

**ORDER SHEET
HIGH COURT OF SINDH, KARACHI**

C.P. No.D-4749 of 2020

Date	Order with signature of Judge
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Present

Mr. Justice Muhammad Ali Mazhar.

Mr. Justice Yousuf Ali Sayeed.

Zeeshan Haider.....Petitioner

Versus

Institute of Health and Business Management,

& others.....Respondents

Date of hearing 01.10.2020

Mr. Ghazanfar Ali Jatoi advocate for the petitioner.

Muhammad Ali Mazhar, J: Mr. Abdul Waheed Siyal advocate waives notice and undertake to file vakalatnama for respondents.

2. This case is taken up on urgent application. In some other petition, Mr. Etrat Hussain Rizvi and Dr. Muhammad Hanif, Director & Controller, Institute of Health and Business Management have attended this court today. Since the present case on urgent motion pertains to the same institution, therefore, we asked them to wait for some time and this matter was taken up. We have heard learned counsel for the petitioner. The basic request made by the petitioner is the grant of permission to appear in sixth Semester of BBA though he admits that due to lack of required attendance, he is not being allowed in the examination. The Director and Controller both informed us that the threshold of 75% attendance is required to achieve for appearing in sixth Semester of BBA which the petitioner has failed to achieve. They further informed us that physical classes were closed in the month of February before Covid-19 lockdown and no class was conducted online but in normal situation also the petitioner failed to attend

the class and if any leniency is given to the present petitioner the other students who are at par will also claim the same benefit which will seriously affect and deteriorate the discipline of Institution.

3. Under the Constitutional jurisdiction, we cannot upset the well settled policy of the educational institution when certain bench mark is fixed for the required percentage of attending the classes, therefore, we do not find any justification to interfere. At this juncture, learned counsel for the petitioner submits that the petitioner is also claiming retake examination in the fourth Semester in two subjects "Principles of Marketing" and "Inferential Statistics" but in these two papers also before retaking the required attendance is being asked which is unjustified. The Director and Controller present in court submit that they will examine this issue for the purpose of retake examination for the aforementioned two subjects only. Petition is disposed of accordingly along with pending applications.

JUDGE

JUDGE