

38

**THE LAHORE HIGH COURT, BAHAWALPUR BENCH, BAHAWALPUR**

From

Dismissed

The Deputy Registrar (Judl.),  
Lahore High Court,  
Bahawalpur Bench,  
Bahawalpur.

To

② The Islamia University, Bahawalpur through its  
vice Chancellors.

④ The Pakistan Medical and Dental Council G-10/4  
Mauve Area, Islamabad through its President

No. 10382 / Writ.

Dated: 24/10/24

Subject:- WRIT PETITION No. 364-2018

/BWP

Dr. Robina Mubashar

Petitioner

**Vs**

The Govt. of Punjab etc

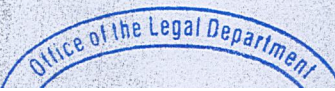
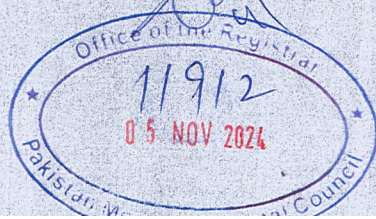
Etc. Respondent

I am directed to forward herewith a copy of order dated 22-10-24, passed in, the case cited above, for information and strict compliance.

Musab  
**Assistant Registrar (Writ)**  
For Deputy Registrar (Judicial)

Encls,

1. Copy of the order
2. Copy of the petition









IN THE LAHORE HIGH COURT BAHAWALPUR BENCH,  
BAHAWALPUR.

W.P.No. 364 2018/BWP.

Dr. Robina Mubashar D/o Muzzafar Ali Zafar R/o Aziz Bhatti Shaheed  
Road, House No.23/C Model Town "A" Bahawalpur.

..... Petitioner

Versus:

1. The Government of Punjab Through its Secretary To The Health  
Department Punjab Lahore.
2. The Islamia University, Bahawalpur Through its Vice Chancellor.
3. Sir Sadiq Muhammad Khan Abbasi Post Graduate Medical College  
Bahawalpur Through its Principal.
4. The Pakistan Medical & Dental Council G-10/4 Mauve Area, Islamabad  
Through its President
5. The Federation of Pakistan Through its Secretary to The Law Justice &  
Parliamentary Affairs Department Islamabad.

..... Respondents

WRIT PETITION UNDER ARTICLE 199 OF THE  
CONSTITUTION OF ISLAMIC REPUBLIC OF PAKISTAN  
1973.

Respectfully Sheweth:

TO BE TRUE COPY







Form No: HCJD/C-121  
**ORDER SHEET**  
**IN THE LAHORE HIGH COURT, BAHAWALPUR**  
**BENCH, BAHAWALPUR**  
**JUDICIAL DEPARTMENT**

W.P. No.364 of 2018 / BWP

Dr. Robina Mubashar  
Versus  
The Government of Punjab & others

S. No. of order/ Proceeding	Date of order/ Proceeding	Order with signature of Judge, and that of Parties or counsel, where necessary
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22.10.2024. Mr. Nadeem Iqbal Ch., Advocate for petitioner.  
Ms. Riffat Yasmeen, Assistant Attorney General.  
Rai Mazhar Hussain Kharal, Assistant Advocate General  
along with Murtaza Nawaz Joiya, Law Officer on behalf of  
respondent-University.

Through instant petition, petitioner has sought direction from this Court for respondents to accredit M.Phil. (Pharmacology) Degree (2013-15) issued by the respondent-University through Sir Sadiq Muhammad Khan Abbasi Post Graduate Medical College, Bahawalpur and to issue prescribed Registration Certificate in her favour.

2. It is contended by learned counsel for petitioner that petitioner is entitled for registration / recognition of her M.Phil. (Pharmacology) Degree awarded by Islamia University, Bahawalpur, as she secured admission after passing GAT-General and successfully completed M.Phil. and got issued her degree, however, inaction on the part of respondent-PM&DC in this behalf is absolutely unwarranted. He has relied upon Muhammad Usman Qayyum v. University of Engineering and Technology, Lahore and 5 others (2004 SCMR 606), Muhammad Akhtar Shirani and others v. Punjab Text Book Board and others (2004 SCMR 1077), Abu Bakar Siddique and others v. Collector of Customs, Lahore and others (2006 SCMR



705), Fuad Asadullah Khan v. Federation of Pakistan through Secretary Establishment and others (PLJ 2009 SC 441), University of Karachi and others v. Tariq Hussain and another (2012 SCMR 1694), Ghulam Rasool v. Government of Pakistan through Secretary, Establishment Division Islamabad and others (PLD 2015 Supreme Court 6), Tahmasub Faraz Tayyab and 13 others v. Vice-Chancellor, University of Health Sciences, Lahore and 3 others (PLD 2005 Lahore 261), Muhammad Raheel Sarwar and 5 others v. University of Sindh, Jamshoro through Registrar and 3 others (PLD 2006 Karachi 82) and Amir Khalid and 14 others v. Controller of Examination, Punjab University, Lahore (2004 CLC 640).

3. At this stage, learned Law Officers have pointed out that issue raised through instant petition has already been dealt with and decided by this Court in a recent order dated 14.10.2024, passed in **W.P. No.7448 of 2019/BWP** titled Dr. Zahid Shehzad Seddiqui & others v. The Pakistan Medical & Dental Council, Islamabad through its President & others, relevant excerpt whereof is reproduced hereunder, for ease of reference:-

“When confronted that cases of qualification which were not registerable / recognizable, being neither inspected nor recommended by the PM&DC under Section 17 of the Pakistan Medical Commission Ordinance, 2019, could not have been entertained until and unless same are not included in the Third Schedule of PM&DC, as rightly conveyed by the respondent-PM&DC through the impugned correspondence / letters, learned counsel for petitioners remained unable to give any convincing response.

3. Undoubtedly, role of PM&DC is principally mandated to setting national standards for medical education, keeping a register of medical practitioners and accrediting medical colleges keeping in view quality of facilities, number of teachers and other terms and conditions as provided under PM&DC laws, rules and regulations. Accreditation and







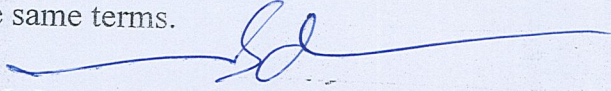
recognition system, put in place by PM&DC, is essential in ensuring high quality education and to safeguard careers and futures of countless students. The institutions imparting medical education are required to fulfil minimum standards set by PM&DC. Thus, any interference by Courts of law in the mechanism of PM&DC would defeat the very purpose of said institution, especially when the same has not been shown to be illegal or without lawful authority. Reference is made to Muhammad Zubair Choudhary and others v. Pakistan Medical and Dental Council and others (2023 SCMR 2145).

The case law cited by learned counsel for petitioners is on distinguishable facts, thus, not attracted to the facts and circumstances of this case.

4. In view of the above, instant petition, being devoid of any merits, is hereby **dismissed**. No order as to cost."


When confronted, learned counsel for petitioner could not deny the above submission that issue in hand has already been decided by this Court.

4. Following the ratio settled in Dr. Zahid Shehzad Seddiqui's case supra, instant petition, being devoid of any force, is **dismissed** in the same terms.

  
(Muhammad Sajid Mehmood Sethi)  
Judge

\*A.H.S.\*

  
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24 OCT 2024  
SUPERVISOR  
Copy Branch  
Lahore High Court  
Bahawalpur Bench  
Bahawalpur





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