

IN THE HIGH COURT OF SINDH, CIRCUIT COURT, LARKANA
C. P. No.D-1114 of 2012

DATE OF HEARING	ORDER WITH SIGNATURE OF HON'BLE JUDGE
-----------------	---------------------------------------

05.3.2013.

For Katcha Peshi.

Mr. Inayatullah G. Morio, advocate for petitioner, alongwith petitioner.

Mr. Ghulam Ali A. Samtio, advocate for respondents No.2 and 3.

Mr. Riaz Hussain Khoso, State Counsel.

By consent it is agreed that since the questionnaires, which pertain to the petitioner/Ghazala and Mr. Imtiaz, against whom the allegation of the respondents is that the papers have been exchanged by them, though the respondents No.2 and 3 had supplied the respective papers to the concerned students with their names printed thereon, is absolutely frivolous. Had it been the intention of the petitioner and Imtiaz, the petitioner would not have written her name in the sheet of Imtiaz and even Imtiaz would not have written his name in the sheet of Ghazala. In view of such facts, it clearly demonstrates a case of clear negligence on the part of respondents No.2 and 3 as at the time when the papers were being taken or when the same were being allegedly exchanged, it was the utmost duty of the respondent No.3 to be vigilant in performing their duty, which they admittedly failed. However, by consent the controversy is resolved that such test of the petitioner/Ghazala shall be retaken in accordance with law providing her an opportunity to appear in the entry test for MBBS for CMC, Larkana for the year 2013 without further delay as it concerns her career. Such test be taken within a period of 10 days.

Such questionnaire shall be prepared in normal routine and no efforts be made to prepare such a paper so as to rule her out of merit list.

Petition is disposed of in the above terms.

Sd/- JUDGE
Sd/- JUDGE