

# THE HIGH COURT OF SINDH KARACHI

C.P. No. D - 2432 of 2026

[Mudassir Hussain versus Province of Sindh & others]

Petitioner : Dr. Mudassir Hussain through Mr. Muhammad Nishat Warsi, Advocate.

Respondent No.1 : Province of Sindh through M/s. Hakim Ali Shaikh and Saghir Ahmed Abbasi, Additional Advocates General, Sindh.

Respondents 2 to 6 : Karachi Metropolitan University & 03 others through M/s. Qazi Umair Ali and Muhammad Inziam Sharif, Advocates.

Date of hearing : 22-04-2026

Date of decision : 22-04-2026

## ORDER

**Nisar Ahmed Bhanbhro, J.** - Through the instant petition, the Petitioner has assailed the election to the Syndicate seat reserved for the teaching staff/lecturers of Karachi Metropolitan University ("**University**"), *inter alia*, on the grounds that the Petitioner was unlawfully deprived of his right to vote in the electoral process and was further precluded from contesting the said election for the aforesaid seat.

2. Mr. Muhammad Nishat Warsi, learned counsel for the Petitioner, contends that the Petitioner, being a Demonstrator serving in the University, falls within the category of teaching staff. He further submits that the University itself has issued an experience certificate in favour of the Petitioner, thereby acknowledging his relevant teaching experience. It is further contended that the Petitioner is a duly qualified and eligible voter; however, he has been unlawfully deprived of his right to vote by exclusion of his name from the electoral roll. Learned counsel further prays that the University may be directed to reschedule the elections after incorporating the Petitioner's name in the voter list

and permitting him to participate in the election process. In view thereof, he prayed that the instant petition may be allowed.

3. M/s. Qazi Umair Ali and Muhammad Inziam Sharif, Advocates, have filed Vakalatnama on behalf of Respondents No. 2 to 6 and contended that the Petitioner was initially appointed as a Dental Officer and was merely allowed to perform duties as a Demonstrator. It is further submitted that the Petitioner does not fall within the category of teaching staff and, therefore, is not entitled to participate in, nor contest, the election for the seat of Member of the Syndicate.

4. Heard learned counsel and perused the material available on record.

5. Admittedly, the Petitioner is serving as a Dental Officer/Demonstrator. The term “*teacher*” stands expressly defined under Section 2(bb) of the Karachi Metropolitan University Act, 2022. For the sake of convenience and ready reference, the said provision is reproduced herein below:

*(bb) “Teachers” include Professors, Associate Professors, Assistant Professors and Lecturers engaged whole-time by the University or by the College for teaching degree, honours or post-graduate classes, and such other persons as may be declared to be Teachers by Regulation;.”*

6. From a perusal of the aforesaid definition, it transpires that Professors, Associate Professors, Assistant Professors, and Lecturers engaged on a whole-time basis by the University or its constituent colleges fall within the category of “*Teachers.*” Notably, the post of Demonstrator and/or Dental Officer has not been included within the said category of Teachers. The elections to the Syndicate are conducted in accordance with the provisions of the Act, 2022, wherein the composition of the Syndicate is specifically provided under Section 27 of the Act, 2022, which reads as follows:

27. (1) *The Syndicate shall consist of –*  
 (i) *the Vice Chancellors who shall be its Chairperson;*

- (ii) *the Pro-Vice Chancellor, if appointed to the extent of the matters relevant to the concerned campus;*
- (iii) *one member of the Provincial Assembly of Sindh to be nominated by the Speaker of Provincial Assembly;*
- (iv) *two members of the Senate to be elected by the Senate;*
- (v) *a Judge of the High Court of Sindh nominated by the Chief Justice;*
- (vi) *the Secretary to the Government of Sindh of relevant Department or his nominee not below the rank of an Additional Secretary;*
- (vii) *one nominee of the Higher Education Commissioner of Pakistan;*
- (viii) *the Secretary to Government of Sindh, Universities and Boards Department or his nominee not below the rank of an Additional Secretary;*
- (ix) *Chairperson of Sindh Higher Education Commission or his nominee not below the rank of member of the commission;*
- (x) *one Dean to be nominated by the Chief Minister on the recommendation of the Vice-Chancellor;*
- (xi) *one professor to be elected by the Professors of the University from amongst themselves;*
- (xii) *one Associate Professor to be elected by the Associate Professors of the University from amongst themselves;*
- (xiii) *one Assistant Professor to be elected by the Assistant Professors of the University from amongst themselves;*
- (xiv) *one Lecturer with minimum service of two years to be elected by the Lecturers of the University from amongst themselves;*
- (xv) *three persons of eminence being persons of distinction in the field of Medical, Dental and Arts, one from each category to be nominated by the Chief Minister;*
- (xvi) *one Principal of an affiliated college, if any, and the Principals of the constituent colleges to the extent of the matters relevant to the concerned constituent college to be nominated by the Vice Chancellor;*
- (xvii) *one Alim and one Woman not serving in any educational institution to be nominated by the Chief Minister;*
- (xviii) *one University officer of Administration side, to be elected from amongst all administrative officers;*

7. A perusal of the foregoing material reflects that a minimum service of two years is prescribed for eligibility to be elected by the

Lecturers to the Syndicate of the University. Nowhere in the governing law has it been provided that a Demonstrator and/or Dental Officer hold a position equivalent to that of a Lecturer. Moreover, learned counsel for the Respondents/University has submitted that the post of Demonstrator falls in BPS-17, whereas the post of Lecturer is classified under BPS-18, thereby unequivocally distinguishing the two positions.

8. Since the Petitioner has failed to substantiate his claim that, by virtue of his appointment as a Demonstrator, he falls within the definition of "*Lecturer*," the University/Authority has lawfully and justifiably excluded the Petitioner's name from the electoral roll.

9. For the reasons, instant petition is hereby dismissed.

**JUDGE**

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**HEAD OF THE CONST. BENCH**

\*PS/SADAM

APPROVED FOR REPORTING