

IN THE SUPREME COURT OF PAKISTAN
(APPELLATE JURISDICTION)

PRESENT: MR. JUSTICE MIAN SAQIB NISAR
MR. JUSTICE FAISAL ARAB
MR. JUSTICE IJAZ UL AHSAN

CIVIL APPEAL NO. 1095, 1096, 1097, 134-L, 1021, 1022, 1023, 1024, 1025, 1026, 1138, 1154, 1155, 1156, 1157, 1158, 1486 AND 1487 OF 2018 AND CIVIL MISC. APPLICATION NO. 8466 OF 2018 IN CIVIL PETITION NO. NIL OF 2018 AND CIVIL PETITIONS NO. 4475 AND 4476 OF 2018

Mohammad Imran	In C.A.1095/2018
Rehan Ahmed	In C.A.1096/2018
Kiran Nadeem	In C.A.1097/2018
Govt. Of the Punjab through its Minister of Education, Lahore, etc.	In C.A.134-L/2018
BPS (Pvt.) Ltd. & others	In C.A.1021/2018
Bay View Academy (Pvt.) Ltd., Karachi etc.	In C.A.1022/2018
Educational Systems (Pvt.) Ltd., Karachi etc.	In C.A.1023/2018
City Schools (Pvt.) Ltd., Karachi	In C.As.1024, 1025, 1154 & 1155/2018
Shahrukh Shakeel Khan etc.	In C.A.1026/2018
Civilizations (Pvt.) Ltd., Karachi etc.	In C.A.1138/2018
Beaconhouse School System, Karachi	In C.As.1156 to 1158/2018
Foundation Public School (Pvt.) Ltd., Karachi & another	In C.A.1486/2018
Origins School through its Partner Nahid Japanawala, Karachi etc.	In C.A.1487/2018
All Private Schools Management etc.	In CMA-8466/2018
City Schools (Pvt.) Ltd. through its Regional Director, Karachi	In C.P.4475/2018
Asim Iftikhar Yakub and another	In C.P.4476/2018

... Appellant(s)

VERSUS

Province of Sindh through Chief Secretary etc.	In C.As.1095 to 1097, 1025, 1026 & 1154 to 1158/2018
City School (Pvt.) Ltd., etc.	In C.A.134-L/2018
Province of Sindh through Secretary Education/Law and Parliamentary Affairs, Sindh	In C.A.1021/2018
Province of Sindh through Secretary Education and Literacy, Karachi etc.	In C.As.1022 to 1024, 1138/2018
Province of Sindh thr. Chief Secretary Education	In CMA 8466/2018
Province of Sindh through tis Chief Secretary Karachi etc.	In C.A.1486/2018
Province of Sindh through tis Chief Secretary Karachi etc.	In C.A.1487/2018
Province of Sindh thr. Chief Secretary, Karachi etc.	In C.P.4475/2018
Province of Sindh thr. Chief Secretary, Karachi etc.	In C.P.4476/2018

... Respondent(s)

For the appellant(s): Mr. Faisal Siddiqui, ASC

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ATTESTED

Court Associate
Supreme Court of Pakistan
Karachi

(In C.A.1095 to 1097 & 1026/2018)

Rana Shamshad Khan, Addl.A.G. Punjab
(In C.A.134-L/2018)

Mr. Shahid Hamid, Sr. ASC

Ms. Ayesha Hamid, ASC

Syed Rifaqat Hussain Shah, AOR
(In C.As.1021 & 1156 to 1158 & C.P.4476/2018)

Syed Faisal Hussain Naqvi, ASC
(In C.As.1022 & 1138/2018)

Mr. Shahzad Ata Elahi, ASC

Ch. Akhtar Ali, AOR

(In C.As.1023, 1024, 1025 & 1154 & 1155 &
C.P.4475/2018)

Mr. Hasan Akbar, ASC

(In C.M.A.8466/2018 in C.P.Nil/2018)

Mr. Makhdoom Ali Khan, Sr. ASC

(In C.A.1486 & 1487/2018)

For the respondent(s):

