

ORDER SHEET
IN THE HIGH COURT OF SINDH AT KARACHI

CP D 291 of 2025

Date	Order with signature of Judge(s)
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1. For orders on CMA No.1430/2025.
2. For orders on office objection No.22.
3. For orders on CMA No.1431/2025.
4. For orders on CMA No.1432/2025.
5. For hearing of main case.

23.01.2025

Mr. Imtiaz Hussain, advocate for the petitioners.

Two individuals, representing themselves to be Non-Governmental and Non-Discriminative Community Development Organization registered under Societies Act, 1860, have filed this petition seeking to quash an NIT and bid evaluation report. Learned counsel was confronted as to whether the petitioners participated in the tender and he responded in affirmative while drawing attention to the list of bidders available at page 141 of the court file. The relevant entry at serial No.25 denotes that the bidder is Shah Abdul Latif Bhitai Welfare, hence, certainly not the petitioners.

Learned counsel articulated that the petitioners had certain grievances with regard to conditions in the tender on the basis whereof the present challenge was rested. Counsel for the petitioner was queried as to whether any objection to the said conditions was taken prior to the bidding process and he responded in negative. Counsel was queried as to whether any complaint was filed before the redressal committee per Rule 31 of the SPPRA Rules, 2010 and he responded in affirmative. On his pointation, the letter dated 13.01.2025, available at page 161, was perused, which prima facie has been issued by Shah Abdul Latif Welfare Society and not the petitioners. Be that as it may, counsel's attention was drawn to the third paragraph on the second page, whereby it is specified that the applicant had paid bribe during the bidding process. Upon being confronted as to the bonafide requirement in view thereof, he responded that the author was a lay person hence was unaware of the law regarding bribery.

Be that as it may, it is, prima facie, apparent that the petitioners could not qualify in the category of aggrieved persons per Article 199 of the Constitution since they did not participate in the process. The recourse to the redressal committee, albeit by a third party, has been taken recently and law prescribe consequences of the what is follow in such regard,

therefore, no case for concurrent recourse to writ jurisdiction was made out. The petition is also found to be frivolous in addition to being misconceived, hence, the same is dismissed in limine with cost of Rs.10,000/- per petitioner to be paid before the Sindh High Court Clinic fund within one week. In the event costs are not paid within the stipulated time, office is directed to communicate this order to the concerned Revenue Officer for recovery of costs as arrears of land revenue, inter alia, per Chapter VIII of the Land Revenue Act, 1967.

Judge

Judge

Khuhro/PA