

ORDER SHEET
IN THE HIGH COURT OF SINDH, KARACHI
C. P. No. D-7450 of 2022

Date	Order with signature of Judge
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FRESH CASE.

1. For orders on Misc. No.31671/2022.
2. For orders on Misc. No.31672/2022.
3. For orders on Misc. No.31673/2022.
4. For hearing of main case.

08.12.2022.

Mr. Amjad Ali Shar, Advocate for the Petitioners.

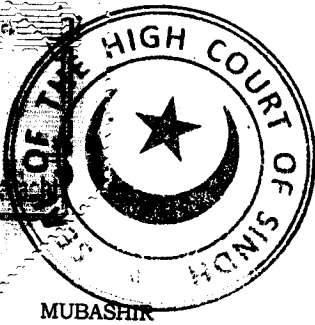
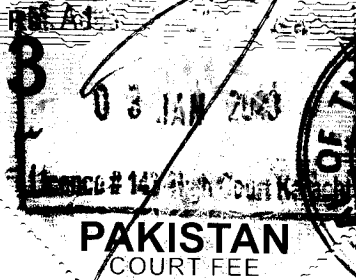
YOUSUF ALI SAYEED, J. - The 35 persons who have come forward as Petitioner in the matter apparently appeared in the MDCAT 2022-23 conducted by the Dow University of Health Sciences under the aegis of the Pakistan Medical Commission ("PMC"), but being unsuccessful in their attempt, have invoked the jurisdiction of this Court under Article 199 of the Constitution seeking that they be compensated on account of certain questions that they consider to be invalid by virtue of being out of the syllabus, with it also being prayed that this Court be pleased to suspend the result of the MDCAT 2022-23 as well as process of admission to medical colleges to be undertaken on the basis thereof until the perceived discrepancies in the test and result are resolved.

A perusal of the Petition reflects the pleadings to be vague and evasive, bereft of proper elucidation as to the exact irregularities said to have afflicted the question papers. Furthermore, on query posed in that regard and as to how a matter of such a nature could be looked into and resolved within the scope of a proceeding under Article 199, learned counsel for the Petitioners was unable to point out any material on record or advance any cogent argument by way of challenge. Furthermore, it was conceded that all the candidates in the exam had sat the same paper, as such the Petitioners cannot claim to have been specially disadvantaged over and above successful candidates. Needless to say, the prospect of setting aside or suspending the overall results or the process of admissions is even otherwise not feasible.



In view of the foregoing, we are of the opinion that the Petition is misconceived, hence, while granting the application for urgency, we hereby dismiss the same *in limine*, along with the other miscellaneous applications.

THREE RUPEES



Sr. Yousuf Ali Sayeed
J
Sr. Chief Justice

CHIEF JUSTICE

THE HIGH COURT OF SINDH
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(MUHAMMAD SARFARAZ)
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