

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

C. P. No. D-3875 of 2022

Present:

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

Petitioner : Dr. Muhammad Sadiq Ali Khan
through Ali Tahir, Advocate.

Respondents No.1-4: Nemo.

Date of hearing : 16.09.2022.

ORDER

YOUSUF ALI SAYEED, J. - The Petitioner professes to be an Associate Professor (BPS-20) in the Department of Computer Science at the University of Karachi (the “**University**”), and has invoked the jurisdiction of this Court under Article 199 seeking to challenge an unofficial list of Journals said to have been prepared by the Board of Advanced Studies & Research (the “**BASR**”) in the year 2021, as well as the reliance allegedly being placed thereon by the University in reckoning the eligibility of candidates for purpose of recruitment to the posts of Professor, Associate Professor, Assistant Professor and Lecturer (the “**Subject Posts**”), as advertised via publication in newspapers on 13.02.2019, rather than official list of Recognized Journals earlier prepared by the BASR and notified in the year 2015.

2. Towards that end, it has *inter alia* been prayed that this Court be pleased to set aside the unofficial 2021 list while prohibiting the University and other respondents from relying thereupon for purpose of recruitment or promotion, and to direct that reliable instead be placed solely on the official notified list of 2015.

3. Learned counsel for the Petitioner argued that the eligibility criteria set out for the Subject Posts required a candidate to have a certain number of scholarly articles/works published in the periodicals/journals forming part of the list of publications approved by the BASR, which, according to him had lastly been prepared and notified in 2015, but the University was now seeking to wrongly rely on the alternate list said to have been prepared in 2021. He argued that the 2021 list had not been notified, hence could not be relied upon, and a number of dubious journals/publications had even otherwise been included therein so as to pave the way for undeserving candidates to be recruited.

4. Having considered the matter, it is apparent from the very case set up by the Petitioner that the alleged list of 2021 is admittedly unofficial/unnotified, hence is devoid of any legal effect. As such, the same does not attract judicial intervention requiring it to be set aside. As for the aspect of undue reliance allegedly being placed on that list, we had posed a specific query as to whether any recruitment or promotion had in fact taken place on that basis within the University to date, whether in respect of the Subject Posts or otherwise, but counsel remained at a loss to point out even one such case.

5. Needless to say, if any recruitment were actually made in contravention of the eligibility criteria, whether that may be, the action would be open to challenge through appropriate proceedings at that stage. However, under the given circumstances, no cause for issuance of a writ presently stands made out and the Petition, being misconceived, stands dismissed accordingly.

JUDGE

CHIEF JUSTICE

Karachi.
Dated: