

ORDER SHEET.
IN THE ISLAMABAD HIGH COURT, ISLAMABAD.
JUDICIAL DEPARTMENT.

Civil Revision No.01-2025

National Defence University

Versus

Ms.Nadia Asghar

S. No. of order/ proceedings	Date of order/ Proceedings	Order with signature of Judge and that of parties or counsel where necessary.
01.	09.1.2024.	Mr.Nauman Munir Paracha, Advocate for the Petitioner.

Through this civil revision, the petitioner has assailed the judgment dated 21.11.2024 passed by learned Additional District Judge-IX, Islamabad (West) whereby suit filed by respondent was decreed.

2. Learned counsel for the petitioner, inter alia, contends that the respondent’s admission was canceled by the petitioner University on misconduct charges. The respondent later challenged the proceedings before this Court in W.P. No. 4190/2019, which was dismissed. However, the matter was again raised before the University, but the request of the respondent was rejected. Thereafter, the respondent again approached this Court through W.P. No. 1820/2021, which was also dismissed via order dated 11.8.2021. The said order was then challenged before the Honorable Supreme Court of Pakistan through Civil Petition No. 5211/2021, in which leave to appeal was refused, and the petition was dismissed by order dated 10.5.2022. Subsequently, the respondent approached the Civil Court again; however, the civil suit filed by the respondent was dismissed via judgment dated 20.12.2023. The appellate Court,

however, accepted the appeal vide judgment and decree dated 21.11.2024 without providing any justifiable reason, which is contrary to law. It has further been contended that the respondent has not submitted any new evidence that was not previously placed on record, and as such, the Appellate Court misconstrued the entire matter even disregarded the principle of constructive resjudicata. Moreover, the judgment of the Honorable Supreme Court of Pakistan was not properly considered. Lastly, it has been contended that the time frame provided by the HEC for completion of the Ph.D. degree has already expired. Therefore, the judgment and decree passed by the Appellate Court are unreasonable and contrary to both the law and the Statutes of the University.

3. Question raised needs consideration.
4. Let notice be issued to the respondent through registered post A.D and TCS at the cost of petitioner.
5. Adjourned to 23.6.2025.

C.M. No. 01/2025.

Exemption sought for is allowed subject to all just and legal exceptions.

C.M. No. 02/2025.

Notice. In the meantime, the operation of impugned judgment and decree dated 21.11.2024 is suspended till the next date of hearing.

(MOHSIN AKHTAR KAYANI)
JUDGE