

ORDER SHEET
IN THE HIGH COURT OF SINDH, KARACHI
C. P. No.D-6133 of 2020

Date	Order with signature of Judge
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Present
Mr. Justice Muhammad Ali Mazhar
Mr. Justice Arshad Hussain Khan

Gul Hassan Lakho.....Petitioner

Versus

Pakistan Medical Commission & others.....Respondents

03.12.2020

Mr. Faqir Qurban Ali Soomro, Advocate for the Petitioner.

Muhammad Ali Mazhar, J: Through this petition the petitioner as prayed for the directions against the respondents to permit his daughter to sit in MDCAT on 13.12.2020 alongwith Covid-19 positive students/patients. The main emphasis of the learned counsel is that the petitioner applied to sit in the MDCAT that was to be held by the admitting university i.e. Peoples University of Medical & Health Sciences for Women, Nawabshah/Shahheed Benazirabad on 18.10.2020. We asked him to show us any application submitted to the Pakistan Medical Commission for participating in the MDCAT exam, the learned counsel submits that no such application was made to the Pakistan Medical Commission but he was relying on the application submitted to the admitting university. It is made clear that in the Pakistan Medical Commission Act, 2020 there is no concept of admitting university and under Section 18 of the Pakistan Medical Commission Act, 2020 a centralized policy was made to conduct one single MDCAT for the entire country and one of us (Muhammad Ali Mazhar, J) was member of the bench in which

the vires of the law were challenged and finally on 11.11.2020 a short order was passed for disposing of the petitions in which Sections 4 and 18 of the Pakistan Medical Commission Act, 2020 were declared to be intra vires. At this stage no reliance can be placed on the form submitted through NTS to the admitting university which had no role to play in the MDCAT on promulgation of Pakistan Medical Commission Act, 2020. Nothing has been placed on record that any application was submitted by the petitioner's daughter to appear in MDCAT to Pakistan Medical Commission. The petition is dismissed in limine.

Judge

Judge

Asif