

**ORDER SHEET**  
**HIGH COURT OF SINDH, CIRCUIT COURT, MIRPURKHAS**

**C.P No.D-561 of 2025.**

*[Miss. Alishbah v. Province of Sindh & others]*

**Present:**

**Justice Abdul Mobeen Lakho-J**  
**Justice Arbab Ali Hakro-J**

Mr. Raichand Harijan, Advocate a/w Petitioner.

Mr. Muhammad Sharif Solangi, Assistant A.G Sindh  
a/w Aamir Rajper, Assistant Director Nursing Sindh  
and Lachman Das, Principal College of Nursing (F),  
Mirpurkhas.

Date of hearing  
and decision: **24.09.2025.**

**ORDER**

**ABDUL MOBEEN LAKHO-J:** Through this petition, the Petitioner has approached this Court, stating that after qualifying her Intermediate examination, she appeared in the admission test conducted by SIBA Testing Service for the BSN Generic Four-Year Degree Program (Session 2025–2028), as announced by Respondent No.4. The Petitioner successfully qualified the test and was placed at Serial No.92 in the merit list for admission to the College of Nursing (Female), Mirpurkhas. Subsequently, the Petitioner submitted all requisite documents to Respondent No.5, the Principal of the College of Nursing (Female), Mirpurkhas, who thereafter sought guidance from Respondent No.4 regarding acceptance of the Petitioner's admission, vide letter No.CON(F)/MPK/1060/61 dated 31.07.2025. Respondent No.4, the Director, Directorate of Nursing Sindh, Karachi, thereafter issued an Office Order cancelling the admission of the Petitioner along with one other candidate on the following ground:

*"Their admissions are hereby **cancelled due** to the mandatory requirement FRC/CNIC No, **Representing code digit of Sindh Province-4** by NADRA family tree & father domicile must be registered in Sindh, **not eligible** as per new admission policy criteria 2025."*

2. The respondents No.4 and 5 have filed their para-wise comments, which are taken on record.

3. Learned counsel for the Petitioner contended that all family members, including the Petitioner herself, possess CNICs issued by the Province of Sindh. He further submitted that the Petitioner was born in Sindh and has received her entire education within the Sindh province. However, her admission was cancelled solely on the ground that her father's CNIC bears code digit "3", which pertains to the Province of Punjab. Counsel emphasized that the Petitioner's domicile and Permanent Residence Certificate (PRC) have been duly verified by the competent authorities and that her mother's domicile and inclusion in the voter list also corroborate the Petitioner's claim. He prayed that the petition be allowed and the Petitioner's admission be restored.

4. Conversely, the learned Assistant Advocate General (A.A.G) submitted that the CNIC of the Petitioner's father, as produced by her, reflects a permanent address in Punjab, therefore, does not satisfy the policy criteria. He further submitted that in light of the new policy approved by the Sindh Cabinet, the Petitioner's admission was cancelled in accordance with the criteria set forth therein.

5. We have heard the learned counsel for the parties and have carefully perused the material available on record. It is evident that the Petitioner was born in Sindh, educated in Sindh, and possesses all relevant documentation i.e CNIC, PRC, and domicile issued by the authorities of Sindh. Her mother, who is her present guardian, is also a resident of Sindh and holds a CNIC bearing digit "4", which corresponds to the Province of Sindh. These facts are not disputed. The Respondents have failed to demonstrate any violation of the admission criteria by the Petitioner at the time of her application. The

Petitioner's credentials, including her merit position, verified documents and Sindh based identity, establish her eligibility beyond reasonable doubt. The policy invoked by the Respondents cannot be applied retrospectively to penalize the Petitioner for circumstances that are not only beyond her control but also irrelevant to her present legal and residential status. Her father's CNIC, which bears digit "3", may reflect a Punjab-based origin, but the father passed away in the year, 2017, long before the policy in question was introduced in the year, 2025. This fact alone amply demonstrates the Petitioner's bona fides and renders the Respondents' reliance on the policy both misplaced and legally unsustainable.

6. Furthermore, the Petitioner is not embarking upon any extraordinary right. She seeks restoration of an admission that was earned through merit and subsequently cancelled on a technical ground that lacks legal and factual substance. The Respondents' action, therefore, amounts to denial of a legitimate expectation and is violative of the principles of fairness, equity, and natural justice.

7. In view of the foregoing discussion, this petition is **allowed**. The Respondents are directed to forthwith restore the admission of the Petitioner to the BSN Generic Four-Year Degree Program (Session 2025–2028) at the College of Nursing (Female), Mirpurkhas.

8. Let a copy of this order be sent to Respondents No.4 and 5 for immediate compliance.

**JUDGE**

**JUDGE**

*Ali.*