

**IN THE SUPREME COURT OF PAKISTAN**  
(Appellate Jurisdiction)

**Present:**

Justice Qazi Faez Isa, CJ  
Justice Muhammad Ali Mazhar  
Justice Musarrat Hilali

**C.M.A.10566/2023 IN C.A.NIL/2023**

(Permission to file Civil Appeal)

All Pakistan Muslim League thr. its Chairman Jahan  
Zarin

...Applicant/  
Appellant

**Versus**

Election Commission of Pakistan through  
Chief Election Commissioner, Islamabad

...Respondents

For Applicant/Appellant: Mr. Sher Aman, ASC  
a/w the applicant

For the Respondents: Not Represented

Date of Hearing: 12.01.2024

**ORDER**

**Qazi Faez Isa, CJ.** This civil appeal was not numbered by the office because Mr. Jahan Zarin had described himself as Chairman of All Pakistan Muslim League ('**APML**') and filed the appeal under the name of APML, which no longer existed as a political party. Mr. Jahan Zarin was a party before the Election Commission of Pakistan ('**ECP**') as such he could have filed this appeal under his own name, therefore, whilst sustaining the office objection, we allow CMA No.10566 of 2023 to the extent that Mr. Jahan Zarin be treated as the appellant. Resultantly, we proceeded to hear Mr. Jahan Zarin, through his learned counsel Mr. Sher Aman.

2. This appeal is filed under section 202(6) of the Elections Act, 2017, which enables filing of a direct appeal before the Supreme Court.

3. The order of the ECP assailed before us concludes as under:

'25. In view of the above discussion and scanning of record, the Commission holds and decides that there are no elected office bearers of APML, therefore, the party is virtually non-existent. Due to non-existence of the elected office bearers in accordance with the party constitution and the provisions of the Act of 2017, the party has been unable to provide valid consolidated statements of accounts of last

Four (4) years which is requirement of the Article 17(3) of the Constitution read with Section 210 of the Act of 2017. The APML has failed to fulfill the requirement of section 209 and 210 of the Act of 2017 which is one of the pre-requisite for enlistment of a political party in terms of section 202. In exercise of powers conferred upon under Article 218(3) read with section 202(5) of the Act *ibid*, APML, as a political party is hereby delisted and the applications for allocation of symbol submitted by unauthorized and self styled office bearers are rejected. Resultantly the symbol Eagle becomes available for allocation in accordance with law.'

4. It appears that APML was not singled out and similar action was also initiated against other political parties, as can be seen from the following portion of the impugned order of the ECP:

'In this regard we will consider as a precedent that the Commission issued notices to all the previously enlisted political parties to provide documents mentioned under Section 201, 202, 209, and 210 and other requirements mentioned under Section 202(2) of the Act of 2017. 284 (Two Hundred And Eighty Four) political parties were delisted by the Commission vide order dated 11.01.2018. Similar notice was issued to APML but at the time of de-enlistment of political parties the matter regarding submissions of statements of accounts under Section 210 of the Elections Act, 2017 was pending before the Commission.'

5. Learned counsel was asked whether the statements of accounts, which were required by the ECP, were provided but he could not refer to a single document in this regard; further establishing that the requisite statements were not provided to the ECP.

6. Learned counsel was repeatedly asked to show us any illegality or unconstitutionality in the impugned order of the ECP dated 19 September 2023 but was unable to do so and there is no justification to set it aside. Accordingly, the impugned order of the ECP is sustained and this appeal is dismissed.

Chief Justice

Judge

Judge