

ORDER SHEET
IN THE HIGH COURT OF SINDH BENCH AT SUKKUR
Const. Petition No.D-1346 of 2022

Date	Order with signature of Judge
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1. For orders on office objection at flag `A`
2. For hearing of CMA No.5193/2022
3. For hearing of main case

14-11-2023

Mr. Muhammad Iqbal Memon, Advocate for the Petitioner
Mrs. Rizwana Memon, Advocate for Respondent No.1
Mr. Niaz Hussain Maitlo, Advocate for Respondents. No.3 to 6
Mr. Sheeraz Fazal, Advocate for Respondent No.8
Mr. Dareshani Ali Haider 'Ada' Deputy Attorney General
Mr. Zulfiqar Ali Naich, Assistant Advocate General
Dr. Hakim Ali Sahito Respondent No.7
Dr. Khadim Hussaim Memon Resondent No.8

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Muhammad Iqbal Kalhoro,J:- Petitioner is working as Assistant Professor on tenure track basis in Shah Abdul Latif University Khairpur. She had applied for the post of Associate Professor on the basis of her PhD degree in Zoology in the year 2021. But instead respondent No.7 who has an irrelevant degree of Entomology and respondent No.8 who was seven days short of required experience were given more marks than petitioner and selected for the appointment as Associate Professors, hence she being aggrieved has filed this petition.

During the arguments, it has transpired that the petitioner has already filed an appeal before the Vice Chancellor against such process and as per learned counsel for the University, this appeal has to be placed by the Vice Chancellor before Syndicate for a decision in accordance with law, where, according to him, all the parties will be given an opportunity to present their case.

Since the appeal is already pending before the competent authority, we are of the view that this petition for the time being is premature and is accordingly, disposed of with consent of all parties. However, the Vice Chancellor of the Shah Abdul Laltif University Khairpur is directed to convene Syndicate meeting not later than 45 days from today for consideration of appeal of the petitioner. The Syndicate shall afford an ample opportunity to both the parties to present their case. The parties would be at liberty to file

any document which they consider to be in their favour, and the decision be made not later than 10 days of such meeting, which shall be duly communicated to the relevant parties. If anyone is aggrieved by the decision, he or she would be at liberty to challenge the same before the relevant forum. Failure to convene the meeting by the Vice Chancellor or to make decision on the appeal of the petitioner within stipulated period would expose the Vice Chancellor to the contempt proceedings.

Accordingly this petition is disposed in the above terms.

JUDGE

JUDGE

Sulemen Khan/PA

