

# IN THE HIGH COURT OF SINDH KARACHI

Before:

Justice Muhammad Saleem Jessar  
Justice Nisar Ahmed Bhanbhro

**CP No.D - 1618 of 2025**

*(Qureshi Cooperative Society Limited & others V/S Province of Sindh and others)*

Petitioners through` : Mr. Shariq A. Razzak, Advocate.

Respondent No.1 Govt.  
of Sindh through : M/s. Hakim Ali Shaikh Additional  
Advocate General and Sagheer Ahmed  
Abbasi Assistant Advocate General.

Intervenor through : M/s. Mustafa Hussain Khichi, Samia  
Farooq and Huma Farooq, Advocates.

**Date of hearing : 29.04.2026**

**Date of order : 29.04.2026**

## ORDER

**MUHAMMAD SALEEM JESSAR, J:** Through this petition, the petitioner has claimed the following reliefs:

“I. Declare that impugned notice issued by the respondent Nos. 6 to 8 are illegal, unlawful, unconstitutional, without jurisdiction and void.

I. Grant cost of the Suit; and

II. Grant such further and/or other relief as this Honourable Court may deem just and equitable.”

2. Learned counsel for the petitioner contended that vide notice dated 22.04.2025 published in Daily Dawn and Daily Jang, the Assistant Registrar, Cooperative Societies-III, Karachi, Inspector Cooperative Societies-IV, Karachi and Sub-Inspector Cooperative Societies were appointed as scrutiny committee to scrutinize the record of the petitioner No.1' society. He further contended that the elections of the society already held, therefore, the scrutiny was an attempt to jeopardize the earlier elections. He, therefore, prayed to set aside the impugned notice available at page 399 of the Court file.

3. Mr. Hakim Ali Shaikh, learned Addl. A.G. Sindh assisted by Mustafa Kichi, learned counsel for the intervenor contended that the elections have not been held and the petitioners declared themselves as the elected President and members of the Committee without holding elections. He next contended that in order to hold free, fair and transparent elections, it was necessary to scrutinize the record of the society. He, therefore, payed for dismissal of the petition.

4. Heard arguments of learned counsel for the parties and perused the record.

5. The petitioner has challenged the Notification regarding the constitution of the scrutiny committee to check the record of the society. The matter squarely falls within the purview of Section 73 of the Sindh Cooperative Societies Act, 2020, which provides that all the disputes other than a dispute regarding disciplinary action against a paid servant of the society and liquidation matters any illegal dispute shall be tried by the Cooperative Court. Section 73 of the Sindh Cooperative Societies Act, 2020, reads as under:

“73. All disputes (other than a dispute regarding disciplinary action taken by the society or its committee against a paid servant of the society and liquidation disputes) shall be tried by the Cooperative Court established under section.”

6. When confronted to above provision of law, counsel for the petitioner mounted his argument that the elections were held, therefore, the very exercise is illegal. The arguments so advanced were not tenable under the law as the Cooperative Court established under Section 73 of the Sindh Cooperative Societies Act, 2020 has been vested with exclusive jurisdiction to try all the disputes, including the elections of the society. Primarily the scrutiny of the record fall within the premise of the Registrar of the Cooperative Societies to enquire into by invoking powers under Section 55 of the Act. Section 55 of the Sindh Cooperative Societies Act, 2020, reads as under:

“55. (1) The Registrar may, of his own motion by himself or by any officer duly authorized by him in writing in this behalf, hold an inquiry into the constitution, working and financial condition of a society.

(2) The Registrar may hold such an inquiry as is contemplated in sub-section (1)– (a) on the requisition of a society, duly authorized by rules made in this behalf to make such requisition, in respect of one of its members, such member being itself a society;

(b) on the application of a majority of the Committee of the society;

(c) on the application of 1/3rd of the members of the society.

(3) All officers and members of the society whose affairs are investigated shall furnish such information in their possession in regard to the affairs of the society as the Registrar or an officer authorized by the Registrar may require.

(4) The result of any inquiry under this section shall be communicated to the society whose affairs have been investigated.”

7. In so far as the question of elections is concerned, the elections of a society is to be conducted in presence of an officer duly appointed by the Registrar and from the Notification available at page 317 of the Court file, the elections of petitioner No.1's society were not conducted in accordance with the Sindh Cooperative Societies Act, 2020 and rules framed thereunder.

8. For the foregoing reasons, we do not find any illegality or infirmity in the impugned Notification so also the matter is triable by the Cooperative Court and in presence of adequate remedy available under the law, the petition is misconceived, therefore, the same is hereby dismissed with a cost of Rs.20,000/- (Rupees twenty thousand only) to be deposited with the Sindh High Court Clinic fund within thirty (30) days. In case the petitioners fail to deposit the cost, appropriate action to follow.

9. The petition along with listed applications stands disposed of.

**JUDGE**  
**HEAD OF CONST. BENCHES**

**JUDGE**