

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

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C.P. No.D-5132 of 2020

<b>Date</b>	<b>Order with signature of Judge</b>
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**Present**

**Mr. Justice Muhammad Ali Mazhar.**

**Mr. Justice Amjad Ali Sahito.**

Mahesh Kumar .....Petitioner

Versus

Bahria University & others .....Respondents

**Date of hearing 19.01.2021**

Mr. Junaid Ahmed advocate for the petitioner.

Mr. Nawaz Abbasi advocate for the respondent No. 1 & 2 a/w  
Mr. Samil Malik Khan advocate.

Mr. Hussain Bhora, Assistant Attorney General.

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**Muhammad Ali Mazhar, J:** The petitioner has challenged the letter dated 12.05.2020 issued by Principal, Bahria University to the petitioner in which it is stated that according to PMDC Rules & Regulations after having failed in four chances in first professional MBBS, the petitioner is not eligible to continue further medical education in Pakistan, therefore, his name was struck off from the college roll. Learned counsel for the petitioner admits that petitioner could not qualify in four attempts in first professional MBBS but he argued that according to new PMC Regulations it is the prerogative of the college/university to frame their own policy.

2. Learned counsel for the respondent No.1 & 2 clearly stated that according to their prevailing policy, if any student fails to pass first professional MBBS despite availing four

chances, his admission is liable to be cancelled by the university and he clearly stated that the name of the petitioner was rightly struck off from the college roll and there is no justification to ask for the fifth attempt to clear the first professional MBBS. Learned counsel for the petitioner argued that according to the impugned letter, the petitioner would not be able to get admission in any other medical college/university in Pakistan and he further submits that in new PMC Regulations, 2020 there is no such restriction. Petition is dismissed. However, if no such restriction is available in the PMC Regulations, 2020 the petitioner may apply for admission in any other college that will be considered in accordance with prevailing Laws and Regulations/Policy.

JUDGE

JUDGE

Aadil Arab