



FAFEN UPDATE ON ELECTION TRIBUNALS

ELECTION TRIBUNALS DECIDE 27 PERCENT PETITIONS TILL DEC 31, 2024

The election tribunals have decided 51 petitions between November 16, 2024 and December 31, 2024 bringing the total of decided petitions to 101 or 27 percent of the total cases, according to FAFEN's systematic tracking of election disputes.

FAFEN has been able to track 370 out of 377 petitions filed with the 23 tribunals. Notwithstanding the lapse of 180-day legal deadline for the disposal of an election petition, the tribunals have picked momentum in terms of deciding the petitions. However, tribunals in Punjab, Sindh and Khyber Pakhtunkhwa (KP) continue to varyingly lag behind those in Balochistan where three tribunals have decided 41 out of 51 results disputes (80 percent).

Six KP, and five Sindh tribunals have decided only one-fifth of their respective caseloads with nine out of 42 KP cases and 16 out of 83 Sindh cases decided so far. Punjab tribunals have decided 35 out of 191 petitions so far that makes 18 percent of their cumulative caseload.

Around one third of results disputes on Provincial Assembly (PA) constituencies and one fifth on National Assembly (NA) constituencies have been decided. Overall, 78 petitions on provincial constituencies have been decided– 34 for Balochistan Assembly, 25 for Punjab Assembly, 12 for Sindh Assembly, and seven for KP Assembly– as against 23 decisions of disputes on NA constituencies– 10 in Punjab, seven in Balochistan, four in Sindh and two in KP.

As multiple petitions can be filed against the result of a constituency, the number of NA constituencies decided is 21 and provincial assembly constituencies is 74. Please refer to [annexure I](#) for NA and [annexure II](#) for provincial assembly constituencies where results disputes have been decided by tribunals so far.

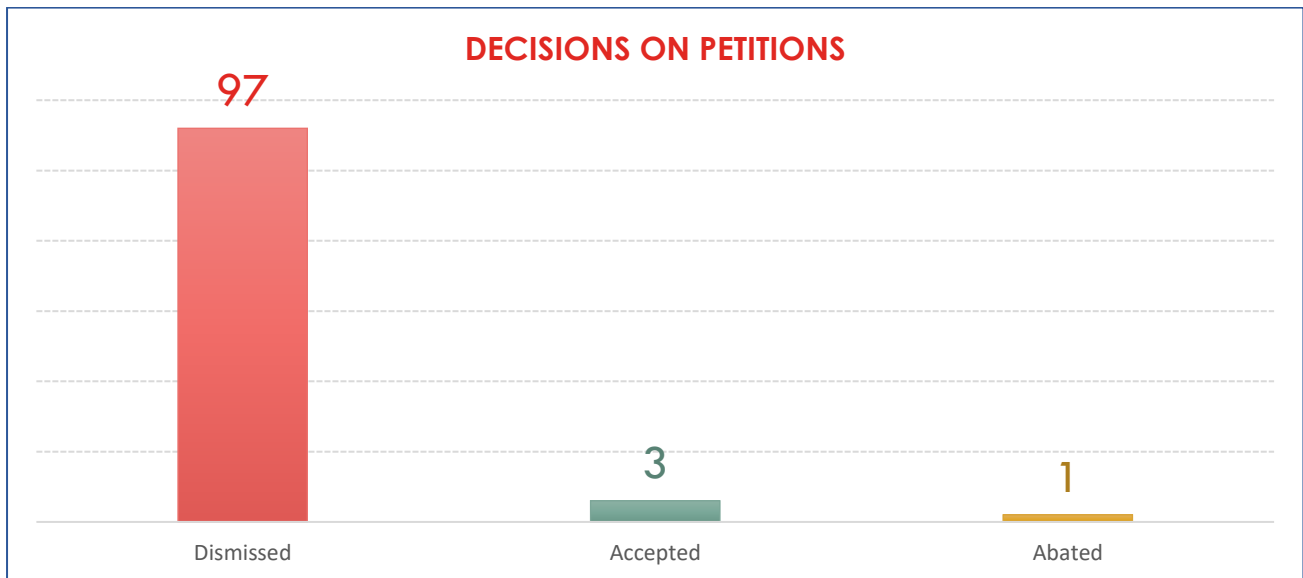
Under Section 155(1) of the Elections Act, 2017, any person aggrieved by the final decision of an Election Tribunal regarding an election petition challenging an Assembly election may file an appeal to the Supreme Court within 30 days of the decision. FAFEN used the SC online public facility to ascertain the number of appeals filed against the tribunals' decisions and found out that at least 21 such appeals have been filed out of which three have already been decided. In one case of Balochistan Assembly seat,

