

ORDER SHEET
IN THE HIGH COURT OF SINDH, KARACHI
C. P. No. D-8148 of 2019

Date	Order with signature of Judge
------	-------------------------------

PRIORITY.

1. For orders on CMA No.7275/2020.
2. For orders on office objection.
3. For hearing of CMA No.35924/2019.
4. For hearing of main case.

Present:

Mr. Justice Muhammad Ali Mazhar.

Mr. Justice Yousuf Ali Sayeed.

Green Top Pharma----- Petitioner

Versus

Government of Sindh & others----- Respondents

05.03.2020.

Mr. Ghulam Asghar Pathan, advocate for the petitioner.
Mr. Jawwad Sarwana, advocate for respondent No.2 (SESSI)
Mr. Muhammad Jawwad Dero, Addl. A. G.

Muhammad Ali Mazhar, J: Learned counsel for the petitioner has argued that the petitioner is aggrieved by some terms and conditions of the bidding document issued by the respondent No.2. The respondent No.2 published a tender for submitting a bid for 60 food items and the petitioner applied in the tender proceeding, however the petitioner considered that some clauses of the bid document are discriminatory. This Petition has been filed for declaration that clause 2.9 in the bidding document was discriminatory and a difficult condition, inserted by the respondent No.2 and for direction that the respondents No.2 and 3 should be restrained from concluding the financial evaluation of bidding process or awarding or signing the contract with respondent No.4.

Learned counsel for the respondent No.2 (SESSI) has categorically stated that the tender proceedings have already been scrapped and they are not issuing any work orders nor entered into any contract with the respondent No.4.

Since entire tender proceedings have already been scrapped and the petitioner also wanted that no work order or contract shall be entered into with respondent No.4 which is not possible after scrapping the tender proceedings, therefore, this petition is disposed of accordingly. However, as and when new tender is invited, the petitioner may apply in the tender proceeding according to the terms and conditions of bid documents. Pending application is also disposed of.

JUDGE

JUDGE

MUBASHIR