

**ORDER SHEET  
IN THE HIGH COURT OF SINDH AT KARACHI**

**C.P.No.D-5997 of 2019**

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**Order with signature of Judge**

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Present:

**Mr.Justice Muhammad Ali Mazhar  
Mr.Justice Agha Faisal**

**Manahil Javed .....Petitioner**

**Versus**

**Secretary, University & Boards,  
Karachi & others.....Respondents**

**26.09.2019**

**Ms.Shezana, Advocate for the Petitioner.**

**Mr.Jawad Dero, A.A.G.**

**Mr.Arshad H. Lodhi, Advocate has filed Vakalatnama for Respondent Nos.2 to 5.**

**Mr.M.Israfeel, Authorized Officer, BIEK is present.**

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**Muhammad Ali Mazhar J.** The case of the petitioner is that she appeared in H.S.C. Part I & II, Intermediate Examination, 2018. According to statement of marks available at page 13, in Physics Part I paper she obtained 52 marks in theory and 13 marks in Practical i.e. total 65 marks. The petitioner wanted some improvement in the Physics marks, therefore, she appeared in HSC Part I & II, Intermediate Examination, 2019 in Physics and Biology papers. According to learned counsel some improvement made in the marks of Biology, however, in Physics the petitioner secured 30 marks in theory and 15 marks in practical i.e. total 45 marks, which were below than the earlier marks obtained.

2. Learned counsel for the petitioner made reliance on Calendar of the Board of Intermediate Education, Karachi, Volume III in which Chapter XXVII is germane to the Rules for Improvement of Grade/Marks. Rule 5 provides that if a candidate succeeds in improving his/her marks a

certificate showing the improved division/marks shall be issued to him/her on surrender and cancellation of the previous certificate. In case he/she fails to improve his/her division/marks, he/she shall continue to retain the previous certificate. For redressal of her grievance she approached to the respondent No.3, but her previous marks were not restored, therefore, she has approached this court for some directions. Today, Mr.Arshad H. Lodhi, Advocate appeared for Respondent Nos.2 to 5 along with Mr.M.Israfeel, Authorized Officer, Board of Intermediate Education, Karachi. He confirmed that such Rule is already in vogue and niceties of Rule 5 of Chapter XXVII are applicable to the petitioner.

3. In view of the above statement, the petition is disposed of with the directions to the respondents to act according to aforesaid Rule and restore the Physics marks of the petitioner accordingly. This exercise should be completed within 02 weeks. The petitioner is directed to appear along with copy of this order before Controller of Examinations, Board of Intermediate Education, Karachi for compliance.

**Judge**

**Judge**