

**IN THE HIGH COURT OF SINDH,
AT KARACHI**

C. P. No. D-4195 of 2021

Present:

Ahmed Ali M. Shaikh, CJ
and Yousuf Ali Sayeed, J

Petitioner : Asif Ali in person.

Respondent : Ms. Naheed Abbasi, through
No.3 Aman Aftab, Advocate.

Date of hearing : 22.11.2021.

ORDER

YOUSUF ALI SAYEED, J. - The Petitioner, who is apparently an Advocate, has invoked the jurisdiction of this Court under Article 199 of the Constitution so as to espouse the cause of his younger brother, who is said to have been offered a Scholarship by the Sindh Education Foundation (Respondent No.3) to pursue his studies at Dr. A.Q. Khan School System and College, Ibrahim Campus, Islamabad as a boarder upto Grade-XII.

2. It is alleged that the Student suffered from some unforeseen ailment, for which proper assistance was not provided by the Respondents and on the contrary he was victimized and beaten by the School Management, as such he could not carry his program and returned home to convalesce. However, when he sought to resume his studies no proper

response was forthcoming and he came to know that his Scholarship has been suspended.

3. In this backdrop, the Petitioner has filed the instant Petition, praying that an enquiry be conducted and strict action ordered against the culpable parties, with it also being sought that the Respondents be directed to restore the Scholarship. However, contrarily, a direction has simultaneously been elicited for return of a deposited security amount of Rs.48,000/-

4. The Petitioner, appearing in person, sought to argue that his brother was a victim of circumstances and ought not to be penalized so as to jeopardize his education prospects and future career.

5. Conversely, learned counsel appearing on behalf of the Sindh Education Foundation (Respondent No.3) submitted that the Petitioner's brother had remained absent from the School without any cause and without obtaining permission from the School Management. He submitted that the case set up by the Petitioner was nothing but an endeavour to gloss over his brother's transgressions. Learned counsel pointed out that the conduct of the Petitioner's brother was contrary to the underlying terms and conditions on the basis of which the Scholarship had been awarded and there was no vested right that could be claimed in the matter.

6. Having considered the arguments advanced in light of the record, we are of the view that the case of the Petitioner appears to be vague and fanciful, as beggars belief that a person would seek to return to a hostile environment where he was beaten to a point that he required medical treatment. Indeed, no material has been placed on record to substantiate such allegations, which are even otherwise of a factual nature and cannot be looked into in the present proceedings. Furthermore, as noted, the prayer is itself contrary, as on the one hand the Petitioner seeks restoration of the Scholarship, but at the same time seeks return of the security amount.

7. Under the circumstances, we see no merit in the Petition, which stands dismissed accordingly.

JUDGE

CHIEF JUSTICE

Karachi.
Dated: