

ORDER SHEET
HIGH COURT OF SINDH, CIRCUIT COURT,
HYDERABAD

C.P No.D-1749 of 2024

Date	Order with signature of the Judge
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23.01.2025

Mr. Sajid Ali Gorar, advocate for the Petitioner

Mr. Rafique Ahmed Dahri, Asst. Advocate General Sindh

This writ petition filed under Article 199 of the Constitution of the Islamic Republic of Pakistan, 1973, by the Petitioner, Dr. Asghar Ali Maitlo, seeking reliefs against the Respondents, specifically challenging the assignment of the subject of Electronic Engineering to him, despite his position as an Assistant Professor in the Department of Mathematics & Statistics. The Petitioner further seeks a direction from this Court to restrain the Respondents from assigning any subjects outside his area of expertise, specifically Mathematics and alleges that the assignment of extra subjects is motivated by malafide intentions on the part of Respondent No. 2.

2. Today, Mr Kamaluddin Advocate while filing Vakalatnama on behalf of the Respondents No.2 to 5 also submitted a report dated 22.01.2025, which is taken on record. The report indicates that the "Statistics and Probability" subject was initially assigned to the Petitioner for the Electronic Engineering students. However, due to the Petitioner's inability to fulfil this assignment, the subject was subsequently withdrawn and reassigned to Mr Liaquat Ali Tunio, who holds an MSc in Mathematics from Quaid-e-Azam University, Islamabad.

3. Upon reviewing the submissions and the report, it is evident that the relief sought by the Petitioner has already been rendered moot, as the subject in question has been reassigned. When confronted with this fact, the Petitioner's counsel expressed intention to contest the petition, citing concerns regarding the Petitioner's integrity and reputation.

4. Upon careful consideration of the petition and the arguments presented, we have thoroughly examined the contents of the petition. The Petitioner has raised significant concerns regarding his integrity and

reputation, asserting that the assignment of subjects outside his expertise has adversely affected his professional standing. The Petitioner's apprehensions regarding his integrity and reputation are not valid as he challenged the assignment of Electronic Engineering to him and seeks a direction from this Court to restrain the Respondents from assigning any subjects outside his area of expertise, specifically Mathematics. However, such concerns, albeit serious, do not provide a sufficient legal basis to maintain this writ petition. The crux of the matter lies in the assignment of subjects, an administrative decision made by the University in exercising its academic discretion. The autonomy of educational institutions to manage their academic programs and faculty assignments is well-established in law, and it is not within the purview of this Court to interfere in such administrative functions unless there is a clear violation of law or a breach of fundamental rights.

5. In the present case, the Petitioner has not demonstrated any legal grounds warranting judicial intervention in the administrative decisions of the University. The assignment of subjects falls squarely within the domain of the University's administrative authority, and the Petitioner has failed to provide any evidence or legal argument suggesting that the University acted beyond its powers or in an arbitrary, capricious, or unjust manner. The Respondent's report indicates that the subject initially assigned to the Petitioner was subsequently withdrawn and reassigned to another qualified individual, addressing the Petitioner's concerns regarding his qualifications and expertise. This administrative action effectively resolves the issue at hand, rendering the relief sought by the Petitioner moot. Moreover, the Petitioner has not established any legal basis for the claims made in the petition that would necessitate the Court's intervention. Principles of administrative law dictate that courts should exercise restraint in matters involving the internal management of educational institutions, particularly when such institutions have taken steps to rectify any perceived issues. The Court must respect the University's autonomy and its right to make decisions regarding faculty assignments based on academic qualifications and institutional needs.

6. For the foregoing reasons, the instant petition is not maintainable, as the relief sought has been effectively addressed by the University's administrative actions. Consequently, the writ petition is hereby **dismissed**. In recognition of the need to uphold the integrity of the

judicial process and to deter frivolous litigation, the Petitioner is directed to deposit a cost of **Rs.50,000/- (Rupees Fifty Thousand Only)** in the Head of the High Court Clinic/Dispensary of this Court within 15 days from the date of this order. In the event of non-compliance with this directive, the office is directed to fix this matter in Court for compliance, thereby ensuring that the Petitioner adheres to the Court's order and fulfills his obligations as directed.

J U D G E

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Sajjad Ali Jessar