

**ORDER SHEET**  
**IN THE HIGH COURT OF SINDH AT KARACHI**  
**HCA No.176 of 2018.**

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**Order with signature of Judge**

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Before: **Mohammad Ali Mazhar and Agha Faisal, JJ.**

- 1. For hearing of CMA No.3076 of 2018*
- 2. For hearing of main case*
- 3. For hearing of CMA No.1539 of 2018*

*31.01.2019.*

Moulvi Iqbal Haider, Advocate for the appellant.  
Mr. Mohammad Wasiq Mirza, Advocate for respondents No.4.  
Mr. Jawad Dero, Additional Advocate General Sindh alongwith Mr. Ghulam Akber Lashari, state counsel.

*Mohammad Ali Mazhar J.*, It is an admitted position that the appellant could not qualify three papers in the 4<sup>th</sup> year MBBS examination. However, he wants to appear in final year MBBS examination.

Mr. Wasiq Mirza, advocate for respondents 4 submits that unless the appellant clears all papers in the 4<sup>th</sup> year MBBS examination he will not be allowed to appear in final year MBBS examination. Appellant present alongwith his counsel submits that he has appeared in supplementary examinations for the three papers and the result is awaited. Mr. Wasiq Mirza clearly submits that on clearing all papers, the appellant may appear in 5<sup>th</sup> year examination of MBBS. He further submits that even in the supplementary examination the appellant is failed. Learned counsel for the appellant submits that this appeal may be disposed of with some directions to the respondents that in future they will not cause any harassment or problems to the appellant just because of the filing of the suit as well as this appeal. Learned counsel for respondents

No.4 undertakes that the appellant will be allowed to appear in the examination like all other students and he will be allowed to sit and appear in the University without any harassment or discrimination. The appeal is disposed of accordingly.

**J U D G E**

**J U D G E**

*Farooq ps/\**

