

IN THE HIGH COURT OF SINDH AT KARACHI

CP D 3338 of 2016

Present: **Muhammad Ali Mazhar** and **Agha Faisal, JJ.**

Farhan Ali

vs.

Government of Pakistan and Others

For the Petitioner: Mr. M. Naseer Mughal, Advocate

For the Respondent No.1: Mr. Zahid Khan
Assistant Attorney General

For the Respondent
Nos. 2 & 3: Mr. Muhammad Ali Jan
Advocate

Date of Hearing: 31.10.2018

Date of Announcement: 31.10.2018

JUDGMENT

Agha Faisal, J: Through the present proceedings, the petitioner had challenged the non-issuance by National University of Modern Languages, Karachi Campus ("**NUML**"), being the respondent No.2 herein, of a degree certificate of M.A. English thereto despite the petitioner's claim of being duly entitled in such regard.

2. Per Mr. M Naseer Mughal Advocate, the petitioner had applied to NUML for admission in the M.A. English Degree Course and in such regard had passed the admission test held on 11.01.2012. The petitioner was granted admission, upon payment of the requisite fee and completion of all other requirements, including verification of antecedents Thereafter, the petitioner successfully completed the

course in the prescribed two year period, submitted the entire relevant fees, cleared all subjects and also submitted the final thesis. The petitioner also appeared in the final examination and was declared successful therein and consequently was also awarded a souvenir by NUML, dated January 2014, wherein it was specifically stated that it was being bestowed upon the petitioner for having successfully completed the masters' degree program. It was argued that the petitioner, despite having completed the educational and other requirements, did not receive the requisite degree certificate / marks sheet despite numerous requests and remonstrations, hence, was constrained to prefer the present petition.

3. Learned counsel for NUML did not controvert the narrative presented by the petitioner and categorically admitted that the petitioner had satisfactorily completed the entire two-year masters' degree program, paid all the applicable fees, passed all the relevant examinations and had also submitted a final thesis, which had met with the approval of NUML. The souvenir granted to the petitioner recognizing his successful completion of the master's degree program was also admitted by the learned counsel for NUML. Per learned counsel, NUML had no cavil to the proposition that the petitioner had duly completed all the requisites for the degree certificate sought, however, the reservations of NUML were with respect to the pre-admission antecedents of the petitioner, which in any event ought to have been evaluated by NUML prior to granting the petitioner admission. Learned counsel graciously submitted that the degree certificate and the mark-sheet, sought by the petitioner, had been duly prepared by NUML and the same shall be delivered by NUML to the petitioner upon conclusion of the present proceedings.

4. We have observed that the facts narrated by the petitioner and the documentation relied upon have been admitted by the learned counsel for NUML. It has been categorically stated that the degree certificate and mark-sheet, sought by the petitioner, have been duly prepared as the requirements prescribed in respect thereof have been duly complied with by the petitioner. We have also appreciated the contention of the learned counsel for NUML stipulating that the grant of admission to the petitioner and the completion of all the requisites for a master's degree by the petitioner have rendered NUML's reservations about the petitioner's pre-admission antecedents as redundant.

5. In view of the admission of the learned counsel of NUML it was apparent that the petition had assumed a non-contentious nature, hence, the present petition was allowed vide short order dated 31.10.2018 and NUML was directed to deliver the requisite degree certificate and mark-sheet to the petitioner. These are the reasons for the afore-cited short order.

Judge

Judge

Karachi.
Dated 03.12.2018

asim/pa