

ORDER SHEET
IN THE HIGH COURT OF SINDH, KARACHI
C.P. No.D-7114 of 2017

Date	Order with signature of Judge
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For hearing of main case.

31.01.2018

Petitioner in person.
 Mr. Ameer uddin, advocate for respondents No.1 & 2.
 Mr. Ghulam Shabbir Shah, Addl. A.G. Sindh.

Through instant petition filed by the petitioner in person, petitioners have prayed that script of the petitioners may be called and got scrutinized by any other examiner, as according to petitioners, they have not been awarded correct marks in their papers of Management and Business Communication. Petitioners are represented through attorney (father of the petitioner No.1), submits that the petitioners filed application before the Controller Examinations for scrutiny of the scripts of the petitioners after making payment of prescribed fee pursuant to which petitioners have been intimated the total marks and have not been shown their copies nor scrutiny has been made by the respondents as per rules.

2. Notice of instant petition was issued to the respondents, who have been filed comments, wherein, it has been stated that the request of the petitioners was entertained in accordance with law i.e. University of Karachi Code and the Rules after scrutiny of the scripts of the petitioners in respect of aforesaid papers, the petitioners have been duly intimated the correct marks awarded by the examiner. Reference to Section 16 of the University of Karachi Code has been made in this regard, whereas, reliance has been placed on the judgment of the Hon'ble Supreme Court in the case of ***Vice Chancellor Karachi University & another v. Altaf Noor Ali Hashmi & another (SBLR 2013 SC 21)***. Learned Addl. A.G. Sindh supports the contention of the learned counsel for the respondents.

3. We have heard the petitioner and the learned counsel for the respondents as well as learned Addl. A.G. Sindh and perused the relevant Rules and decision of the Hon'ble Supreme Court on the subject controversy. It is settled legal position that in terms of Rule 16 of the University of Karachi Code, re-tabulation of the marks is permissible and not re-checking of the papers, therefore, the request of the petitioners for re-checking of the papers by some independent examiner

appears to be misconceived and contrary to the law and legal position as established pursuant to aforesaid judgment of the Hon'ble Supreme Court. Accordingly, we do not find any substance in the instant petition, which is hereby dismissed.

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Nadeem