BACKGROUND

The election tribunals in Sindh, Khyber Pakhtunkhwa, Balochistan and Islamabad Capital Territory (ICT) were established in February 2024 consisting of serving judges of the High Courts concerned. The establishment of all tribunals in Punjab lingered on due to interpretational differences and litigation between Lahore High Court (LHC) and Election Commission of Pakistan (ECP) till October 2024 when all eight tribunals started functioning in the province with four presided by serving and as many by retired judges of the LHC. Out of total 23 tribunals established, ECP transferred all three petitions pending with ICT tribunal to Rawalpindi tribunal of Punjab on December 3, 2024. However, the Islamabad High Court (IHC) restrained Rawalpindi tribunal to proceed further in ICT petitions. A tribunal in Peshawar presided by Justice Wiqar Ahmed Khan of Peshawar High Court (PHC) became dysfunctional when the judge recused himself from hearing all petitions pending before him after ECP transferred one of the petitions in the said tribunal to another tribunal on an application that questioned the impartiality of the judge. Practically, 21 tribunals are functioning as of December 31, 2024.

SC reversed the decision of a tribunal while in two cases the apex court upheld the tribunals' verdicts.

An overwhelming majority of petitions decided so far was dismissed by the tribunals. As many as 97 out of 101 decided petitions have been dismissed, only three accepted whereas one petition has been abated due to death of the petitioner.



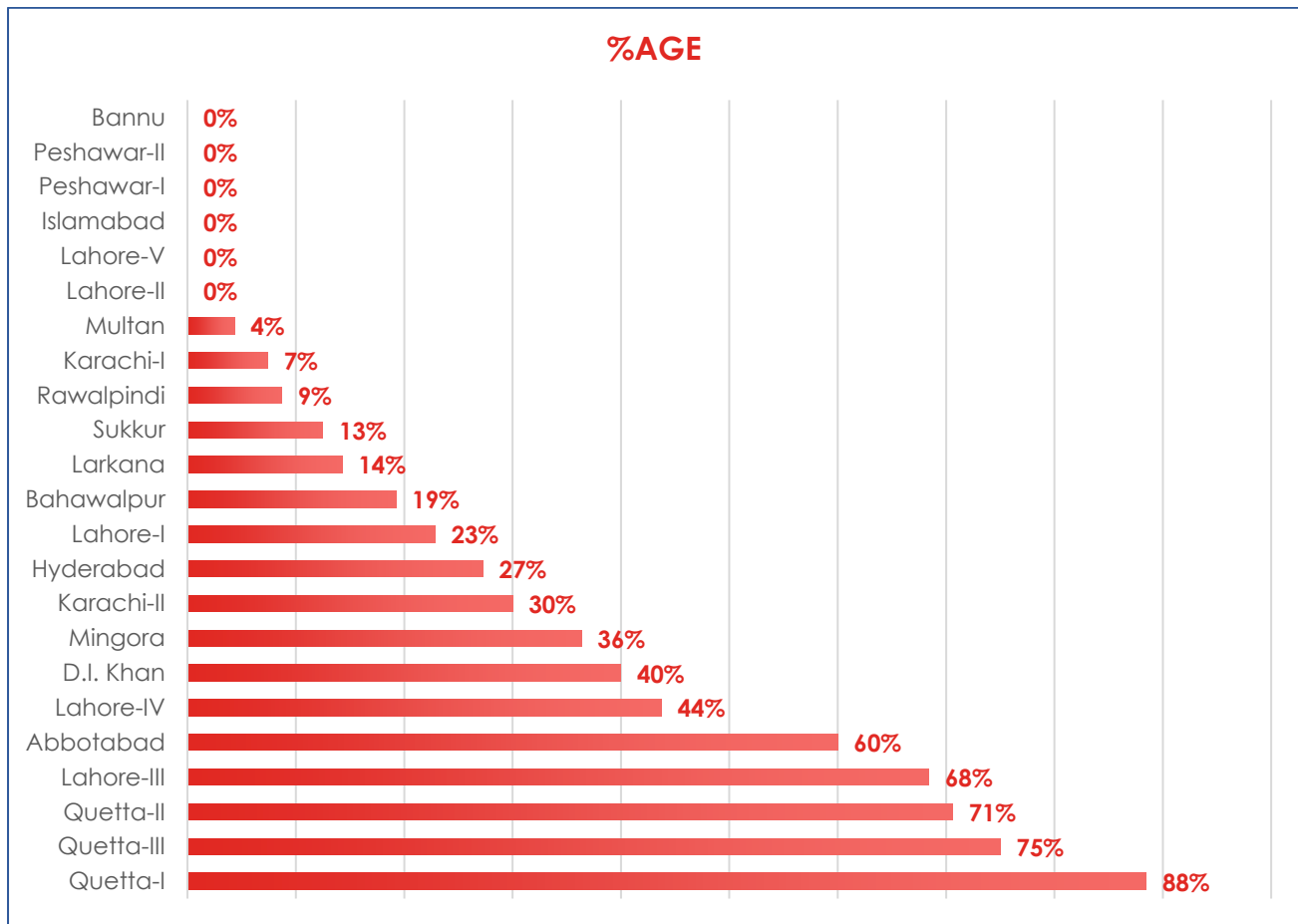
Of 97 dismissed petitions, as many as 43 were dismissed for non-maintainability, nine were dismissed as withdrawn by petitioners, 12 for non-prosecution, one for non-deposit of process fee despite a court order, and one for death of the returned candidate. The tribunals rejected 20 petitions after trial. FAFEN has yet to ascertain the reasons for the dismissal of the remaining 11 petitions due to unavailability of the copies of respective judgements. All petitions decided on NA constituencies have been dismissed whereas three petitions on Balochistan Assembly constituencies have been accepted with tribunals directing re-poll on parts of the constituencies. These constituencies include PB-44 Quetta-VII, PB-45 Quetta-VIII and PB-36 Kalat. Two accepted petitions were filed by losing candidates of Jamiat Ulema-e-Islam Pakistan (JUI-P) and one by the National Party (NP) against two winners from Pakistan Peoples Party Parliamentarian (PPPP), and one from the Balochistan Awami Party (BAP).

