

ORDER-SHEET  
IN THE HIGH COURT OF SINDH, CIRCUIT COURT LARKANA  
Constt. Petition No. D- 1115 of 2015.

Date of hearing	Order with signature of Judge
09.10.2015.	

For Katcha Peshi.

Mr. Naushad Ali R. Tagar, Advocate for petitioner.  
Mr. Abdul Hamid Bhurgri, Addl. A.G. alongwith Mr. Liaquat Ali Arain, District Election Commissioner Kandhkot and Mr. Ali Nawaz Kolachi, Mukhtiarkar ARO Kandhkot.  
Mr. Mushtaq Ahmed Korejo, Standing Counsel.

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Impugned order reflects as under:

"It reflects from the record that proposer Israr Ahmed son of Ghulam Mustafa, who is proposer of respondents No.1 and 2 in their nomination forms and also he signed on the nomination form of Muhammad Shahban form of Shoukat Ali as proposer.

Rule 16 Sub Rule 3 (b) reveals as under:

(b) A declaration signed by the proposed and the seconder that neither of them has subscribed to any other nomination paper either as proposer or seconder."

In view of above cited Rule and discussion, as one person being a seconder or proposer cannot propose in same electoral unit to another person, therefore, the impugned order of R.O is set aside, the form of respondent No.1, namely, Gul Zaman, is hereby rejected. Election petition is allowed accordingly."

We have perused both the forms produced by Assistant Returning Officer. It appears that Gul Zaman is candidate for Chairman/ Vice Chairman, whereas candidate Muhammad Shahban is for Member District Council; since category is different, therefore, there is no illegality. Accordingly, instant petition stands allowed and the impugned Order is set aside.

  
Judge

  
Judge