

REGISTERED POST

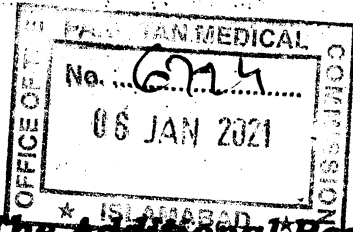
**IN THE LAHORE HIGH COURT, LAHORE**

**JIS WRIT**

No. 107

Dated 06 JAN 2021

From,



**The Additional Registrar (Judicial),  
Lahore High Court, Lahore**

To,



*98*

1. Pakistan Medical Commission, Mauve Area, G-101/4, Islamabad, through its authorized representative.
2. The Medical and Dental Council through its President and Vice-President.
3. The National Medical and Dental Academic Board through its Chairman.
4. The National Medical Authority through its respective Members constituted under section 15 of the P.M.C Act 2020.
5. The Federal Government of Pakistan. *Through secretary education Islamabad*
6. The Government of the Punjab. *Through secretary education Punjab, Lahore.*

Subject:- **WRIT PETITION/ICA/CRL.ORG.NO.** 69303-20

**VS**

Memo,

In continuation of this Court's Letter No. \_\_\_\_\_

Dated \_\_\_\_\_ I am directed to say that the case cited on the subject has been disposed of. A copy of order dated 30-12-20 is enclosed herewith for necessary action. A copy of Petition on which the order has been passed is also enclosed herewith.

*[Signature]*  
**Assistant Registrar (Writ-I)  
For Additional Registrar (Judicial)**

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

**WP No. 69383/2020**

Kainat Saeed

**Versus** Pakistan Medial Commission  
etc.

S.No. of order/ Proceeding	Date of order/ Proceeding	Order with signature of Judge and that of parties or counsel, where necessary.
	30.12.2020	Mr. Ali Raza Bharwana and Mr. Zafar Iqbal, Advocates for the Petitioner.

Through this Petition, the Petitioner has challenged the vires of Sections 8(f) and 13(c) of the Pakistan Medical Commission Act, 2020 ("PMC Act"). The Petitioner further challenges the MDCAT exam seeking a declaration that since MDCAT exam held on 29.11.2020 was out of course, hence it be declared illegal and be set aside with a direction to the Respondents to recheck the MDCAT exam papers of the students in order to ensure that the questions that were out of course have not been included in the marking.

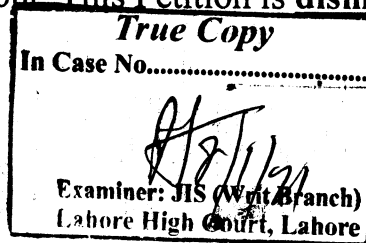
2. Learned counsel states that in terms of the result announced, the Petitioner has moved an application for rechecking of the MDCAT exam papers, however, no positive action has been taken by the Respondents on the said application.

3. The entire grievance of the Petitioner essentially is with reference to the MDCAT exam and subsequent declaration of its result. In this regard, it is noted that WP No. 55685/2020 titled Muhammad Haseeb v. Pakistan Medical Commission etc. was filed challenging the holding of the MDCAT exam as well as the entailed syllabus on the basis of which the exam was to be conducted. The said petition was dismissed vide judgment dated 06.11.2020 and the students were given an opportunity to raise all

objections against the exam for due consideration by Respondent No.1, Pakistan Medical Commission ("PMC") before announcing the result. That process is now completed and the result was declared on 16.12.2020, therefore, to this extent, the Petitioner has approached this Court at a belated stage and has not been able to explain why the objections were not raised before Respondent No.1 at the relevant time.


4. So far as the Petitioner's challenge to Sections 8(f) and 13(c) of the PMC Act, it is noted that even in this regard, earlier WP No. 55761/2020 titled Pakistan Association of Private Medical and Dental Institutions etc. v. Federation of Pakistan etc. was filed wherein the process for MDCAT exam and aggregate marking was duly considered and agreed upon between the parties. These were made public for everyone's consumption. Therefore, even to the extent of the challenge to the vires of the provisions of the PMC Act, the Petitioner has approached this Court late as the matter in issue has already been considered and vide order dated 17.11.2020, the said petition has been disposed of in terms of understanding/consensus arrived at between at the parties.

5. Under the circumstances, no case for interference is made out. **This Petition is dismissed in limine.**



  
(AYESHA A. MALIK)  
JUDGE

Abis Ali

  
3/1/20

IN THE LAHORE HIGH COURT, LAHORE.

69383

Writ Petition No. \_\_\_\_\_/2020

Kainat Saeed daughter of Azhar Saeed Gill resident of House No.48, Block No.5, Sector B/1, Township, Lahore.

.....PETITIONER

VERSUS

1. Pakistan Medical Commission, Mauve Area, G-101/4, Islamabad, through its authorized representative.
2. The Medical and Dental Council through its President and Vice-President.
3. The National Medical and Dental Academic Board through its Chairman.
4. The National Medical Authority through its respective Members constituted under section 15 of the P.M.C Act 2020.
5. The Federal Government of Pakistan. *Through secretary education Islamabad.*
6. The Government of the Punjab. *Through secretary education punjab, Lahore*

.....RESPONDENTS

WRIT PETITION UNDER ARTICLE 199 OF THE CONSTITUTION OF ISLAMIC REPUBLIC OF PAKISTAN, 1973.

Respectfully sheweth:

NOTE: That as an abundant caution, due to paucity of time, the information obtained and revealed upon the present Petitioner, it is sufficient to put forth, agitate, highlight the discrepancies resulted due to inaction, mala-fides of the Respondents in wake of approving the out of course MDCAT examination syllabus structure and standards, its transparent conduct, glaring mistakes in the result compilation and thereafter non-redressal, inaction on the part of the Respondents qua the grievances of the Petitioner. However the Petitioner reserves its right to add, supplement and amend the instant Writ Petition at the later stages upon gaining knowledge of other infirmities.

1. That the addresses of the parties as mentioned in the caption of the petition are sufficient for the purpose of service of summons / notices of this Honorable Court.