

ORDER SHEET
IN THE HIGH COURT OF SINDH AT KARACHI
Suit No.2259 of 2018

DATE

ORDER WITH SIGNATURE OF JUDGE

1. For Orders on CMA No.17196/2018. (if granted)
2. For Orders on CMA No.17197/18 (U/O 39 Rule 1 & 2 CPC)

03.12.2018

Mr. Salman Hamid, Advocate for Plaintiff.

1. Granted.
2. This is a Suit for Declaration, Injunction and Compensation. Learned Counsel for the Plaintiff submits that a Contract was executed pursuant to Work Order No.EE/(EWD-I)/TC/G-55/2012-13-6992 dated 28.6.2013 by Defendant No.2 for construction of Education Complex at Karachi and after mobilization, the construction of the works on the project had started pursuant to such award. He submits that suddenly without any reason and or justification the work was stopped and suspended by Defendants, and the Plaintiff was informed that there is some modification in the original P.C-1, even after issuance of Work Order. He has referred to Letters dated 26.01.2017, 30.11.2017 and 19.04.2018 in this regard. Per learned Counsel for revision of work necessary Drawings and Designs were to be provided by the concerned Engineer; but the same was never done, and now recently impugned Letter dated 19.11.2018 has been issued to the Plaintiff through which the Defendants have shown intention to Re-tender the Work of the Project in question. Learned Counsel submits that substantial work has been done; whereas, without cancellation, no Re-tender could be ordered.

Let notice be issued to the Defendants as well as Advocate Generals Sindh for 24.12.2018. In the meantime operation of impugned notice dated 19.11.2018 (pg:157), shall remain suspended, whereas, the Defendants are restrained from taking further steps for Re-tendering of the Contract / Work in question.

J U D G E