ORDER SHEET

IN THE ISLAMABAD HIGH COURT, ISLAMABAD.
JUDICIAL DEPARTMENT.

W.P. No.1878-2018
Altaf Hussain
Vs.
The Election Commission of Pakistan, Islamabad through its Secretary

S. No. of order/ proceedings	Date of order/ Proceedings	Order with signature of Judge and that of parties or counsel where necessary.
	30.05.2018	Mr. Zafar Mahmood Mughal, Advocate for petitioner. Malik Mujtaba Ahmad, Additional D.G. Election Commission of Pakistan.

The instant petition assails order dated 28.04.2018 passed by Election Commission of Pakistan, whereby objections filed by the petitioner were dismissed.

2. Learned counsel for the petitioner, *inter alia,* contended that the objections were filed by the petitioner against preliminary delimitation regarding two seats of National Assembly i.e. NA-204 & NA-205 Ghotki and four Provincial Constituencies i.e. PS-18 to 21, Ghotki, which were dismissed in a cursory manner and without application of mind.

3. The representative of the Election Commission of Pakistan contended that the impugned order has been passed with reasons after taking into account the provisions of Section 20 of the Elections Act, 2017.

4. The bare perusal of the impugned order shows that the objections filed by the petitioner were turned down without assigning any reason. It has been mentioned in a cursory manner that the objections stands dismissed after taking into account all the relevant facts however the impugned order is non-speaking regarding what

factors and documents that were taken into account. In view of the same, the impugned order is in violation of principles as enshrined in Section 24-A of General Clauses Act, 1897.

5. In view of foregoing, instant petition is allowed and the impugned order dated 28.04.2018 is set aside. Consequently, the objections filed by the petitioner, shall be deemed to be pending before the Election Commission of Pakistan and shall be decided in accordance with law.

6. The petitioner shall appear before the Election Commission of Pakistan on 04.06.2018.

(AAMER FAROOQ)
JUDGE

Zawar

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