

**ORDER SHEET**  
**IN THE HIGH COURT OF SINDH, KARACHI**

**C.P.No.D-3366 of 2017**

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<b>Date</b>	<b>Order with signature of Judge</b>
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**Present**

**Mr. Justice Muhammad Ali Mazhar**

**Mr. Justice Agha Faisal**

Imtiaz Hussain Qureshi.....Petitioner

Versus

Province of Sindh.....Respondent

**25.01.2019**

Petitioner present in person.

Mr. Jawad Dero, Additional A.G. a/w Ms. Alina, State Counsel.

Mr. Faqeer Muhammad, Additional Secretary (Endowment Fund), Government of Sindh present.

Mr. Ehsanullah Laghari, Deputy Secretary (Endowment), College Education Department, Government of Sindh present.

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**Muhammad Ali Mazhar, J:** Through this constitution petition, the petitioner has sought the directions against the respondents to pay endowment fund enabling the petitioner to deposit the fee to Sir Syed Medical College to continue studies of his daughter. The petitioner has also attached a copy of application dated 07.03.2017 sent to the Minister, Education & Literacy Department, Government of Sindh. On 24.01.2017, Mr. Anthony Naveed, Special Assistant to Chief Minister for Interfaith Harmony Affairs, Government of Sindh forwarded the letter to the Secretary, Education & Literacy Department in which the reference of the application of the petitioner's daughter was given with regard to her request for endowment fund. It was further stated in the same letter that the applicant Ms. Aaina Firdous is competent, A-1 Grade holder and needs much for this fund. It was further stated in the same letter that the said applicant is student of MBBS Third Year in Sir Syed College of Medical Sciences for Girls-Clifton, Karachi. The petitioner has also submitted a copy of order dated 28.10.2015 passed by the learned Division Bench of this court in C.P. No.D-6113/2015 in which the court directed the respondents to release the amount of fee/endowment fund to the petitioner's educational institution and furnish the report within fifteen days. The petitioner has also attached the testimonials of his daughter which show that she has obtained

distinction in the MBBS Second Professional Annual Examination 2016 and in MBBS Fourth Professional Annual Examination 2018. The main reason for not entertaining the application of the petitioner by the respondent is that Sir Syed Medical College is not on their panel, however, the minutes of meeting of the board of trustees, Sindh Educational Endowment Funds held on 15.02.2016 under the chairmanship of chairman, board of trustees/senior minister for Education & Literacy Department are available on record and item No.7 is relevant to ex-post facto approval for grant of scholarship. In this item, names of some students are mentioned who were admittedly outside the panel universities but the then Additional Secretary Endowment allowed six cases of the students of different universities outside the panel on the recommendation of Minister for Education and Literacy Department on their application. The minutes further speak that one of the members Dr. Ishrat Husain strongly opposed, however, finally the board approved the proposal given by the Secretary, Education. Today Mr. Fazeer Muhammad, Additional Secretary Endowment Fund, Government of Sindh is present and he submits that Sir Syed Medical College is not on their panel but the matter will be placed before the Endowment Fund Board in the next meeting for sympathetic consideration which is likely to be convened on 15.02.2019. The Additional Secretary Endowment Fund assures that the case will be placed before the board for their approval at least for the payment of one year fee. The petitioner requests that at least two years scholarship/fee may be given on which the Additional Secretary reiterates that he will try his best for the approval of two years fee but in case of refusal at least one year fee shall be paid. The petitioner is satisfied. This petition is disposed of accordingly.

The Additional Secretary Endowment Fund shall submit the compliance report through the learned Additional Advocate General Sindh.

Judge

Judge