ORDER SHEET IN THE HIGH COURT OF SINDH AT KARACHI

CP NO.S-2116/2018

Date	Order with signature of Judge

1. For hearing on CMA No.4870/2021.

2. For order on MIT report dated 23.09.2021 and 02.11.2021.

07.03.2022

Mr. Ghulam Mustafa Pathan advocate for petitioner. M/s. Tajammul H. Lodhi and Abbadul Hasnain advocates, amici curiae.

Mr. Salman Talibuddin, Advocate General Sindh and Syed Mohsin Raza, Assistant Advocate General Sindh alongwith Mr. Faqir Muhammad Lakho, Additional Secretary, Endowment Fund and Shahab Qamar Ansari, Special Secretary, Finance Department. Mr. Ameen Aftab, advocate for S.E.F.

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At the outset Special Secretary Endowment Fund contends that at present not a single student is studying pursuant to special summaries and through the amount of Endowment Fund reserved for specified purpose; however he contends that there is an outstanding amount of Rs.7.1 million of two students who are daughters of Mansoor Abbas Rizvi and that amount is yet to be paid to the concerned institution.

2. At this juncture Special Secretary, Finance Department, contends that they will provide the referred amount from other heads than endowment fund within two weeks, however that shall be paid through Additional Secretary Endowment to which Additional Secretary Endowment Schools present extends no objection. Accordingly listed application is disposed of. This order shall be treated as *personam* and to the extent of two kids referred to above as already Advocate General Sindh has filed statement that no further special summaries will be approved from amount allocated for the Endowment Fund, as endowment fund has been registered and there

is also a Trust and mechanism to invest principal amount from May 2022.

3. At this juncture Special Secretary Finance Department contends that for upcoming budget they have proposed Rupees two billion while keeping in view the miseries of poor students who are not in a position to afford degree education because of higher fees. This court appreciates the efforts of the Finance Department and it is expected that Secretary Finance will pursue such proposal with logic and reasons, for approval. Accordingly, paragraph No.6 to the extent that amount is to be recovered as arrears of land revenue, is modified as that amount is adjusted in the endowment fund, therefore, land revenue arrears proceedings will not serve the purpose further.

JUDGE

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