

ORDER SHEET
IN THE HIGH COURT OF SINDH AT KARACHI

Constitutional Petition Nos.D-2302/2020
along with C.P.No.D- 2379, 2380, 2299 & 2421 of 2020

Date	Order with Signature of Judge
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Priority

1. For hearing of Misc. No.10662/2020 (Stay)
2. For hearing of main case.

16.11.2023.

Mr. Muhammad Ashraf Samoo, advocate for
the petitioners in C.P.No.D-2302 of 2020.
Mr. Saifullah, AAG.

None present for the petitioners in connected petitions except Mr.Muhammad Ashraf Samoo, learned counsel for petitioners in C.P.No.D-2302/2020, whereas, learned AAG submits that instant petitions are misconceived and not maintainable for the reason that the petitioner did not avail the remedy available to them by filing complaint before the Complaint Redressal Committee in respect of subject matter(s), which was time bound (six months) and as per comments filed on behalf of the respondents such work(s) has already been completed. It has been further contended by the learned AAG that no specific grievance even in the instant petition(s) appears to have been expressed nor any specific violation of the Sindh Public Procurement Regulatory Authority (SPPRA) Rules 2013, mentioned in the instant petition(s), which is merely based on allegations, which are not being duly supported by any material.

While confronted with hereinabove factual position in the instant case, learned counsel for the petitioner submits that petitioner has filed a complaint before the

Chairman, Complaint Redressal Committee, however, no order was passed thereon, therefore, petitioner has filed instant petition. In support of his contention, learned counsel for the petitioners has referred to such complaints filed by the petitioners available at pages: 353 - 357 as Annexures C/11 and C/12 respectively with the instant petition. Perusal of such complaints reflects that except vague allegations there is no specific violation of SPPRA Rules has been pointed out, whereas, even such filing of complaint before Complaint Redressal Committee at the relevant point of time has been disputed by the respondents in their comments.

Accordingly, keeping in view the above facts and circumstances in the instant case(s), no useful purpose will be served if instant petition(s) be allowed to be pending. Moreover, the period of work has already lapsed. Instant petitions are disposed of for having become infructuous along with all pending applications. However, petitioners are at liberty to approach the relevant authority, if so advised, for pointing out any specific violation if committed by the respondents in the process of award of contract, who may conduct inquiry and may pass appropriate order thereon strictly in accordance with law.

ACTING CHIEF JUSTICE

JUDGE