One election petition filed by the PPPP's losing candidate of a Sindh Assembly constituency against the MQM-P's returned candidate was abated due to the death of the petitioner.

Among the dismissed petitions, 32 were filed by independents backed by PTI, 13 each by unaffiliated independent and Pakistan Muslim League-Nawaz (PML-N) candidates, 11 by PPPP, eight by JUI-P, four by NP, three by Awami National Party (ANP), two each by Jamhoori Watan Party (JWP) and Pashtunkhwa Milli Awami Party (PKMAP), and one each by BAP, Balochistan National Party (BNP), Balochistan National Party Awami (BNPA), Grand Democratic Alliance (GDA), Hazara Democratic Party (HDP), Haq Do Tehrik, Jamat e Islami (JI), Tehreek-e-Labbaik Pakistan (TLP), and Khadameen e Sindh (KS).

In terms of the respondents, 32 decided petitions were filed against PML-N winners, 20 against PTI-backed independent winners, 13 against PPPP winners, 10 each against unaffiliated independent and MQM-P winners, seven against JUI-P winners, two against NP candidates, and one each against winners from BNPA, BNP, and BAP.

DISPOSAL BY TRIBUNAL



As per available information about filed petitions, tribunal-wise number of petitions filed and disposed of is as under:

Tribunal	Total Petitions Filed			Total Petitions Disposed of		
	NA	PA	Total	NA	PA	Total
Karachi-I	16	11	27	1	1	2
Karachi-II	8	22	30	2	7	9
Sukkur	0	8	8	0	1	1
Hyderabad	4	7	11	1	2	3
Larkana	3	4	7	0	1	1
Quetta-I	1	25	26	1	22	23
Quetta-II	0	17	17	0	12	12
Quetta-III	8	0	8	4	2	6
Lahore-I	11	24	35	5	3	8
Lahore-II	11	14	25	0	0	0
Lahore-III	4	15	19	2	11	13
Lahore-IV	5	11	16	1	6	7
Lahore-V	11	13	24	0	0	0
Multan	7	16	23	1	0	1
Bahawalpur	11	15	26	1	4	5
Rawalpindi	11	12	23	0	2	2
Islamabad	3	0	3	0	0	0
Peshawar-I	1	6	7	0	0	0
Peshawar-II	1	5	6	0	0	0
Mingora	3	8	11	2	2	4
Abbotabad	1	4	5	0	3	3
D.I. Khan	1	4	5	0	2	2
Bannu	2	6	8	0	0	0
Total	123	247	370	21	81	102

APPEALS AGAINST TRIBUNAL DECISIONS

Under Section 155(1) of the Elections Act, 2017, any person aggrieved by the final decision of an Election Tribunal regarding an election petition challenging an Assembly election may file an appeal to the Supreme Court within 30 days of the decision.

