

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

**Writ Petition No.350 of 2022**

**Chaudhry Aftab Hussain**  
Versus

**Federal Board of Intermediate and Secondary Education (FBISE)  
through Chairman, Islamabad and others**

S. No. of order/ proceedings	Date of order/ Proceedings	Order with signature of Judge and that of parties or counsel where necessary.
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**01. 03.02.2022. Raja Abid Mehmood, Advocate.**

The petitioner is aggrieved by a manner in which the respondent has carried out rechecking of examination sheet of his HSSC examination.

2. Learned counsel for the petitioner stated that the petitioner took a special exam in October of 2021 in order to improve his grade in HSSC Part-I in which he was initially granted 258 marks. He stated that at the outcome of the exams he was granted 301 marks. He then applied for rechecking of his exam and after rechecking he was granted 308 marks. Learned counsel for the petitioner stated that rechecking was undertaken in breach of Rule 1.5 of the General Rules for Examination of respondent No.1 ("**Rules**"). He relied on Rule 1.5 (e)(4), which states that in the rechecking process it has to be ensured that no portion of any answer has been left un-marked. He submitted that during the checking process copies of answer sheets of the petitioner's exam were handed to him and he observed

that certain parts of the answers were un-marked and that this is the infirmity for the correction of which the petitioner seeks indulgence of this Court.

3. Rule 1.5 (e) of the Rules states that the candidate or anybody on his/her behalf has no right to see or examine the answer books for any purpose. The memo of the petition details the manner in which according to the petitioner's son copies of exams sheets were provided to him and he engaged in a conversation with rechecking committee where he sought answer keys which were not provided to him, which has been identified as one of the infirmities in the manner in which rechecking was done. Given that the rules for rechecking, as prescribed by the respondents, very clearly state that no candidate has a right to examine the answer books, it is inexplicable how the petitioner's son came to access the answer books. Further there was nothing on record to establish that any portion of the answers in the exam was left un-marked. The only material before the Court is the assertion of the petitioner based on the account of his son. In order to verify whether or not the account of the petitioner's son is correct would require recording of evidence, which this Court cannot do in its constitutional jurisdiction.

Given that no breach of any statutory rule, that respondent No.1 ought to comply with during rechecking, has been pointed out, the petition is not maintainable and is ***dismissed in limine.***

**(BĀBAR SATTAR)**  
**JUDGE**

**\*M.A. Raza\***