HIGH COURT OF SINDH, CIRCUIT COURT, HYDERABAD

C.P. No.D-2083 of 2026

[Mst. Nosheen vs. Federation of Pakistan and others]

Before:

JUSTICE ADNAN-UL-KARIM MEMON
JUSTICE MUHAMMAD JAFFER RAZA

Petitioner:	By Mr. Zain-ul-Abdin Sahito advocate
Respondent No.1:	By Mr. Ghulam Abbas Sangi Assistant Attorney General
Respondent No.2:	Mr. Ayaz Ali Rajper Assistant A.G Sindh
Respondent No.4:	By Mr. Masood Rasool Babar advocate
Respondents 7&5:	By Mr. Deedar Hussain Solangi advocate
Respondents 3, 5 & 6:	None present
Date of hearing	23.10.2026
Date of Decision	23.10.2026

O R D E R

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ADNAN-UL-KARIM MEMON J:- The petitioner has filed the instant Constitution Petition in the public interest, seeking verification of SSC and HSSC marks of candidates applying for admission to MBBS/BDS programs in public-sector medical and dental institutions of Sindh for the session 2026-27, before finalization of merit lists.

2. Learned counsel for the petitioner contends that the petitioner's niece, Aarmeen Noman (Seat No. 33320), appeared in MDCAT and secured 150 out of 180 marks; that, under the applicable PM&DC regulations, the admission merit is calculated on the basis of MDCAT (50%), HSSC (40%) and SSC (10%) marks; therefore, any alteration or inflation of Board marks materially affects merit and deprives deserving candidates of admission; Counsel submits that, according to the official Gazette of BISE Hyderabad for HSC-II Annual Examination 2026, Fariha d/o Tanweer Ahmed, Seat No. 149051, obtained 869 marks, whereas her purported marks certificate dated 19.08.2026 reflects 930 marks, showing a discrepancy of 61 marks and a different grade; that such discrepancy raises serious concerns regarding possible manipulation of results and unfair advantage in the admission process; that the admission procedure relies upon marks certificates submitted by candidates without independent verification from the concerned Board. The petitioner, therefore, seeks directions to the admitting universities and PM&DC to

verify SSC/HSSC marks against the official Gazettes, particularly those issued by BISE Hyderabad, before finalizing merit lists; to exclude mark sheets found forged or unlawfully altered; and to direct the Board to provide certified copies of the relevant Gazettes within a stipulated period.

3. Learned counsel for Respondent No. 4 contends that the petition is misconceived and not maintainable, as the petitioner has neither established infringement of any personal legal right nor produced authorization to represent her niece Aarmeen Noman; that Fariha, whose marks and eligibility have been questioned, has not been impleaded as a party, and no adverse order can be passed against her without providing her an opportunity of hearing; that Jinnah Sindh Medical University (JSMU), Karachi, initially publishes the centralized merit list, whereafter Respondent No.4 issues the provisional merit list for its tagged districts, considers objections and publishes the final merit list in accordance with the prescribed procedure. The academic mark sheets are thereafter forwarded to the concerned Board for verification, and any admission found to be based on discrepant marks is liable to cancellation, with the seat allotted to the next eligible candidate. It is lastly contended that Respondent No.4 neither issues nor alters mark sheets and has committed no illegality warranting interference by this Court.

4. Learned counsel for the other respondents denies having issued the disputed mark sheet in favour of Fariha d/o Tanweer Ahmed Seat No. 149051, reflecting 930 marks instead of 869, or having manipulated, altered or enhanced her academic record; that no verification certificate or document confirming the disputed marks was issued by them, and the allegations of their involvement are false and baseless; that the matters relating to MDCAT, admission regulations and merit determination are governed by the applicable law, whereas the alleged discrepancy between the Gazette and the mark sheet is not admitted.

5. We have heard learned counsel for the parties and have examined the material available on record.

6. The controversy raised in the instant petition concerns the transparency, fairness and legality of the admission process for MBBS/BDS programs for the academic session 2026-27, particularly the verification of academic marks forming part of the merit aggregate.

7. The petitioner has pointed out a specific discrepancy between the official Gazette of BISE Hyderabad, reflecting 869 marks against Seat No. 149051, and a marks certificate purportedly issued in favour of Fariha d/o Tanweer Ahmed Memon, reflecting 930 marks. The discrepancy of 61 marks, if established, is material and cannot be brushed aside as a mere technical irregularity, particularly when HSSC marks carry 40% weightage in the admission merit.