As of December 31, 2024, FAFEN has been able to ascertain at least 21 appeals with SC against decisions of election tribunals. FAFEN used the publicly available online portal of SC to ascertain this number which may vary from the actual number of appeals.

Among these appeals, three were filed by returned candidates against whom election petitions were accepted, and the election tribunals had directed re-polling in specific polling stations of their constituencies. Of these appeals, one filed by Mr. Ubaidullah (PPPP) was allowed by the Supreme Court, setting aside the tribunal's decision that had accepted the petition filed by Mir Atta Muhammad Bangulzai (National Party). SC upheld the decision of the tribunal in another appeal, filed by Ali Madad Jattak (PPPP) against Mir Muhammad Usman Pirkani (JUI-F), while the third, filed by Mir Zia Ullah Langove (Balochistan Awami Party) against Sardarzada Mir Saeed Ahmad Langove (JUI-F), remains pending.

Additionally, 18 appeals were filed against the rejection of election petitions by the respective election tribunals. Of these, 17 are still pending while in PB-28 Kech-IV case, the SC upheld the tribunal's decision.

ANNEX-I: NATIONAL ASSEMBLY CONSTITUENCIES DECIDED

Sr. No.	Constituency	Province	Petition Status
1	NA-1 Chitral Upper-cum-Chitral Lower	KP	Dismissed
2	NA-9 Malakand	KP	Dismissed
3	NA-75 Narowal-I	Punjab	Dismissed (Appeal against dismissal pending with SC)
4	NA-94 Chiniot-II	Punjab	Dismissed
5	NA-98 Faisalabad-IV	Punjab	Dismissed
6	NA-111 Nankana Sahib-I	Punjab	Dismissed
7	NA-116 Sheikhpura-IV	Punjab	Dismissed
8	NA-125 Lahore-IX	Punjab	Dismissed
9	NA-133 Kasur-III	Punjab	Dismissed
10	NA-148 Multan-I	Punjab	Dismissed
11	NA-158 Vehari-III	Punjab	Dismissed
12	NA-178 Muzaffargarh-IV	Punjab	Dismissed
13	NA-219 Hyderabad-II	Sindh	Dismissed
14	NA-240 Karachi South-II	Sindh	Dismissed
15	NA-241 Karachi South-III	Sindh	Dismissed
16	NA-244 Karachi West-I	Sindh	Dismissed
17	NA-252 Musa Khail-cum-Barkhan-cum-Loralai-cum-Dukki	Balochistan	Dismissed
18	NA-253 Ziarat-cum-Harnai-cum-Sibi-cum-Kohlu-cum-Dera Bugti (two petitions)	Balochistan	Dismissed
19	NA-259 Kech-cum-Gwadar (two petitions)	Balochistan	Dismissed

Sr. No.	Constituency	Province	Petition Status
20	NA-262 Quetta-I	Balochistan	Dismissed
21	NA-263 Quetta-II	Balochistan	Dismissed

