ORDER SHEET

IN THE ISLAMABAD HIGH COURT, ISLAMABAD.
JUDICIAL DEPARTMENT.

W.P. No.1999-2018
Abdul Aziz Zahid
Vs.
The Election Commission of Pakistan, Islamabad & Another

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	Syed Ashfaq Hussain Naqvi, Advocate for petitioner. Malik Mujtaba Ahmad, Additional D.G. Election Commission of Pakistan.

The instant petition assails order dated 04.04.2018 passed by Election Commission of Pakistan.

2. Learned counsel for the petitioner, *inter alia,* contended that the petitioner is a registered voter of the Constituency PP-176 (Kasur-II) and is aggrieved of the delimitation of the constituency as proposed by the respondents. It is contended that the representation was filed by the petitioner. It was contended that the objections, which were raised, were not taken into account by the Election Commission of Pakistan though certain changes were made in the proposed delimitation.

3. The representative of the Election Commission of Pakistan contended that the objections raised by the petitioner were given due weight and were turned down.

4. The bare perusal of the impugned order shows that the petitioner has been acknowledged as objector in the impugned order but the objections raised by him have not been discussed and no finding has been rendered on the same. In this regard, it is observed that the impugned order is in violation of principles as enshrined in

Section 24-A of General Clauses Act, 1897 and seems to be passed without application of mind.

5. In view of foregoing, instant petition is allowed and the impugned order dated 04.04.2018 is set aside. Consequently, the representation 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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