

## ELECTION COMMISSION OF PAKISTAN

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

### CASE No.F.6(12)/2024-Law-II

Subject: APPLICATIONS FILED BY SUNNI ITTEHAD COUNCIL FOR ALLOCATION OF RESERVED SEATS IN NA,PP,PS AND PK.

Sahibzada Muhammad Hamid Raza

Petitioner

PETITION UNDER SECTION 3,4,8,15 AND 104 OF THE ELECTIONS ACT 2017 & READWITH ARTICLE 51 AND 218(3) OF THE CONSTITUTION ALONG WITH ALL ENABLING PROVISIONS.

Muttahida Qaumi Movement (Pakistan)

Petitioner.

Versus

Sunni Ittehad Council (SIC) Pakistan

Respondent

### CASE NO,F.21(4)/2024-Cord(P/F-3)

REQUEST TO ISSUE CERTIFIED COPIES OF ALLIANCE/MERGER BETWEEN PAKISTAN TEHREEK-E-INSAF AND SUNNI ITEHAD COUNCIL AND THE AFFIDAVITS SUBMITTED IN FAVOUR OF SUNNI ITEHAD COUNCIL BY PTI SUPPORTED INDEPENDENTLY ELECTED MEMNERS OF NATIONAL PROVINCIAL ASSEMBLY OF PAKISTAN

Mehmood Ahmed Khan

Petitioner

### 1(7)/2024-O/O-DD-LAW

PETITION FOR RESTRAINIG THE POLITICAL PARTY SUNNI ITEHAD COUNCIL BEING TREATED AS PARLIAMENTARY AND FROM ACCEPTANCE SUCCEDED INDEPENDENT CANDIDATES WHO JOIN THE SUNNI ITTEHAD COUNCIL AS POLITICAL PARTY WHICH IS NOT A PARLIAMNENTARY PARTY.

Moulvi Iqbal Haider Advocate

Petitioner



Versus

Federation OF Pakistan

Respondent

6(13)/2024-LAW-III

REPRESENTATION ON BEHALF OF KANZ-US-SAADAT SIDDIQUE  
ADVOCATE SUPREME COURT OF PAKISTAN REGISTERED VOTER PML(N)  
TO SAFEGUARD THE VESTED INTREST OF THE PETITIONER/APPLIANT AS  
SHE HAS FILED NOMINATION PAPER FROM PML(N) FOR RESERVE SEAT  
FROM PROVINCE OF PUNJAB IN NATIONAL ASSEMBLY

Kanz –us –Saadat Siddique Advocate Supreme Court Of Pakistan Member PML(N)

Petitioner

Versus

Sunni Ittehad Council

Resondent

F.7(567)/2024-LAW.III(GE)

REPRESENTATION ON BEHALF OF TAMKEEN AKHTER NIAZI  
REGISTERED VOTER PML(N) TO SAFEGUARD THE VETED INTEREST OF  
THE PETITIONER (AT SERIAL NO 20 FOR NA-PUNJAB) ACCORDED  
THROUGH THE PRIORITY LIST SUBMITTED BY THE PML(N) FOR WOMEN  
RESERVE SEAT IN NATIONAL ASSEMBLY

Tamkeen Akhter Niazi Member PMLN Priority List Holder

Petitioner

Versus

Sunni Itahad Council

Respondent

F.7(574)/2024.LAW.III.(GE)

PETITION FOR RESTRAING THE POLITICAL PARTY SUNNI ITEHAD  
COUNCIL BEING TREATED AS PARLIAMENTARY PARTY AND FROM  
ACCEPTANCE THE SUCCEDED INDEPENDENT CANDIDATES WHO JOINED  
THE SUNNI ITEHAD COUNCIL AS POLITICAL PARTY WHICH IS NOT A  
PARLIAMENTARY PARTY.

