

ORDER SHEET
IN THE HIGH COURT OF SINDH, KARACHI

C.P.No.D-7965 of 2018

| | |
|-------------|--------------------------------------|
| Date | Order with signature of Judge |
|-------------|--------------------------------------|

Present

Mr. Justice Muhammad Ali Mazhar

Mr. Justice Agha Faisal

Mumtaz Hussain.....Petitioner

Versus

Federation of Pakistan & others.....Respondents

31.01.2019

Mr. Aquib Rajpar, Advocate a/w the Petitioner.
Mr. M. Wasiq Mirza, Advocate for Respondent No.3.
Mr. Ishrat Zahid Alvi, Assistant Attorney General.
Mr. Jawwad Dero, Additional A.G. a/w
Mr. Ghulam Akbar Lashari, State Counsel.

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Muhammad Ali Mazhar, J: Admittedly, the petitioner has failed to clear four papers in third semester and three papers in fourth semester (BSMT). He has approached this court for the directions against the respondents to allow him to appear in fifth and sixth semesters. If this petition is allowed, then in totality the petitioner has to appear in single go in seventeen papers as according to the syllabus he has to appear in six paper in fifth semester and in four papers in sixth semester. The counsel for the petitioner has failed to point out any rules or regulations of Pakistan Medical and Dental Council (PMDC) in which such types of relaxation may be allowed to the petitioner. Rather in our understanding, it is huge burden on a student who will have to go cumbersome exercise to prepare himself for appearing in seventeen papers at a time. It appears that the petitioner also approached to the Public Grievances Redressal Cell, Secretariat of Governor Sindh, Governor's House, Karachi and moved an application which was forwarded to the Vice Chancellor, Dow University of Health Sciences. On 06.08.2018 the Registrar of Dow University of Health Sciences informed the Section Officer-

HE, Secretariat of Governor of Sindh, Governor's House, Karachi that according to the rules and regulations of Pakistan Medical & Dental Council, Pakistan Pharmacy Council, Pakistan Nursing Council and all other relevant Controlling Authorities, it is mandatory that a student has to pass all the subjects/courses/papers theory and OSPE/OSCE of odd and even semesters of that particular year before being considered eligible for promotion to the next year. When these regulations, which are reproduced in the reply of the university were confronted, the counsel for the petitioner or the petitioner himself failed to respond nor they could place any justification for allowing any such permission enabling the petitioner to appear in seventeen papers in one go. This petition is dismissed in limine.

Judge

Judge

Asif