

**IN THE HIGH COURT OF SINDH,
CIRCUIT COURT, HYDERABAD**

CP No. D- 1559 of 2019

Zeeshan Ali Khan Vs. Chief Minister Sindh & others

DATE	ORDER WITH SIGNATURE OF JUDGE
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1. For hearing of MA 682/20
2. For hearing of MA 681/20

Before:

MR. JUSTICE MUHAMMAD SALEEM JESSAR
MR. JUSTICE NISAR AHMED BHANBHRO

Petitioner: Zeeshan Ali Khan
Through Mr. Gulab Khan Qaimkhani, Advocate
Respondents: Mehran University of Engineering & Technology
Through Mr. Abdullah Khan Leghari, Advocate
Mr. Rafiq Ahmed Dahri, A.A.G.

Date of hearing &

Decision: 21.10.2025

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ORDER

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NISAR AHMED BHANBHRO, J. Instant petition was dismissed in default for non-prosecution vide order dated 28.11.2019 as none appeared on behalf of the Petitioner for last two consecutive dates viz. 03.07.2019 and 28.11.2019. The Petitioner has filed instant applications MA No 681/2020 and 682/2020 for condonation of delay in filing of restoration application and recall of the order dated 28.11.2019 for restoration of the petition and its disposal on merits.

2.. **MA 681/2020:** Through this application, Petitioner seeks condonation of delay in filing the restoration application. Learned Counsel for the

Petitioner submits that he was not in the knowledge of dismissal of the Petition for non-prosecution, as he was not aware about the fixation of case. Perusal of record supports contention of Learned Counsel coupled with the fact that delay so occasioned is for a period of four days, thus is accordingly condoned.

3. **MA 682/2020:** Through this application, Petitioner seeks restoration of the Petition to which Mr. Abdullah K. Leghari Advocate for respondent Nos. 2 and 3 objects. Learned Assistant A.G. concedes to the restoration application. Perusal of record reveals that the petitioner has prayed for issuance of degree certificate from the university; denial whereof is without justification; therefore, this restoration application is allowed as law favours adjudication of the matters on merits. accordingly and in view of the grounds taken in the affidavit the order dated 28.11.2019 is recalled. The Petition is restored to its original position.

4. Keeping in view the urgency of the matter that the University has refused to issue degree certificate to the Petitioner, Learned Counsel seeks urgent hearing of Petition, to which Learned A.A.G. and Learned Counsel for the Respondents No 2 & 3 have no objection.

5. Through the instant Petition, the petitioner has prayed for following relief:-

- a) That this Honourable Court may be pleased to direct the respondents to issue degree to the petitioner by maintaining his result with the obtaining marks as declared in the year 2015.
- b) That this Honourable Court may be pleased to direct the respondents to redress the grievance of the Petitioner and submit their respective reports before this Honourable Court.
- c) That this Honourable Court may be pleased to take legal action against the responsible respondents.

6. When confronted learned counsel for the Respondent No 2 & 3 and Learned A.A.G could not dispel the fact that every student has a right to receive degree and issuance of degree cannot be denied without any plausible reasons.

7. To our dismay, the Petitioner has appeared in the last examination of the degree program in year 2015 and until now he is unaware about his result and despite of repeated requests University Administration has failed to issue him result and required certificates including degree.

8. The Degree Certificate is not merely a piece of paper but it reflects the past performance of its holder and paves a way to the future of the students, refusal to issue a degree certificate or failure to issue a degree certificate reflects the highhandedness of the University administration, such practice on the part of University cannot be approved at any cost. The lethargy and apathy on the part of university resulted in miscarriage of justice, as due to non – issuance of degree for a period of ten years the career of the Petitioner was ruined. The University should not cause delays and unnecessary hurdles in issuance of degree certificates; it is expected that in future University Administration shall handle and resolve such issues at their and the students are not compelled to approach this Court for such matters.

9. For the foregoing reasons, this Petition is allowed. The respondents are directed to consider the case of petitioner for issuance of degree as per university laws and rules and issue him degree certificate as per his improved marks in second attempt within a period of sixty (60) days from the date of this order, on fulfilling all requirements if the Petitioner has successfully qualified the degree program.

Petition stands disposed of in the above terms. Office to send copy of this order to Respondents No 2 & 3.

JUDGE

JUDGE

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approved for reporting