

ORDER SHEET  
IN THE HIGH COURT OF SINDH, KARACHI  
C.P. No.D-8867 of 2017

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Date	Order with signature(s) of Judge(s)
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1. For orders on office objection
  2. For hearing of CMA No.37104/2017
  3. For hearing of main case.
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**10.05.2018**

Mr. Abdul Wahab Baloch, advocate for petitioner  
Mr. Ghulam Shabbir Shah, Addl: AG  
Mr. Muhammad Wasiq Mirza, advocate for respondent No.3

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The petitioner has approached this Court basically for seeking direction against the respondent No.3 to give admission to the petitioner in Dow University of Health Sciences, Karachi for academic Session 2017-18. It is further submitted that the petitioner is ready to fulfill all requisite formalities.

Learned counsel for the petitioner pointed out page 17, which is statement of marks, issued by the Board of Intermediate Education, Karachi to the petitioner for Pre-Medical Group, which shows that the petitioner has been awarded "B" Grade with 59.55% with further 5 grace marks. He further stated that the form was submitted by the petitioner for admission in MBBS/BDS in Dow University of Health Sciences but the same was not considered. Learned counsel also referred to the prospectus for MBBS & BDS, (Session 2007-18) issued by the Health Department, Government of Sindh for admission in the Medical Universities / Colleges of Sindh. The prospectus is available at page 13 of the Court's file. For the eligibility of the candidates in Clause 1, it is clearly stated that the minimum educational qualification of candidate for admission to first year MBBS/BDS course in Public Sector Institutes of Sindh Province under all admission categories is High Secondary Certificate Examinations (HSC) Pre-Medical Group i.e. Physics, Chemistry, Biology with at least "B" Grade or any other Board or Institution, recognized by IBCC with at least 60%. The

candidates obtaining less than 60% marks in HSC (Pre-Medical) or equivalent Examinations are not eligible.

We have heard Mr. Muhammad Wasiq Mirza, counsel for Dow University of Health Sciences. At the very outset, he submits that entry test for the Session 2017-18 has already been conducted and session has been started. He further submitted that the petitioner has not submitted the form, however, he agrees that according to the statement of marks, petitioner has been awarded "B" Grade and the total percentage 59.55% commensurate to 60%, including 5 grace marks. Since the time to appear in the entry test is over and session has already been started, the learned counsel for the petitioner proposed that the petitioner may be allowed to appear in the entry test in the next year's admission. Learned Additional A.G. Sindh has also supported the contention of the learned counsel for the petitioner.

There is no doubt that the petitioner has been awarded "B" Grade and the present percentage is also commensurate to the percentage mentioned in the prospectus, including 5 grace marks. The counsel for Dow University of Health Sciences submits that the petitioner may apply for the next year and his application will be considered according to the prescribed criteria. In the meanwhile, if the petitioner wants to apply in some other University, it is up to the petitioner, if some seats are vacant and admissions are opened in any other medical College/University, the petitioner may apply for consideration.

The petition is disposed of accordingly.

JUDGE

JUDGE

*Gulsher/PS*