

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.8(1)/2024-Law-III

Subject: APPLICATION UNDER 151 OF THE ELECTIONS ACT, 2017 READ WITH ARTICLE 219 OF THE CONSTITUTION OF ISLAMIC REPUBLIC OF PAKISTAN, 1973 ALONG WITH ALL OTHER ENABLING PROVISIONS OF LAW, FOR TRANSFER OF ELECTION PETITION NO 74/2024.TITLED AS AAMER MASOOD VS ANJUM AQEEL KHAN AND OTHERS FROM THE WORTHY ELECTION TRIBUNAL ICT ISLAMABAD TO ANY OTHER ELECTION TRIBUNAL.

Anjum Aqeel Khan

.....Petitioner(s)

VERSUS

Amer Masood

.....Respondent(s)

For the Petitioner : Waqas Ahmed Mir, ASC & Hammad Hussain,
AHC

For the Respondent : Son Mr. Saad Abdullah

Date of hearing : 01-10-2024

ORDER

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Sikandar Sultan Raja, Chairman- The matter is fixed for submission of amended application by the applicant. Learned counsel for the applicant submitted power of attorney on behalf of applicant which is placed on record. At the very outset the applicant sought time for submission of amended application and requested to pend the matter for two hours. The request was allowed and the matter was kept pending till 12:30 PM for submission of amended application by the applicant.

2. The case was again taken up on 12:30PM. The learned counsel for the applicant appeared and filed amended application. The copy of which is handed over to the representative/ Son of the respondent. The learned counsel for the Applicant

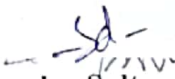



highlighted that the Election Petition in the subject case is fixed for hearing before the Election Tribunal and argued that it would be in the best interest of both the parties during the pendency of the transfer application the Commission may pass an order to the Election Tribunal not to proceed with the Election Petition till the final outcome of pending transfer application before the Commission. He also stated that otherwise the Commission may direct the Election Tribunal not to pass the final order till the decision of the transfer application.


3. On the other hand representative/ Son of the respondent requested for time to engage a counsel in the matter and also requested adjournment for submission of reply of the additional supplementary submissions as the reply of the main case has already been submitted by the respondent. Request is allowed with the directions to file the reply on or before the next date of hearing if any with advance copy to the counsel for the applicant.


4. We have gone through the original transfer application and additional/ supplementary submissions submitted by the counsel for the applicant today and observed that the grounds raised by the applicant could not be decided without requisition of original record of Election Petition No.74/2024. Therefore the office is directed to issue a letter to the Election Tribunal to produce the original record of Election Petition No.74/2024 before the Commission on the next date of hearing.

5. The matter is adjourned for 04-10-2024 for filing of submission of written reply by the respondent, for arguments and production of original record by the Election Tribunal.


Sikandar Sultan Raja
Chairman


Nisar Ahmed Durrani
Member


Shah Muhammad Jatoi
Member


Justice (R) Ikram Ullah Khan
Member