ANNEX-II: PROVINCIAL ASSEMBLY CONSTITUENCIES DECIDED

Sr. No.	Constituency	Assembly	Status of Petition
1	PB-2 Zhob	Balochistan	Dismissed
2	PB-4 Musakhel-cum-Barkhan	Balochistan	Dismissed (Appeal against dismissal pending with SC)
3	PB-5 Loralai	Balochistan	Dismissed (Appeal against dismissal pending with SC)
4	PB-8 Sibi	Balochistan	Dismissed
5	PB-10 Dera Bugti	Balochistan	Dismissed
6	PB-12 Kachhi	Balochistan	Dismissed (Appeal against dismissal pending with SC)
7	PB-14 Nasirabad-II	Balochistan	Dismissed
8	PB-15 Sohbatpur	Balochistan	Dismissed (Appeal against dismissal pending with SC)
9	PB-17 Usta Muhammad	Balochistan	Dismissed
10	PB-20 Khuzdar-III	Balochistan	Dismissed
11	PB-23 Awaran	Balochistan	Dismissed (Appeal against dismissal pending with SC)
12	PB-25 Kech-I	Balochistan	Dismissed (Appeal against dismissal pending with SC)
13	PB-27 Kech-III	Balochistan	Dismissed
14	PB-28 Kech-IV	Balochistan	Dismissed (SC upheld tribunal's decision)
15	PB-29 Panjgur-I	Balochistan	Dismissed
16	PB-30 Panjgur-II	Balochistan	Dismissed
17	PB-31 Washuk	Balochistan	Dismissed
18	PB-32 Chagai	Balochistan	Dismissed (Appeal against dismissal pending with SC)
19	PB-34 Nushki	Balochistan	Dismissed (Appeal against dismissal pending with SC)
20	PB-35 Surab	Balochistan	Dismissed (Appeal against dismissal pending with SC)
21	PB-36 Kalat	Balochistan	Dismissed (Appeal against dismissal pending with SC)
22	PB-37 Mastung	Balochistan	Dismissed
23	PB-39 Quetta-II (two petitions)	Balochistan	Dismissed
24	PB-41 Quetta-IV (two petitions)	Balochistan	Dismissed (Appeal against dismissal pending with SC)
25	PB-42 Quetta-V (two petitions)	Balochistan	Dismissed (three appeals against dismissal pending with SC)
26	PB-43 Quetta-VI	Balochistan	Dismissed
27	PB-44 Quetta-VII	Balochistan	Accepted (SC allowed the appeal against acceptance)
28	PB-45 Quetta-VIII	Balochistan	Accepted (SC upheld the dismissal)
29	PB-47 Pishin-I	Balochistan	Dismissed
30	PB-49 Pishin-III	Balochistan	Dismissed
31	PB-51 Chaman	Balochistan	Dismissed
32	PP-6 Murree	Punjab	Dismissed (Appeal against dismissal pending with SC)

Sr. No.	Constituency	Assembly	Status of Petition
33	PP-20 Chakwal-I	Punjab	Dismissed
34	PP-37 Hafizabad-I	Punjab	Dismissed
35	PP-39 Hafizabad-III	Punjab	Dismissed
36	PP-47 Sialkot-IV	Punjab	Dismissed
37	PP-94 Chiniot-I	Punjab	Dismissed
38	PP-95 Chiniot-II	Punjab	Dismissed
39	PP-105 Faisalabad-VIII	Punjab	Dismissed
40	PP-107 Faisalabad-X	Punjab	Dismissed (Appeal against dismissal pending with SC)
41	PP-117 Faisalabad-XX	Punjab	Dismissed
42	PP-118 Faisalabad-XXI	Punjab	Dismissed
43	PP-122 Toba Tek Singh-IV	Punjab	Dismissed
44	PP-128 Jhang-IV	Punjab	Dismissed
45	PP-139 Sheikhpura-IV	Punjab	Dismissed
46	PP-142 Sheikhpura-VII	Punjab	Dismissed
47	PP-181 Kasur-VII	Punjab	Dismissed
48	PP-182 Kasur-VIII	Punjab	Dismissed
49	PP-196 Pakpattan-IV	Punjab	Dismissed
50	PP-200 Sahiwal-III	Punjab	Dismissed
51	PP-201 Sahiwal-IV	Punjab	Dismissed
52	PP-229 Vehari-I	Punjab	Dismissed
53	PP-267 Rahimyar Khan-XIII	Punjab	Dismissed
54	PP-268 Muzaffargarh-I	Punjab	Dismissed
55	PP-272 Muzaffargarh-V	Punjab	Dismissed
56	PP-275 Muzaffargarh-VIII	Punjab	Dismissed
57	PS-5 Kashmore-II	Sindh	Dismissed
58	PS-29 Khairpur-IV	Sindh	Dismissed
59	PS-65 Hyderabad-VI	Sindh	Dismissed
60	PS-76 Thatta-II	Sindh	Dismissed
61	PS-94 Karachi Korangi-V	Sindh	Dismissed
62	PS-97 Karachi East-I	Sindh	Abated
63	PS-112 Karachi Keamari-II	Sindh	Dismissed
64	PS-113 Karachi Keamari-III	Sindh	Dismissed (Appeal against dismissal pending with SC)
65	PS-118 Karachi West-III	Sindh	Dismissed
66	PS-119 Karachi West-IV	Sindh	Dismissed
67	PS-122 Karachi Central-I	Sindh	Dismissed
68	PS-125 Karachi Central-IV	Sindh	Dismissed
69	PK-17 Lower Dir-IV	KP	Dismissed
70	PK-24 Malakand-II	KP	Dismissed
71	PK-32 Kohistan Lower	KP	Dismissed
72	PK-35 Battagram-II	KP	Dismissed
73	PK-41 Tor Ghar	KP	Dismissed
74	PK-108 Tank (two petitions)	KP	Dismissed