

**IN THE HIGH COURT OF SINDH, CIRCUIT COURT,
HYDERABAD**

CP No.D-2005 of 2025

[Atiqa Rehman v. Province of Sindh & others]

BEFORE:

**MR. JUSTICE ADNAN-UL-KARIM MEMON
Mr. JUSTICE RIAZAT ALI SAHAR**

Petitioner: Aatiqa Rehman through Mr. Ghulam Murtaza Shaikh, Advocate.

Respondents: Province of Sindh and others through Mr. Rafique Ahmed Dahri Assistant A.G. Sindh along with Zubair Ahmed Bhutto Regional Office Incharge PM&DC and Syed Danish Riza Assistant Director, Sukkur IBA University.

Date of hearing: 04.12.2025.

Date of decision: 04.12.2025.

JUDGMENT

RIAZAT ALI SAHAR, J: - Through this petition, the petitioner has sought following reliefs:-

- a.** Direct the respondents announce the correct result of the entry test of the MDCAT Sessions 2025-2026, which was held on 26.10.2025 according to Carbon Copy, Seat No.42207 Block-148 of the petitioner.
- b.** Direct the respondents mention the name of the petitioner in the final merit list of the MDCAT Sessions 2025-2026 as per marks obtained by the petitioner in carbon copy as 153.
- c.** Cost of the petition and any other relief(s) that this Honourable court may deem fit and proper under the special circumstances of the matter.

2. The background of the case is that the petitioner appeared in the MDCAT Test for Sessions 2025–2026, conducted by Respondent No.4, the Chief Executive Officer, SIBA Testing Services, Sukkur IBA University. Respondent No.4 administered the MDCAT throughout the Sindh Province and issued Paper Version–D for the examination. The petitioner stated that he carefully attempted 172 out of 180 questions, which is duly reflected in the carbon copy provided to her upon

completion of the test. According to the petitioner, as per the carbon copy and the answer key uploaded by Respondent No.4 on its official website, 153 answers were correctly attempted, 19 were incorrect and 8 remained un-attempted. The petitioner stated that her correct score, on the basis of the carbon copy and the officially uploaded answer key, is 153 marks. However, when the final result was published by the respondents, her marks were erroneously reduced to 120, thereby adversely affecting his position in the merit list. Upon noticing this discrepancy, the petitioner immediately complained through email on the official website of the respondents and attached the carbon copy of her answer sheet. Despite this, no response was received. Hence, the petitioner has approached this Court through the present petition.

3. Learned counsel for the petitioner contends that the petitioner's carbon copy, duly issued at the time of examination, unequivocally reflects 153 correct answers, which tally with the official answer key uploaded by Respondent No.4. He contends that the reduction of marks to 120 is arbitrary, devoid of reasons and in violation of the principles of transparency and fairness. Learned counsel contends that the respondents failed to redress the grievance despite timely complaint and that the manipulated result has unjustly deprived the petitioner of her rightful place in the merit list.

4. Pursuant to Court notices, learned A.A.G. Sindh assisted by M/s. Zubair Ahmed Bhutto Regional Office Incharge PM&DC and Syed Danish Riza Assistant Director, Sukkur IBA University while referring the joint comments filed by respondents No.4 and 5 contends that the petitioner appeared in the MDCAT Session 2025–2026 conducted by SIBA Testing Services (STS) under the supervision of Sukkur IBA University on 26.10.2025, comprising 180 MCQs of one mark each and the answer key was uploaded the same evening while provisional results were issued on 30.10.2025 with a public notice inviting grievances until 01.11.2025 (5:00 pm). He contends that the petitioner registered a complaint within time and upon re-verification of the original Optical Mark Recognition (OMR) answer sheet, her correct score was confirmed as 120 out of 180, which was duly communicated. The final result announced on 02.11.2025 was prepared under strict transparency protocols, using STS-issued stationery, OMR software evaluation and the rule that un-attempted questions carry zero marks. He further contends that upon rechecking, the petitioner's original answer sheet showed that

she attempted 166 questions and left 14 questions blank and her total remains 120 marks, as reflected in the official records of Respondents No.4 and 5. The carbon copy produced by the petitioner before this Court is tampered, altered and inconsistent with the original OMR sheet. According to learned A.A.G. Sindh, a detailed comparison reveals manipulation in **43 questions**, including 14 blank questions falsely shown as attempted and 29 originally shaded answers altered, such as “Question No. 75” changed from option “C” in the original to option “B” etc. in the carbon copy, demonstrating deliberate falsification using the answer key uploaded post-test and these alterations amount to manipulation, misrepresentation and violation of examination rules. Learned A.A.G. Sindh further contends that the original OMR sheet, maintained under secure protocols, conclusively establishes the petitioner’s actual score of 120 marks. He also contends that Respondents No.4 and 5 maintained strict transparency and rechecked the result upon request, finding no discrepancy. The petitioner’s contentions are false, misleading and based solely on a manipulated carbon copy; therefore, he prayed that the petition be dismissed and the result declared by Respondents No.4 and 5 be upheld.

5. We have heard the learned counsel for the petitioner as well as learned A.A.G. Sindh and perused the material available on record. Today, representative of respondents No.4 and 5 appeared and produced the original answer-sheet of the petitioner with her signature. We have tallied the original answer-sheet with the Photostat of carbon copy sheet produced by the petitioner; it has been annexed with the petition at page-25 and found that **Forty-three (43) entries** in the carbon copy are tampered with. **Fourteen (14) questions left blank in the original OMR sheet was falsely shown as attempted in the carbon copy i.e. Question Nos. 6, 7, 82, 83, 86, 102, 117 and 174 to 180. Further, twenty-nine (29) originally shaded options were altered in the carbon copy, including Question Nos. 75, 96, 101, 103, 106, 107, 112, 118, 120, 123, 124, 131, 132, 136, 141, 142, 143, 146, 147, 150, 154, 157 to 160, 163, 166, 168, and 171.** For instance, in Question No. 75 the originally shaded option “C” was altered to “B”. These alterations do not correspond to the correct answers as per the official key.

6. In view of the above factual and documentary assessment, the petitioner has failed to establish any infirmity, error or *mala fide* in

the process of evaluation carried out by Respondents No.4 and 5. The original OMR sheet, produced before this Court and bearing the petitioner's own signature, conclusively contradicts the Photostat of the carbon copy relied upon by the petitioner. The proven tampering of forty-three entries, comprising falsely attempted questions and altered shaded options, clearly demonstrates manipulation of the carbon copy after the issuance of the official answer key. Such conduct not only undermines the integrity of the examination system but also shows that the petitioner has not approached this Court with clean hands, thereby disentitling her to any discretionary relief under constitutional jurisdiction. Consequently, the petition stands **dismissed** with costs of Rs.5,000/- to be borne by the petitioner.

JUDGE

JUDGE