

IN THE SUPREME COURT OF PAKISTAN  
(APPELLATE JURISDICTION)

**PRESENT:**

MR. JUSTICE TASSADUQ HUSSAIN JILLANI, HCJ  
MR. JUSTICE KHILJI ARIF HUSSAIN  
MR. JUSTICE SH. AZMAT SAEED

**C.M.A. NO. 4581 OF 2013 IN**  
**C.M.A. NO. 3470 OF 2013 IN**  
**CIVIL APPEAL NO. 409 OF 2010**  
(Fake degree case)

Application by Muhammad Younis against Arif Mehmood, MPA

In Attendance: Raja Amir Abbas, ASC a/w applicant  
Mr. Hamid Khan, Sr. ASC a/w respondent Arif Mehmood

**For HEC**

Mian Muhammad Hanif, ASC  
Raja Abdul Ghafoor, AOR

**For BISE, Faisalabad**

Mr. Fida Hussain Shah, Assistant Controller (Record)  
Mr. Abdul Rehman, Assistant (Record Branch)  
Mr. Muhammad Arshad, Junior Clerk (Legal Section)  
Ch. Akhtar Ali, AOR

Date of Hearing: 09.04.2014

**ORDER**

**TASSADUQ HUSSAIN JILLANI, CJ.**- We have heard learned counsel for the applicant and respondent Arif Mehmood and have also perused the record produced by the Assistant Controller (Record) of the Board of Intermediate and Secondary Education, Faisalabad.

2. Applicant's learned counsel read out the detailed statement of Assistant Controller (Record) of the Board of Intermediate & Secondary Education, Faisalabad dated 22.4.2013, according to whom, the FA certificate of the respondent was fake because on the date of FA examination, the respondent Arif Mehmood purportedly appeared at two centers i.e. at one as a private candidate and at the other as a regular candidate. The admission form as a private candidate bears pink colour whereas the admission form of regular students is yellowish white.

3. Learned counsel for the respondent submitted that the only evidence against the respondent is the statement of Mr. Fida Hussain, Assistant Controller (Record) whereas a close look at the admission forms

would indicate that in the pink form (private admission form) his metric roll number is correctly written as 11592 and his name also has been correctly written as Arif Mehmood. However, in the yellowish white admission form (regular admission form) the matriculation roll number is incorrectly written as 18592 and even the name has not been correctly written i.e. Arif Mehmood Gill. Adds that in the degree of Bachelor of Arts of respondent regarding which there is no dispute, his name is written as Arif Mehmood. He lastly submitted that in 2003 pursuant to the direction issued by the learned Lahore High Court in a petition filed by some other objector, a detailed inquiry was carried out by the Board of Intermediate & Secondary Education and the FA degree of the respondent was found to be genuine.

4. We have examined the record to which reference has been made by learned counsel for the respondent with the assistance of Board official and find that the submissions made by respondent's learned counsel *prima facie* are not without substance. But in these proceedings no conclusive finding can be given. If applicant still wishes to challenge the authenticity of the FA degree of the respondent, he may take recourse to other remedy, if available under the law.

5. In the afore-referred circumstances, the suo moto notice issued to the respondent as also the order of suspension of his membership from Provincial Assembly seat dated 25.9.2013 is withdrawn. This CMA is disposed of in terms noted above.

CHIEF JUSTICE

JUDGE

JUDGE

Islamabad, the  
9<sup>th</sup> of April, 2014  
Not Approved For Reporting  
**Khurram**