

ORDER SHEET

IN THE HIGH COURT OF SINDH, BENCH AT SUKKUR

C. P No. D – 331 of 2020

Date

Order with Signature of Hon'ble Judge

Hearing of case

1. For orders on office objection at flag 'A'
2. For hearing of main case
(Order sent)

03.12.2020

Anwer Ali /petitioner No.1 is present in person
Mr. Ali Raza Pathan, Assistant Attorney General

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Respondent No.2 / Muhammad Aamir Shafique, Controller of Examinations, National Council for Homeopathy, Rawalpindi is present. Comments already filed by the respondents 2, 3 and 4 which reflect that as per Order/Letter dated 05.08.2019 (*available at page 11*), the Chairman Examining Body, National Council for Homeopathy, Government of Pakistan, Rawalpindi has changed the Examination Centers of 22 Colleges in Pakistan (*list available at page 12*). During arguments, it is pointed-out that only 16 Colleges have challenged the impugned order/letter before the Islamabad High Court, Islamabad by filing Writ Petition No.2944 of 2019, wherein, the Islamabad High Court, Islamabad vide order dated 23.08.2019 has restrained the Chairman Examining Body, National Council for Homeopathy, Government of Pakistan, Rawalpindi only in respect of those 16 Colleges, who have filed the aforesaid writ petition, hence he was directed to place on record such copy of the order of the Islamabad High Court, respondent No.2 sought sometime as such the matter is kept aside

for next call. Again the matter is taken up, whereas, the photocopy of order dated 23.08.2019 is placed on record.

2. We have perused the Order dated 23.08.2019 of Islamabad High Court Islamabad passed in Writ Petition No.2944/2019, the relevant portion thereof reads as under;-

“The petitioner Institutions are directed to fulfill the obligations on their part in order to meet the conditionalities. In the meanwhile, the respondents are restrained from taking any adverse action pursuant to the impugned letter, dated 05.08.2019.”

3. It is apparent that the impugned order/letter dated 05.08.2019 issued by the Chairman Examining Body, National Council for Homeopathy, Government of Pakistan, Rawalpindi has already been suspended by the Islamabad High Court Islamabad by way of order dated 23.08.2019, whereas, the results of the remaining Homeopathic colleges including Homeopathic College Sukkur have wrongly been withheld by the respondents. In such circumstances, the respondent No.2 / Controller of Examinations, National Council for Homeopathy, Rawalpindi is directed to check the papers of the students who have participated in the Examinations of 2018-2019 and announce the results within 60 (sixty days) under compliance report to this Court through Additional Registrar.

The petition stands disposed of in the above terms.

Judge

Judge