

**ORDER SHEET**  
**IN THE ISLAMABAD HIGH COURT, ISLAMABAD**  
**JUDICIAL DEPARTMENT**

W.P. No.911 of 2020  
Asad Mehmood Kayani  
**Versus**  
Federation of Pakistan through Secretary, Ministry of Information and  
Technology and others

| S. No. of order/<br>proceedings | Date of order/<br>proceedings | Order with signature of Judge and that of parties or counsel<br>where necessary.   |
|---------------------------------|-------------------------------|--|
|                                 | <b>24.03.2020</b>             | <b>Mr. Qaiser Imam, Advocate for the petitioner.<br/>Mr. Muhammad Nadeem Khan Khakwani, learned<br/>Assistant Attorney-General</b> |

Through the instant writ petition, the petitioner, Asad Mehmood Kayani, seeks a declaration to the effect that the voters list prepared by the National Press Club ("N.P.C.") (respondent No.2) for the forthcoming elections, is unlawful. Furthermore, the petitioner seeks a direction to respondent No.2 to allow him to contest the election for the position of Vice President.

2. Learned counsel for the petitioner submitted that the petitioner's name appeared in the voters list for the year 2018-19 at serial No.2665; that subsequently for the reasons unknown to the petitioner, the petitioner's name found mentioned in the objection list issued by respondent No.2 at serial No.473; that the Constitution of the N.P.C. provides that the membership of a member of the N.P.C. can be terminated, if he does not deposit the annual membership fee; that Article IX of the said Constitution provides the procedure to be adopted for terminating the membership of a member; that at no material stage was the said procedure followed before placing the petitioner's name in the objection list; and that due to the placement of the petitioner's name in

the objection list, his nomination papers for contesting the election for the position of Vice President of N.P.C. have not been accepted.

3. I have heard the contentions of the learned counsel for the petitioner and have perused the record with his able assistance.

4. Essentially the petitioner is seeking the issuance of a writ to the N.P.C. which, in my view, is not a person performing functions in connection with the affairs of the Federation, a Province or a Local Authority. The petitioner is aggrieved by the inclusion of his name in the objection list. Since the dispute raised in this petition relates to the petitioner's membership, the petitioner ought to have agitated the matter with the Secretary, N.P.C. or its Governing Body or General Council. Even otherwise, the petitioner has agitated several controversial facts which, in my view, cannot be resolved without the recording of evidence. The petitioner has the alternative remedy to agitate his grievances in a civil suit, subject to law.

5. In view of the above, the instant petition is dismissed as not maintainable.

**(MIANGUL HASSAN AURANGZEB)**  
**JUDGE**

Ahtesham\*