8. The objection regarding the petitioner's locus standi, on the ground that she has approached this Court on behalf of her niece without authorization, requires consideration. Although the petitioner may not claim an individual right to admission on behalf of another candidate without lawful authority, the petition also raises a question of public importance concerning the integrity of a competitive admission process and the protection of merit. Nevertheless, the public-interest character of the petition does not dispense with the requirement of reliable evidence, nor does it justify an adverse finding against any candidate or official without due process. Similarly, Fariha, whose academic record is questioned, has not been impleaded; therefore, no conclusive finding of fraud or disqualification can be recorded against her at this stage without notice and an opportunity of hearing.

9. The contention of Respondent No.4 that the centralized admission process is initiated by Jinnah Sindh Medical University (JSMU), followed by publication of provisional merit lists, consideration of objections and issuance of final merit lists, is relevant to the allocation of responsibilities among the admitting institutions. However, the subsequent forwarding of mark sheets to the concerned Board for verification does not, by itself, eliminate the risk of an incorrect or manipulated academic record being used at the initial stage of merit determination. Primarily the admitting universities are required to exercise due diligence in accordance with the applicable admission policy and cannot treat the submission of a mark sheet by a candidate as conclusive proof of its authenticity where a specific discrepancy has been brought to their notice, as such they must be careful in all respect, while dealing with admission issue.

10. It is equally important to distinguish the role of MDCAT from that of the academic Boards. The MDCAT result establishes a candidate's performance in the prescribed entry test and carries the weightage assigned under the applicable regulations; it does not independently establish the authenticity of SSC or HSSC marks. Since the admission aggregate is calculated by combining MDCAT, HSSC and SSC marks, the admitting universities must ensure that each component is accurately verified and lawfully counted. A candidate's genuine MDCAT score cannot cure an incorrect academic record, nor can inflated Board marks lawfully confer an advantage over candidates whose results are genuine.

11. The denial by the respondents of having issued or manipulated the disputed mark sheet is also material. At this stage, in the absence of a conclusive verification by the competent Board and other reliable evidence, it would be premature to attribute manipulation to any particular candidate, Board official or institution. The proper course in such circumstances is to obtain an authenticated, written verification from BISE Hyderabad, including the original result record, Gazette entry, subject-wise marks and the subsequent history of any correction or revision,

if applicable. If the marks certificate is found to differ from the official record, the Board must clarify whether any lawful correction was made and identify the authority and documentary basis for such correction, in time, without fail.

12. In these circumstances, the competent admitting universities, including JSMU and Respondent No. 4, are expected to ensure that the merit lists are prepared strictly in accordance with the applicable PM&DC Act, regulations and notified admission policy. However, it is made clear that where a specific and credible discrepancy is brought to their notice before admission, the relevant academic record should be verified with the issuing Board before the disputed marks are relied upon for final selection, subject to the governing admission schedule and applicable rules in time. The same standard of verification should be applied uniformly to all similarly situated candidates, rather than selectively to a particular candidate or Board, so that neither an eligible candidate is unfairly excluded nor an ineligible candidate obtains admission through an incorrect record.

13. It is further added that if the competent Board confirms that any mark sheet has been forged, unlawfully altered or issued through unauthorized intervention, the admitting university shall take action in accordance with the applicable law and admission regulations, including recalculation of the merit aggregate and cancellation of admission, where legally warranted, after observing due process. Any consequential vacancy shall be dealt with strictly under the prescribed merit and admission rules; and, if the inquiry discloses collusion, misconduct, bribery or negligence on the part of any official, the matter shall be referred to the competent disciplinary or investigative authority for appropriate proceedings. In particular, the head of the institution or department concerned should ensure that the matter is examined and that responsibility is fixed upon the officials actually found involved; however, no officer should be penalized merely by virtue of holding a supervisory position without an inquiry into the officer's own responsibility under the applicable rules.

14. The competent authorities must also ensure that no candidate is granted preferential treatment, and that no admission is finalized on the basis of academic marks that have been found unauthenticated or unlawfully enhanced. Equally, an allegation or social-media report, without verification, cannot be treated as proof of misconduct.

15. The governing principle is that admissions must rest upon verified academic records, a valid MDCAT result, the prescribed aggregate formula and strict adherence to merit, with equal treatment and procedural fairness for every candidate.

16. Consequently, the matter calls for verification and regulatory compliance rather than a premature declaration of fraud. The competent authorities should address the identified discrepancy expeditiously, in view of the time-sensitive nature of the admission process, and ensure that any decision affecting a candidate's eligibility is supported by the official record and taken after affording the affected person an opportunity of hearing.

17. This petition stands disposed of in the above directions / terms.

Copy of this order be communicated to all heads of Boards and Public Sector Universities in Sindh for compliance, in time.

JUDGE

JUDGE

Karar_Hussain/PS*