



DECISION

Complaint No. : POS/1387/2024/34/KHS

Name and address of the complainant : Mst. Fatima Ali, R/o Muhammad Ali Alvi Road, Union Council No.13, Lyari Town, Karachi.

Name of the Agency Complained against : Shaheed Mohtarma Benazir Bhutto Medical College

Name & Designation of Investigating Officer : Syed Maqsood Haider
Director, Regional Office Karachi (South)

Vetted by : Rehana Ghulam Ali Memon,
Advisor-H

Subject :

**COMPLAINT REGARDING ALLEGED NON-
ISSUANCE OF FEE VOUCHER AND ADMISSION
FORM ON THE PLEA OF JURISDICTION OF UC-13
BY THE MANAGEMENT OF SHAHEED
MOHTARMA BENAZIR BHUTTO MEDICAL
COLLEGE.**

THE COMPLAINT

Mst. Fatima Ali had filed a complaint on 12-03-2024, alleging that she is being unlawfully denied admission to Shaheed Mohtarma Benazir Bhutto Medical College (SMBB) in Lyari, despite meeting all eligibility criteria. The College has inexplicably withheld issuance of the admission form and payment voucher, preventing her from pursuing her medical education. She has therefore, solicited the intervention of the Provincial Ombudsman Sindh, in this matter.

PROCEEDINGS

2. The complaint was admitted under Section 9 of the Establishment of the Office of Ombudsman for the province of Sindh Act, 1991 (amended up to date) by condoning delay, subject to the submission of original signed complaint, copy of CNIC and mandatory Affidavit on Form 'A', but she failed to submit the required documents, despite issuance of multiple notices vide letter dated 15-04-2024, 30-04-2024, 31-05-2024, 17-06-2024 and 30-09-2024.

3. However, the matter was taken up with the Agency for report. In response, the Principal, Shaheed Mohtarma Benazir Bhutto Medical College Lyari Karachi, vide letter dated 12-11-2024 reported that complainant has filed a Constitutional Petition No.D-1813/2024 before the Honourable High Court of Sindh at Karachi for her admission in the college and the same was allowed on 30.4.2024 by Honourable High Court of Sindh. In compliance, the complainant was granted admission in MBBS and she is attending the classes since 10.5.2024. However, the College challenged the order before the Honourable Supreme Court of Pakistan which is still subjudice.

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4. A copy of the Agency's report was conveyed to the complainant for her rejoinder and was also contacted on 15-01-2025 on phone when she confirmed the averment of the Agency's report.

FINDINGS

5. From the facts mentioned above, it is clear that:

- (i) The complainant approached the High Court of Sindh on 15.04.2024 vide C.P No.D-1813/2024 one month after lodging the complaint at Provincial Ombudsman Sindh on 12.03.2024, hence the case became subjudice.
- (ii) The complainant was granted admission in MBBS on the orders of High Court of Sindh on 30.04.2024 against her complaint but she never bothered to inform the Investigation Officer until 15.01.2025 and also not filed mandatory Affidavit on Form "A" where she was to declare that she has approached the High Court of Sindh.
- (iii) The said order was challenged before the Honourable Supreme Court of Pakistan by the management of Shaheed Mohtarma Benazir Bhutto Medical College Lyari Karachi College.

DECISION

6. In view of the above and in exercise of powers vested in me under Section 11 of the Establishment of the Office of Ombudsman for the Province of Sindh Act, 1991 (amended upto date), I hereby dispose of the complaint being subjudice.

Given under my hand and seal of office.



Sd /-
Muhammad Sohail Rajput
Sitara-e-Imtiaz, PAS
Ombudsman Sindh

Karachi, dated 7th May, 2025