

ORDER SHEET
IN THE HIGH COURT OF SINDH AT KARACHI

C.P. No.D-276 of 2019

DATE	ORDER WITH SIGNATURE OF JUDGE(S)
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For orders as to maintainability.

Present:

Mr. Justice Mohammad Ali Mazhar
Mr. Justice Agha Faisal

08.04.2019

Mr. G.M. Bhutto, advocate alongwith the petitioner.
Mr. Fayaz Ahmed, advocate for the respondent No.4.

Mohammad Ali Mazhar, J.: Case of the petitioner is that his son is a student of class 12 in Smart College (respondent No.4). Due to some reasons he was suspended and vide letter dated 12.10.2018 his father was communicated the reasons for his suspension. The petitioner also requested for transfer certificate but before issuing the same a fee challan was provided to the petitioner which is available on page No.9 in which the respondent No.4 claimed the fee from August, 2018 to December, 2018 alongwith annual charges 2018-19 with total amount of Rs.47,355/-.

The learned counsel for the petitioner argued that against the transfer letter the petitioner agrees to pay the fee upto September, 2018 but after suspension the respondent No.4 has no right or authority to claim fee for October, November and December, 2018 with annual charges.

When we confronted this position to the learned counsel for the respondent No.4, he sought short time to seek instructions today. In the second round, the learned counsel for respondent No.4 on instructions submits that the transfer certificate shall be issued to the petitioner's son on payment of only August and September, 2018 fee @ Rs.6765/- per month. The petitioner's counsel agrees that two months payment will be made to the respondent No.4 accordingly.

The petition is disposed of with the directions to the respondent No.4 that on receiving two months tuition fee for the months of August and

September, 2018 the transfer certificate of Muhammad Qaseem Zargham shall be issued forthwith.

JUDGE

JUDGE

Khuhro/PA

