

ORDER SHEET
IN THE HIGH COURT OF SINDH, KARACHI
 C. P. No. D-818 of 2020

| Date | Order with signature of Judge |
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PRIORITY

1. For orders on CMA No.20502/2020.
2. For orders on CMA No.20085/2020.
3. For orders on Office Objection.
4. For hearing of CMA No.3896/2020.
5. For hearing of main case.

03.09.2021.

Chaudhry Muhammad Iqbal, Advocate for the Petitioner.
 Mr. Yousuf Moulvi, Advocate for Respondents/University of Karachi.

The grievance of the Petitioner is that he sat the test conducted on 19.01.2020 by the School of Law, University of Karachi, for admission to the LL.M Programme, but was declared to have failed albeit that he secured 51 out of 100 Marks. The case of the Petitioner is that the passing threshold was that of 50 Marks and although he attained the required percentage, he was shown to have failed whilst other candidates who were similarly placed or had obtained even one mark less than him were declared to have passed. Paragraphs 7 and 8 of the Memo of Petition are of relevance, reading as follows:-

“7. That the petitioner secured 51 marks out of 100 and declared as failed by the School of Law when the Respondent No.4 to 6 have obtained 50/100 and 51/100 but declared passed.

8. That the Petitioner is only candidate who secured 51 Marks and declared failed while the other Respondent No.4 to 6 who secured 50 and 51 marks declared passed.”

On that basis, the Petitioner has alleged discrimination and prayed that the action of the University and its functionaries be declared as illegal and that directions be issued for the inclusion of his name in the list of successful candidates eligible for admission to the aforementioned programme.

Having heard learned counsel for the Petitioner and the University respectively, it has come to the fore that entrance test in fact comprised three differently weighted sections, being as follows:-

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| Section-I | Knowledge of Law-Subject | 70% |
| Section-II | English and Communication Skills | 20% |
| Section-III | General Knowledge | 10% |

As per the stated requirement, candidates were to secure at least 50% in each Section separately in order to be eligible for consideration for provisional admission. However, whilst the Petitioner obtained a grand total 51 Marks, he secured only 31 Marks out of 70 in the law component. On the other hand, the Respondents No.4 to 6 satisfied the required percentage criteria in each Section. As such, it is evident that the Petitioner's plea, being predicated on the basis of only the grand total of marks, is based on a misconception of the underlying criteria. That being so, it is manifest that the Petition is devoid of merit, and stands dismissed accordingly along with the listed miscellaneous applications.

CHIEF JUSTICE

JUDGE