

ELECTION COMMISSION OF PAKISTAN

PRESENT

MR. SIKANDAR SULTAN RAJA, CHAIRMAN
MR. NISAR AHMED DURRANI, MEMBER
MR. SHAH MUHAMMAD JATOI, MEMBER
MR. JUSTICE (R) IKRAM ULLAH KHAN, MEMBER

CASE No.F.7(9)/2024-Law-III

Subject: PETITION REGARDING WITH HOLDING OF NOTIFICATION

Muhammad Shoaib Shaheen, House No. 34-C, G-9/3, Islamabad

.....Petitioner(s)

VERSUS

The District Returning Officer, Islamabad
Returning Officer, NA-47, (ICT-II), Islamabad

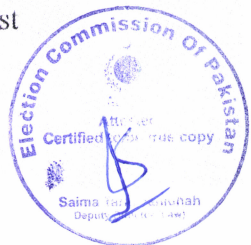
.....Respondent(s)

For the petitioner : In person alongwith Faisal Fareed, ASC.
Date of hearing : 11-02-2024

ORDER

Sikandar Sultan Raja, Chairman- Brief facts of the matter is that petitioner namely Muhammad Shoib Shaheen contested the General Election 2024 for the seat of National Assembly from constituency NA-47, (ICT-II), Islamabad. As per form 47, issued by the Returning Officer, petitioner obtained 86,794 votes while his opponent namely, Tariq Fazal Choudhry has obtained 101,397 votes in the contest and declared as leading/ returned candidate. Petitioner being aggrieved with the result issued by the Returning Officer has filed instant petition.

2. Petitioner appeared in person and argued that Form-47 issued by the Returning Officer is illegal, unlawful and contrary to the Elections Act and Election Rules, 2017. He further added that result may not be finalized on the basis of Form-47 as according to him the same is not in accordance with Form-45 received in original by his Polling Agents. He further contended that according to their Form-45 he has the lead of more than 53,000 votes. He further argued that directions issued by the Commission on the different applications submitted by him were not implemented. He also referred to page 3 of the petition wherein he has provided the comparative summary of votes obtained by him and other candidates. While concluding his arguments he prayed for just



decision in the matter and also requested to suspend the process of consolidation till the outcome of the petition.

3. Arguments heard and record perused.

4. The office has informed that the Returning office has issued notice for consolidation under Section 95 of the Elections Act, 2017 for today i.e 11-02-2024 at 12:00 PM. The matter cannot be decided without getting report from the concerned Returning Officer and without issuing notice to the Returned Candidate. Therefore, for just and fair decision in the matter, it is directed that notice be issued to the Returning Officer alongwith copy of petition for his comprehensive report within three days which shall reach to this office before the next date of hearing. Furthermore, the process of consolidation shall remain suspended till the outcome of the case, if not already concluded. Notice be also issued to the Returned Candidate which shall be served through concerned DEC alongwith copy of application.

4. Office is directed to fix the matter after receipt of the report from the concerned Returning Officer and informed the concerned accordingly.

Sd-

Sikandar Sultan Raja
Chairman

Sd-

Nisar Ahmed Durrani
Member

Sd-

Shah Muhammd Jatoi
Member

Sd-

Justice (R)IkramUllah Khan
Member

