

# ELECTION COMMISSION OF PAKISTAN

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## 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(12)/2024-Law-III

Subject: PETITION UNDER SECTION 4, 8, 9, 15 AND OTHER  
ENABLING PROVISIONS OF THE ELECTIONS ACT, 2017

Mian Muhammad Nawaz Sharif through Special Attorney Jehangir Khan Jadoon  
Advocate, NA-15, Mansehra and Torgarh

.....Petitioner(s)

## VERSUS

Returning Officer, NA-15, Tehsil and District Mansehra

.....Respondent(s)

For the petitioner : Jehangir Khan Jadoon, ASC.

Date of hearing : 11-02-2024

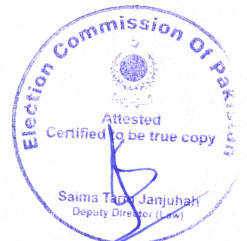
## ORDER

**Sikandar Sultan Raja, Chairman-** Brief facts of the matter is that petitioner namely Mian Muhammad Nawaz Sharif contested the General Election 2024 for the seat of National Assembly from constituency NA-15, Mansehra. As per form 47, issued by the Returning Officer, petitioner obtained 80,382 votes while his opponent namely, Shehzada Muhammad Gushtasib Khan has obtained 105,249 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 whereby it has been prayed as under:

“ That the notification of the result of NA15, Mansehra may kindly be withheld in the interest of justice and to make the election fair and transparent

That declare that the Form 47 is not as land rules and result of the remaining polling stations may also be included in the final result.

That the respondent may be directed to recount the entire votes and make the counting votes fair and as per the mandate of the Election law.”





2. Learned counsel for petitioner Mr Jahangir Khan Jadoon, ASC appeared and contended that the result of NA-15 at Form 47 has been prepared by the Returning Officer without receiving and adding Form 45 of approximately more than 125 polling stations. He further added that the above mentioned 125 Form 45 have not been provided to the petitioner as well. He further submitted that these 125 polling stations were located at remote, far flung and snow bound area of Kala Dhaka (Torgarh). He also contended that petitioner has lost the election of NA 15 as per incomplete Form 47 and have serious reservation on the said Form. Learned counsel also argued that the petitioner has also approached to the concerned Returning Officer but his grievance has not been readdressed. Learned counsel prayed that Form 47 issued by the Returning Officer may be withheld and result of remaining polling stations may be included in the final result. He further requested that RO may be directed to recount the entire votes and in accordance with Election Laws.

3. Arguments heard and record perused.

4. The office has been informed that the Returning office has issued notices for consolidation under Section 95 of the Elections Act, 2017 for today i.e 11-02-2024 at 3:00 PM. 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 final outcome of this 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. Relist for 15-02-2024.

*sd*  
**Sikandar Sultan Raja**  
Chairman

*sd*  
**Nisar Ahmed Durrani**  
Member

*sd*  
**Shah Muhammad Jatoi**  
Member

*sd*  
**Justice (R)IkramUllah Khan**  
Member

