

IN THE ISLAMABAD HIGH COURT, ISLAMABAD

JUDICIAL DEPARTMENT

15942 / Writ
21-Jun-2021

From,

**The Deputy Registrar(Judicial),
Islamabad High Court,
Islamabad.**

To,

**1_Secretary,
Pakistan Medical Commission, Head Office, Mauve Area, G-10/4, Islamabad.**

**Subject: W.P. 1229/2021 Colleges Other (SB)
Meerab Fatima, etc-VS-PMC, etc**

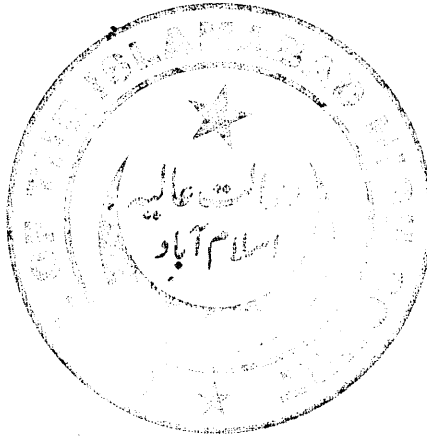
Dear Sir,

I am directed to forward for information and immediate compliance a copy of this Court's order dated 17-06-2021 passed by Hon'ble Mr. Justice Miangul Hassan Aurangzeb in the above noted case.

Yours Faithfully,

**Assistant Registrar (Writ)
For Deputy Registrar (Judicial)**

Decided Matter



3567

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IN THE ISLAMABAD HIGH COURT, ISLAMABAD

W.P. No. 1229/2021

1. **Meerab Fatima** daughter of Zulfiqar Ahmad, resident of Street No.1, Al-Waqar Town, Tehsil Bhalwal, District Sargodha.
2. **Hiba Fatima** through her father/natural Guardian Ijaz Hussain, resident of Tariq Road, Mohallah Jahangirabad, Sheikhpura.
3. **Rubia Hayat** Daughter of Muhammad Hayat Zahid, resident of House No.46-B, Street No.29, Ali Town, Faisalabad.
4. **Arebah Naseer** through her real father & natural guardian Naseer Ahmad, resident of Chak No.225/RB, Tehsil and District Faisalabad.
5. **Laiba Shahbaz** through her real father & natural guardian Shahbaz Ahmad, resident of 355-C, Officer Colony No.2, Madina Town, Faisalabad.

.....Petitioners

Versus

1. **Pakistan Medical Commission**, through its Secretary, having its head office at Mauve Area, G-10/4, Islamabad.
2. **Medical and Dental Council**, through its President, having its head office at Mauve Area, G-10/4, Islamabad.



National Medical Authority Pakistan Medical Commission, Mauve Area, G-10/4, Islamabad

Federation of Pakistan, through Secretary, Ministry of National Health Services, Regulations and Coordination Pakistan Secretariat, Constitution Avenue, Islamabad.

5. **University Medical & Dental College**, Faisalabad, through its Principal, Sargodha Road Faisalabad.

.....Respondents

5/2

30-03-21

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Examiner

5.

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

W.P.No.1229/2021

Meerab Fatima and others

Vs.

Pakistan Medical Commission and others

S. No. of order/ proceedings	Date of order/ Proceedings	Order with signature of Judge and that of parties or counsel where necessary.
	17.06.2021	Mr. Khalid Ishaq, Advocate for the petitioners. Sardar Taimoor Aslam and Mr. Mudassar Abbas, Advocates for respondent No.1/PMC.

Learned counsel for the Pakistan Medical Commission has brought on record the order dated 28.05.2021 passed by the Hon'ble Supreme Court in Civil Petition No. 2926/2021, and submitted that in view of the said order, the instant petition is liable to be dismissed as the relief sought therein is the same as the one that was sought from the Hon'ble Supreme Court in the said petition.

2. On the other hand, learned counsel for the petitioners submitted that paragraph 2 of the order of the Hon'ble Supreme Court records an offer that had been made to the petitioner in the said case that after exhausting all the vacant seats in the private medical and dental colleges, if the petitioner on merit competes, she will be considered for admission. Although the said offer was not acceptable to the petitioner before the Hon'ble Supreme Court, but the petitioners in the case at hand would gladly accept the said offer.

3. For the purposes of clarity, paragraph 2 of the order dated

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Exhibitor
Copy of the order of the
Islamabad High Court
Islamabad

28.05.2021 passed by the Hon'ble Supreme Court is reproduced herein below:-

"2. This matter was fixed yesterday when the learned counsel for respondent No.1 (PMC) was required to obtain instructions that if at all the list of candidates who have given their first preference to BDS, is exhausted and if there be any left out vacant seat, the petitioner may be considered. Today he has filed a statement on behalf of PMC to the query, mentioning the following statistic:

<u>S.No.</u>	<u>Description</u>	<u>Number</u>
1.	Total Private Dental Colleges	42
2.	Total number of Seats	2390
3.	Total number of students on merits list of dental colleges	11742
4.	Total number of students admitted	1864
5.	Total number of vacant seats	526
6.	Remaining number of students on merit list for dental colleges.	9878

From the above, it appears that there are total 2390 seats in the 42 Dental Colleges through out Pakistan. Total number of candidates who had applied and were on merit list, were 11742, out of which 1864 have been admitted. There are 526 vacant seats against which the contesting candidates are 9878. It appears that certain litigations are pending in the Lahore High Court and subject to the decision these seats will be filled up. It is stated by the learned counsel that if at all, after exhausting all the vacant seats, if the petitioner on merit competes, she will be considered. Such offer is not acceptable to the learned counsel for the petitioner and seeks admission as one of the seats is vacant in the college of Respondent No.3."

4. The petitioners have not applied for admission in BDS for Session 2020-21 but had applied for admission in MBBS.

5. Learned counsel for the PMC submitted that after the vacant seats in the dental colleges are exhausted after accommodating the students already on

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the waiting list, if there are any leftover seats available, the petitioners can compete on merit for admission against such leftover seats. This petition is disposed of in terms of the said submission of the learned counsel for PMC. There shall be no order as to cost.

.AA

-sd-

(MIANGUL HASSAN AURANGZEB)
JUDGE

M. JUNAID

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