

ORDER SHEET
IN THE HIGH COURT OF SINDH, KARACHI
C. P. No. D-4884 of 2020

Date	Order with signature of Judge
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PRIORITY

1. For orders on Office Objection.
2. For hearing of CMA No.20816/2020.
3. For hearing of main case.

14.09.2021.

Mr. Fayyaz Ahmed Leghari, Advocate for the Petitioner, who is also present in person.

Mr. Zaeem Haider, Advocate for Respondents No.6 and 7.

Mr. Abdul Jalil Zubedi, Assistant Advocate General, Sindh.

Mr. Khaleeqe Ahmed, DAG.

Farrukh Aziz, AD (C), SPPRA/Respondent No.2 is present in person.

Muhammad Rahim Qureshi, Executive Engineer, Sakro Division is also present in person.

Through these proceedings, the Petitioner has approached this Court for cancellation of all the proceedings of NIT No.TC/G-148/491/2020 Sakhro dated 09.06.2020, which according to him, was wrongly awarded to the Respondents No.6 and 7 though the Petitioner was the lowest bidder, but this was not considered for the reasons best known to the Respondents.

Pursuant to notice, comments and counter affidavit have been filed by the Respondents denying therein all the allegations leveled against them. Besides, Muhammad Rahim Qureshi, Executive Engineer, Irrigation Department/Chairman, Procurement Committee, Sakro Division /Respondent No.8 is present in person and categorically states that the major portion of the work awarded to the private Respondents has been done and is at the verge of completion. Besides, the Respondents No.6 and 7 have also placed on record certain completion certificates. Be that as it may, learned counsel for the Petitioner emphasized that keeping in view the illegalities, irregularities and misappropriation of public exchequer, the Petition should still be adjudicated by this

Court for purpose of determining whether the matter ought to be referred to the anti-graft agencies for enquiry or investigation.

Be that as it may, since the allegations and rebuttals give rise to a factual controversy, the same cannot be properly resolved in these proceedings. However, for redressal of such grievance, the Petitioner may approach the concerned quarters with relevant material, if so advised.

With the above observations, the instant Petition is dismissed alongwith listed application.

CHIEF JUSTICE

JUDGE

MUBASHIR