

ORDER SHEET
IN THE HIGH COURT OF SINDH, KARACHI
C. P. No. D-4079 of 2023

Date	Order with signature of Judge
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FRESH CASE.

1. For orders on Misc. No.18803/2023.
2. For orders on Misc. No.18804/2023.
3. For orders on Misc. No.18805/2023.
4. For hearing of main case.

28.08.2023.

Mr. Saathi M. Ishaque, Advocate for the Petitioner.

YOUSUF ALI SAYEED, J. - The Petitioner has invoked the jurisdiction of this Court under Article 199 of the Constitution, impugning the tender process undertaken by the Karachi Development Authority for construction of a Road, Walkway and Seawall at the seafront between Dolmen Mall and China Port, Clifton, Karachi through Tender bearing Reference No.SE/ED/KDA/2023/73/L, dated 25.05.2023.

Inviting attention to the Bid Evaluation Report, learned counsel sought to argue that the Petitioner had made lowest bid and that the Respondent No.4 was even otherwise disqualified due to certain deficiencies in its documentation. It is apparent from a perusal of the Report that the initial ground taken by the Petitioner is misconceived as the bid of the Respondent No.4 was lower than that of the Petitioner. Furthermore, there is nothing on record to reflect any documentary defect, as alleged, and the argument advanced in that regard even otherwise does not present any substantial cause for interference. Furthermore, it falls to be considered that the Petitioner has not approached the Sindh Public Procurement Regulatory Authority, nor impleaded it as Respondent.

Under the given circumstances, we are of the view that the Petition is misconceived. Hence, while granting the application for urgency, we hereby dismiss the Petition *in limine*, along with other pending miscellaneous applications.

JUDGE

CHIEF JUSTICE

MUBASHIR