

ORDER SHEET
IN THE HIGH COURT OF SINDH, KARACHI
 C.P. No.D-5317 of 2024

Date	Order with signature of Judge
------	-------------------------------

For direction:

1. For order on CMA No.26220/24 (U/A)
2. For orders as to maintainability of petition.

25.11.2024

M/s. Khalilullah Jakhro, Advocate for the Petitioner along with
 Mr. Mohsin Khan Khokhar, Advocate.

1. Urgency application is granted.
2. Respondent No.3 (Shaheed Zulfiqar Ali Bhutto University of Law, Karachi) invited applications for admission in LLB (5 Years) Program, batch 2024-25. The Petitioner applied for admission and on account of weightage of his Matriculation and Intermediate etc. he was placed at No.20 on the merit list and thus qualified to appear in the interview scheduled for 23rd September, 2024, at 10:00 a.m. at the City Campus of Respondent No.3. However, the Petitioner allegedly fell ill due to malaria and could not appear in the interview; resultantly he was held unsuccessful to get admission.

Learned counsel for the Petitioner contends that the overall weightage of the Petitioner, excluding 10% interview marks, was 78.96, which was higher than that of many students who appeared in the interview and were declared successful for admission. He, while referring to the case of *Miss Misbah Masood Vs. Principal, Government College for Women (1997 MLD 2397)*, further contends that nowhere in the admission policy of Respondent No.3 it has been

provided that a candidate failing in the interview is not entitled to obtain admission. He argues that even otherwise, the refusal of Respondent No.3 to grant admission to the Petitioner in the LLB (5 Years) Program is contrary to the admission policy and the University's Prospectus, and hence, the same is liable to be declared of no legal effect by allowing this petition.

Heard and record perused.

Following is the admission criteria of Respondent No.3:

- i. Application for provisional admission will be considered on the basis of eligibility, merit, availability of seats.*
- ii. Final merit list will be prepared by the Admission Committee according to the following weighted average formula:*
 - a. 10% weightage will be for the mark obtained in the LAT conducted by HEC.*
 - b. 40% weightage will be for the marks obtained in the Intermediate Examination.*
 - c. 40% weightage will be for the marks obtained in the Matric Examination.*
 - d. 10% weightage will be for the mark obtained in the Interview.*

It is an admitted position that the overall weightage of the Petitioner was 78.96. The Respondent No.3 University has declared as successful 86 students in the final merit list for admission in LLB (5 Years) Program Fall-2024. The last candidate at Sr. No.86 has an overall weightage of 83.70, including interview weightage, which is higher than the overall weightage of the Petitioner (78.96), excluding interview weightage. Had the Petitioner's weightage, excluding interview weightage, been higher, he could have claimed his merit for admission on the ground that even failing in the interview, he was entitled to admission based on higher overall weightage. The

candidates who not only qualified for admission in LLB (5 Years) Program on the basis of their academic merit but also passed the requisite interview have a higher overall weightage to get admission than the Petitioner. Hence, this petition, being devoid of merit, is dismissed in limine along with pending application(s), if any.

JUDGE

JUDGE

Tahseen