

ORDER SHEET
IN THE HIGH COURT OF SINDH AT KARACHI

CP No.D-797 of 2017

For Directions

For hearing of CMA No.5339/2020 (contempt)
(parawise comments, reply and objection filed, flagged)

01.03.2022

Mr. Ashique Muhammad, Advocate for the Petitioner.
Mr. Khalique Ahmed, DAG and Mr. Hussain Bohra, Asstt Attorney General.

Listed application seeks initiation of contempt proceedings against alleged contemnors/respondents for defiance of order dated 15.05.2018.

Learned counsel for the Petitioner contended that on 15.5.2018 counsel representing the Respondent No.1 has stated before the Court that they will consider the credential, antecedents/academic documents of the petitioner and will issue the equivalent certificate in accordance with Federal Supervision of Curricula, Text Books and Maintenance of Standards of Education Act, 1976, however, though the Petitioner has submitted the requisite documents they failed to issue the certificate in question.

Conversely, the learned DAG opposed the Application on the ground that as the Petitioner does not fulfil the requirements, equivalence certificate could not be issued to him.

We have heard the learned counsel for the petitioner, learned DAG and perused the file. This Court while disposing of the Petition vide order dated 15.5.2018 has observed as under:-

“Though counsel for the respondent No.1 has filed the comments, but after arguing at some length he submits that respondent No.1 shall examine the credential, antecedents/academic documents of the petitioner and if after examining all the documents everything is found in order then equivalence certificate shall be issued in accordance with the Federal Supervision of Curricula, Text Books and Maintenance of Standards of Education Act, 1976.

Learned counsel for the petitioner is satisfied to this statement. The petition is disposed of accordingly alongwith pending application. The respondent No.1 shall complete this exercise within 03 weeks.”
(emphasis added)

The alleged contemnor No.1 in his comments to the listed Application has maintained that IBCC’s Equivalence Committee has approved SSC (Science) and Level III Qualifications having Engineer Components be equated with HSSC (Pre-Engineering) on passing deficient components i.e. Applied Physics, Applied Chemistry and Mathematics from a Board of Technical Education as these subjects were found deficient during the comparison of Level-III Diploma with DAE of Pakistan. Thus every candidate having completed all components of Level-III Diploma in addition to SSC (Science) will have to pass these three additional subjects from the Board of Technical Education of Pakistan for grant of Equivalence of HSSC (Pre-Engineering) of Pakistan.

During hearing, the Petitioner present alongwith his counsel very frankly conceded that he does not possess the SSC (Science) certificate, required for issuance of the Equivalence Certificate. In the circumstances, we are of the considered view that listed application merits no consideration and is accordingly dismissed.

Chief Justice

Judge