

ORDER SHEET

**HIGH COURT OF SINDH CIRCUIT COURT,
MIRPURKHAS**

C.P No.D-1335 of 2024

DATE	ORDER WITH SIGNATURE OF JUDGE
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14.05.2025

Mr. Santosh Kumar, advocate for the petitioner

Mr. Muhammad Sharif Solangi Assistant A.G Sindh a/w
Legal Coordinator PPRA (**Qamar Zaman Shah**)

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This petition challenges the bidding process, concerning supply of cooked food the under trial prisoners confined in Sub-Jail Umerkot for the financial year 2024-25. Counsel for the petitioner submits that despite being lowest bidder the petitioner was/is entitled for award of the subject contract, however, same has been awarded to the respondent No.6 [*M/s Hamdan Enterprises*] and being aggrieved with such illegal award the petitioner had filed a complaint before the Complaint Redressal Cell by invoking Rule 31(3) of Sindh Public Procurement Rules, 2010 but the same remained un-decided, hence he has the filed present petition.

On being confronted, learned AAG files parawise comments on behalf of the respondent No.1 alongwith photocopy of Order dated 30.08.2024 passed by Deputy Commissioner Umerkot /Cell and submits that complaint of the petitioner was entertained but was regretted being barred by time.

Learned counsel for the petitioner submits that since no notice/intimation was issued to the petitioner, as such he remained unaware about the hearing/decision of the Complaint Redressal Cell. Counsel further submits that the petitioner will avail the remedy before the Review Committee by filing an appeal, as provided under Rule 32 of the SPP Rules, 2010, however, pleads that time period consumed during pendency of present petition may be condoned. Learned AAG raised no objection.

Since a complete mechanism has been provided under Rule 32 of SPP Rules 2010 for challenging the decision of the Complaint Redressal Cell by an aggrieved bidder, therefore, this petition is disposed of, leaving the petitioner at liberty to avail the remedy before Review Committee in terms of Rule 32 of SPP Rules 2010, if so desire. In case the petitioner files such appeal, the same shall be decided by the Review Committee by following the procedure as laid down under Rule 32 of SPP Rules 2010 on merit without taking into consideration the time period consumed during pendency of present petition.

Petition stands disposed of accordingly.

JUDGE

JUDGE