

ORDER SHEET

IN THE HIGH COURT OF SINDH AT KARACHI

Constitution Petition No. **D – 998** of 2024

Date	Order with signature of Judge
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FRESH CASE

1. For orders on Misc. No. 4707/2024.
2. For orders on Misc. No. 4708/2024.
3. For hearing of Main Case.
4. For orders on Misc. No. 4709/2024.

27.03.2024:

Mr. Sohail Ahmed Memon, advocate for petitioner.

1-4. Through instant petition, the petitioner has alleged that respondent No.3 while having advertised the tender for development of infrastructure electrification lining in respect of Sector 4/C, 18/C, 19/C, 24/B and 25/B, Scheme No. 33, Gulzar-e-Hijri, Karachi in violation of provisions of Section 15 & 26 of the Public Procurement Rules, 2004 and has granted the tender to another company without following the procedure.

Attention of learned counsel for the petitioner was drawn to the forum provided for redressal the grievance in terms of Section 31 of the Public Procurement Rules, 2004, which requires an aggrieved person to approach the Grievance Redressal Committee. In response, learned counsel submitted that such remedy has not been availed, however, petitioner has lodged a complaint before the Pakistan Engineering Council. Since a complete mechanism under the law for redressal of grievance, if any, in respect of dispute relating to public tender is available, therefore, petitioner instead of availing such remedy, could not approach this Court by filing instant petition, which otherwise requires scrutiny of disputed facts.

Accordingly, instant petition being misconceived, is dismissed in limine alongwith listed applications. However, petitioner will be at liberty to approach the relevant forum for the redressal of his grievance, in accordance with law.

CHIEF JUSTICE

JUDGE

A.S.