Ahmed Raza S/o Riaz Ahmed

Petitioners

Versus

The Federation Of Pakistan and Another

Respondents

For the petitioner No.1: Barrister Ali Zafar, ASC  
For the petitioner No.2; Dr Farugh Naseem ASC  
For the petitioner No.3; In Person  
For the petitioner No.4 In person



For the petitioner No.5      Muhammad Siddique Awan,ASC  
For the petitioner No.6      Malik Qamar Afzal,ASC  
For the petitioner No.7      Ghulam Murtaza Khan .Advocate  
   Mr Farooq H Naek

Date of hearing:                      **27-02-2024**

## **ORDER**

**Sikandar Sultan Raja, Chairman-** Mr Ali Zafar, ASC on behalf of the Petitioner No.1 Sunni Itehad Council, a political party present. He stated that the petitioner has submitted four applications for allocation of reserve seats in the National Assembly, Provincial Assembly of Punjab, Sindh and Khyber Pakhtunkhaw (KP). He contended that the independent candidates joined the political party Sunni Itehad Council (SIC) after the General Election held on 8<sup>th</sup> February, 2024. He explained that the consent forms/ affidavits of the Independent Candidates were submitted by SIC along with the party letter in the Commission which were duly registered in the R&I Section. He objected to the petitions submitted by Political Parties and other applicants submitted in individual capacity. He stated that copies of the petitions submitted by the Political Parties and other applicants may be provided to him so that he may properly assist the Commission.

2.                      Mr. Farugh Naseem ASC appeared on behalf of Petitioner No.2 Mutaida Qaumi Movement (Pakistan) (MQM.P) and stated that the petitioner party is entitled to the reserve seats claimed by Sunni Itehad Council on the ground that independent returned candidates as claimed by the SIC are not entitled to reserve seats and in case of rejection of the request of the SIC, the Petitioner No.2 is entitled to the quota as per section 104 of the Elections Act, 2017.

3.                      Petitioner No.4 Moulvi Iqbal Haider appeared in person and submitted that he has submitted the petition, challenged the status of SIC on the ground that it is not a parliamentary party and is not entitled to the allocation of reserve seats.

4.                      Mr. Muhammad Siddique Awan, ASC appeared and stated that Petitioner No.5 Kanz-us -Saadat Siddique is entitled for reserve seat from the Province of Punjab in National Assembly from PML (N) and she has reserve right in accordance with the general seats secured by a largest Political Party.

5.                      Malik Qamar Afzal, ASC appeared on behalf of Petitioner No.6 and stated that the claim of Sunni Itahad Council is not maintainable on the ground that the said Political Party is not a Parliamentary Party and cannot be allocated reserve seats in National Assembly.

6.                      Ghulam Murtaza Khan Advocate appeared on behalf of Petitioner No.7 and stated that the Political Party Sunni Itahad Council may be restrained from being treated as parliamentary party. He further added that the party cannot be given reserved seats as the said party has failed to secure any single seat in the Parliament. He further added that the party has no right to sit in the National and Provincial Assembly.



7. Mr. Farooq H. Naek appeared and submitted application under Order 1 Rule 10 CPC read with Section 3,4 and 5 of the Elections Act,2017 and requested for impleading the applicant/ intervener as respondent in the petition filed by MQM(P) through Khalid Maqbol Siddique.

8. Preliminary arguments heard and record perused.

9. The petitioner No.1 Sunni Ittehad Council SIC submitted four applications to this Commission dated 22-02-2024 for the seats reserved in NA, PP, PS and PK on the ground that independent candidates have joined Sunni Ittehad Council as Political Party.” The Commission has received six different applications referred herein above submitted by different petitioners. The Petitions involve common questions of Law and facts regarding interpretation of various Articles of the Constitution and Sections of the Elections Act, 2017 and the Rules framed there under, therefore the Commission decides to club all the above petitions with the applications of SIC to avoid conflicting orders. Furthermore the Commission decides to issue notice to all the Political Parties having representation in the National Assembly and the Provincial Assemblies concerned.

10. The Learned Counsel for the petitioner No.2, MQM (P) did not oppose the application filed by Mr. Farooq H. Naek under Order 1 Rule 10 CPC read with Section 3, 4 and 5 of the Elections Act, 2017. Therefore the application for impleadment is accepted and Pakistan People Party Parliamentarian (PPPP) is arrayed as Respondent in Case No.6 (12)/2024-Law.III “MQM (P) vesus SIC”. Office is directed to incorporate PPPP as Respondent in Case No.6 (12)/2024-Law.III and necessary entries be also made in the original petition.

11. Office is also directed to provide copies of all the applications to the Petitioners and Respondents. Case to come up for 28-02-2024 for further proceedings.



**Sikandar Sultan Raja**  
Chairman



**Nisar Ahmed Durrani**  
Member



**Shah Muhammad Jatoi**  
Member



**Babar Hassan Bharwana**  
Member



**Justice (R) Ikram Ullah Khan**  
Member