Mr. Sibtain Mehmood, A.A.G. Sindh

Mr. M. Habib Merchant, ASC

Mr. Azhar Siddique, ASC

(In C.A.134-L/2018)

Mr. Shahid Mehmood Khokhar, ASC
(For Froebel's School System)

Syed Ali Raza, ASC

Mr. Tariq Aziz, AOR

(In C.A.134-L/2018)

Mr. Salman Akram Raja, ASC

(For Private Education Network)

Mr. Salim-ur-Rehman, ASC

(In C.A.1138/2018)

Mr. Abid Hussain Chatha, ASC

(For respondent No.2 in C.A.134-L/2018)

Malik Haroon Iqbal, ASC

Mr. Mehar Khan Malik, AOR

(In C.M.A.8811/2018)

Barrister Haroon Mumtaz, ASC/Legal Advisor
(For respondent No.11 in C.A.134-L/2018)

Sardar Ijaz Ishaq Khan, ASC for PEIRA

Sardar Azmat Sami, Deputy Auditor General

Malik Saeed Tiwana, Director Legal

(For Auditor General for Pakistan)

Dr. Muhammad Raheem Awan, Secretary LJCP

Hafiz Ahsan Ahmed Khokhar, ASC

(For Federal Ombudsman)

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On Court's call:

Mr. Bashir Ahmed Memon, D.G. FIA

Mr. Jahanzeb Khan, Chairman, FBR

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ATTESTED


Court Associate
Supreme Court of Pakistan
Islamabad

Date of hearing:

13.12.2018

ORDER

This matter cannot be fully heard due to paucity of time. However, as an interim measure during the pendency of these appeals, the following schools are directed to reduce their fees by 20%:-

List of 22 Private Schools

S. No.	Name of the School
1.	City School
2.	Beaconhouse
3.	Lahore Grammar School
4.	Froebel's Education Centre Karachi
5.	Froebel's Private Limited, Islamabad
6.	Roots Millennium School
7.	Roots Ivy International Schools
8.	Roots International Schools Private Limited
9.	Roots School System
10.	Learning Alliance Private Limited
11.	Alliance Resources
12.	LACAS Private Limited
13.	SSS Educational Management (Salamat School)
14.	Headstart School
15.	Bayview Academy Karachi
16.	Generations High School Karachi
17.	Foundation Public School
18.	Reflections school
19.	Civilizations School Karachi
20.	The Learning Tree
21.	Edeco School Private Limited
22.	Resource Academia Schools

Future increase in the fees (after the aforementioned reduction) shall strictly be in the range of 5% to 8% in the following manner: the schools may increase their school fees by 5% for the next academic year; whereas for any increase of school fees between the range of 6% to 8% the schools are required to seek the permission of the regulatory body which shall determine the same accordingly. *Said case*

2. The schools which have received fees during the last summer vacations are directed to adjust or refund half of such fees within two

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Court Associate
Supreme Court of Pakistan
Islamabad

months from today. No school shall under any circumstances be closed nor any students be expelled from such schools, otherwise the respective management shall be held personally liable for disobeying and disregarding the order of this Court. Besides, the Chairman FBR is directed to scrutinize the tax record of all the schools mentioned above and that of their management (including their Directors, etc.). The DG FIA is directed to immediately take into custody the ledger books and computerized accounts of the schools (of which the audit has been conducted by the Auditor General of Pakistan) till the further orders are passed in this regard. This interim order shall prevail over any impugned orders/judgments passed in

this respect. Re-list.



Sd/-Mian Saqib Nisar, HCJ
 Sd/-Faisal Arab, J
 Sd/-Ijaz ul Ahsan, J

Certified to be True Copy

[Handwritten Signature]

Conf Associates
 Supreme Court of Pakistan
 Islamabad

Islamabad, the
 13th of December, 2018
 M. Arshad Malik

31197/18

Civil/Criminal

CR No: _____

Date of Presentation: 17-12-18

No of Words: _____

No of Folios: (12)

Requisition Fee: 500

Copy Fee in: 7.00

Court Fee Stamp: 12.00

Date of Completion of Copy: 20/12/18

Date of delivery of Copy: 20/12/18

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