

ORDER SHEET
HIGH COURT OF SINDH, KARACHI

C.P. No.D-6586 of 2018

Date	Order with signature of Judge
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Present

Mr. Justice Muhammad Ali Mazhar.

Mr. Justice Agha Faisal.

Ms. Farah.....Petitioner

Versus

Vice Chancellor,

University of Karachi & others.....Respondents

Date of hearing 02.11.2018

Petitioner is present a/w her counsel Mr. Irfan Ali advocate.

Mr. Ameeruddin advocate for the Karachi University.

Mr. M. Zahid Khan, Assistant Attorney General.

Mr. Moeen Azhar Siddiqui, Principal, Islamia Law College a/w
Mr. Masood Khan advocate.

Mr. Kamruddin Junejo, Nazir, High Court of Sindh.

Dr. Zafar Hussain, Deputy Controller (Examination),
University of Karachi.

Muhammad Ali Mazhar, J: On last date of hearing, we handed over the original answer sheet of paper IV (Transfer of Property Act) of the petitioner to the Nazir to retain in his safe custody till further orders. We had also issued notice to the Examiner Mr. Masood Khan advocate through Principal, Islamia Law College, Karachi to appear in person on the next date. Mr. Masood Khan invited our attention to the note which he endorsed on the query raised by the Karachi

University vide letter dated 03.08.2018. The remarks of Mr. Masood Khan are reproduced as under:-

“When I personally open the Bunch of answer sheets received from KU, the copy No. L-87514, Roll No.12458 was already checked and marked the highest marks, which is clearly illegal on the part of student and the answer was also wrong, as a result the student obtained Zero marks, and the above copy was immediately shown to the principal for advice, and as per advice sent back with no marks as Zero”.

2. We have seen the copy and also the reply given by the Examiner to the Karachi University. In the copy of the petitioner against some answers, 20 marks are mentioned with red ink which were crossed/cancelled, however, the Examiner denied to have granted any marks but at the same time we also noted that if the Examiner had examined independently some questions why he has not given any marks and if the answers of the questions were wrong he could award zero marks. This aspect cannot be estimated at this stage unless the copy is reexamined properly through some other Examiner. Learned Principal of Islamia Law College, Deputy Controller (Examination), Karachi University and learned counsel for the Karachi University proposed a fair mechanism that the original answer sheet may be returned back to the Deputy Controller (Examination) and within three working days he will send the copy of petitioner to any other Examiner for the purpose of checking thereafter fresh marks sheet will be issued to the petitioner.

3. Learned counsel for the petitioner agrees to this proposal. Let this exercise be completed within 15 working

days. The original answer sheet of Sr. No. 87514, seat No.12458 for Transfer of Property Act, Paper-IV has been handed over by the Nazir to the Deputy Controller (Examination), Karachi University in court today in presence of parties. Petition is disposed accordingly. Copy of this order may be transmitted to the counsel for Karachi University for compliance.

JUDGE

JUDGE

Aadil Arab