Elections Act, 2017 i.e. **22<sup>nd</sup> February 2024** through speaking order(s).

2. The issue regarding consolidation of the results and the discrepancy, if any, in Form-45 and Form-47 either made in the presence or absence of the petitioners or their representatives, shall be resolved by the Election Commission of Pakistan after scrutiny of the records i.e. Form-45 and Form-47 available with the Election Commission of Pakistan or as may be produced by the petitioners, however, subject to verification, whereafter, the decision(s) shall be made in terms of Articles 218 and 224 of the Constitution of Islamic Republic of Pakistan, 1973, after complying with all the relevant provisions of the Elections Act, 2017 read with Elections Rules, 2017.
3. In case of any further grievance, the aggrieved parties will be at liberty to seek their remedy as available to them under the Elections Act, 2017 by approaching the relevant

forum, including Tribunal, etc. constituted for such purposes in accordance with law.

Instant Constitutional Petitions stand disposed of in the above terms alongwith listed applications.

**CHIEF JUSTICE**

**JUDGE**

\*Farhan/PS\*