

HIGH COURT OF SINDH, CIRCUIT COURT, HYDERABAD

CP No. D- 1903 of 2025

[Dr. Asghar Ali Maitlo v. EDO Tando Muhammad Khan & Others]

BEFORE:

MR. JUSTICE ADNAN-UL-KARIM MEMON

MR. JUSTICE RIAZAT ALI SAHAR

Petitioner present in person

Mr. Arbab Ali Zardari, Advocate for respondent-Univesrity

Mr. Rafiq Ahmed Dahri, Asstt: A.G.

Date of hearing:

& Decision:

18.12.2025

ORDER

ADNAN-UL-KARIM MEMON, J - The Petitioner through the instant
Constititonal Petition has prayed as under:-

- a. Direct the respondent No.1 to 5. Why they never reply the legal notice dated: 25.09.2025, served by the counsel of the petitioner?
- b. Direct the respondents No.1 to 6, how it is possible that teacher one department has designed course with course code according to their expertise and teacher of other department has to teach having neither degree, nor coursecode, nor expertise? Such thing is happening with the petitioner since years.
- c. Direct the respondent No.1, that the respondent No.5 as Chairman of the Department is not working for the betterment of the Department, he issued letters and explanation dated: 10.10.2025, warning letter dated: 17.10.2025 to threat the petitioner in grave misconduct of act for the course codes of the other Department to damage his research that is tantamount to damage Department, using powers which the respondent No.1 as per section-35 subsection-1(a) can't use. Put the misconduct of the respondent No.5 in authority the syndicate to take action as per section-16 subsection-2(0).
- d. Direct the respondent No.1 to take action against the respondent No.2 as per section-27 subsection-4, who due to personal grudges with the petitioner never protect the act and statutes as per section 28(i) by taking notice of the misconduct of the respondent No.5 but submitted false evidence in support of misconduct in court in petition No.D-1749/2024 by which the petition was dismissed with cost Rs.50,000/- on the petitioner. Yet the respondent No.5 is non-stop in grave misconduct.
- e. Direct the respondent No.2 that if the petitioner has inability to teach "Statistics and Probability" written by you in report dated: 22.01.2025, why respondent No.3 and 4 assigned same title which has course code MTH301 not of department of petitioner by violating act and statutes as such petitioner does not have expertise?
- f. Direct the respondents No.3 and 4 to contact Chairman of concerned Department having course code MTH301 for teacher of expertise.

- g. Direct the respondent No.1 to 6 before introducing the course in any department appoint teacher of expertise.
 - h. Direct respondent No.1, 2 and 5 assigned course having code MATH202 in department of Mathematics, which is related to the research of the petitioner and he is teaching since his Ph.D. from France 2020.
 - i. Direct the respondents not to take any coercive action in violation of law, till the final disposal of the instant petition.
 - j. Costs of the petition may be saddled upon the respondents.
 - k. Any other relief(s) which this Honorable Court deems to fit, just in approve in favor of the petitioner.
2. The petitioner was appointed as Lecturer (BPS-18) in the Department of Mathematics & Statistics, Quaid-e-Awam University of Engineering, Science & Technology (QUEST), Nawabshah in 2009 and promoted to Assistant Professor in 2016 on merit. Under the QUEST Act, 1996, the petitioner falls within the University, while respondents No.2 to 6 are officers subordinate to him under Section-26. The Syndicate, constituted under Sections 12, 15, and 16 of the Act, is the competent authority with exclusive powers to discipline, suspend, or remove employees except respondent No.2. Respondent No.2 is legally bound under Section-28 to ensure due observance of the Act, Statutes, Regulations, and Rules, and any emergency action must be reported to the Syndicate. He submitted that Courses in the University are assigned strictly on the basis of course codes and subject-matter expertise, as approved by the Board of Studies. Assigning courses of one department to teachers of another department without requisite expertise amounts to fraud upon students and violation of University norms. Despite this settled principle, respondents repeatedly assigned the petitioner courses belonging to other departments, including course code ES315 (Electronic Engineering) and later MTH301 (Statistics & Probability), which are outside the petitioner's expertise and unrelated to his research. Conversely, the petitioner's specialized course MATH202, which he has taught since 2020 after completing his Ph.D from France and which aligns with his research, was unlawfully withdrawn. When the petitioner objected to teaching ES315 in 2023 and again in 2024, respondent No.2 deliberately ignored the objections. The petitioner was constrained to approach the High Court (CP. No. D-1749/2024). During proceedings, respondent No.2 approved a false report dated 22.01.2025 by altering the official title of ES315, leading the Court to dismiss the petition on an incorrect factual basis. Although the Supreme Court later set aside the imposed cost, the false reporting and harassment continued. He submitted that Respondent No.5, without lawful authority, repeatedly issued explanations, warnings, and threats of dismissal, despite lacking powers under the Act. Respondent No.2 failed to report or initiate action against respondent No.5 before the Syndicate, in violation of Section-28. The actions of respondents No.3, 4, and 6 in introducing and assigning courses without consulting the concerned department or ensuring

availability of expert faculty constitute grave misconduct, academic fraud, and violation of statutory duties. He added that he has also suffered long-standing discrimination since 2011, including unlawful rejection of medical claims for his wife's life-threatening illness, despite court orders, while all other employees were granted medical facilities. This discriminatory conduct has caused irreparable loss, damaged the petitioner's research, blocked promotion to Associate Professor, and placed his service under constant threat. He emphasized that the conduct of the respondents violates Articles 25 and 27 of the Constitution, guarantees of equality, non-discrimination, and safeguards in public service. The petitioner continues to face harassment, bias, abuse of authority, and threats of removal, rendering this a fit case for constitutional intervention to examine legality, propriety, jurisdictional excess, and contempt of court orders. He prayed to allow this petition.

3. Learned counsel for the respondent University submitted that the subject "Statistics and Probability" was initially assigned to the petitioner for the students of the Electronic Engineering Department. However, due to the petitioner's inability to fulfill the said assignment, the subject was subsequently withdrawn. It was further submitted that the petitioner had earlier filed a similar petition, which was dismissed, as he failed to demonstrate that "Statistics and Probability" does not form part of the discipline of Mathematics & Statistics. Consequently, the present petition is liable to be dismissed.

4. Without touching upon the merits of the case and in order to avoid any further embarrassment to either side, particularly in an academic environment, it is observed that assignment of courses is an administrative matter falling within the domain of the competent authority of the University. It is expected that such authority shall assign subjects to the petitioner strictly in accordance with his appointment, approved course codes, and subject-matter expertise, so that the academic interest of students is duly protected and unnecessary disputes are avoided. However no harassment shall be caused to the petitioner, which is his right under the law.

5. In view of the above, this petition stands disposed of in the above terms. No order as to costs.

JUDGE

JUDGE