

ORDER SHEET
IN THE HIGH COURT OF SINDH AT KARACHI
C.P. No.D-5216 of 2025

Order with signature of Judge

Before: ***Justice Yousuf Ali Sayeed.***
Justice Zulfiqar Ali Sangi.

Muhammad Aamir Siddiqui, MPA
Vs.
Province of Sindh & others

1. For orders on office objections.
2. For hearing of CMA No.21919 of 2025
3. For hearing of CMA No.21920 of 2025.
4. For hearing of main case.

19.01.2026

Mr. Abdul Majeed Khoso, Advocate for the Petitioner.
Mr. Salman Sabir, Advocate for the Respondents 5 and 6.
Mr. K.A. Vaswani, Assistant Advocate General Sindh.

Zulfiqar Ali Sangi J. - Through this Constitutional Petition under Article 199 of the Constitution of Islamic Republic of Pakistan, 1973 the Petitioner has prayed for the following reliefs:-

- i. To declare the Notice No.EE/B&R/TMC/Jinnah/ 1133/2025 dated 14.10.2025 published in newspapers after commencement of construction work and initiation of criminal enquiry is illegal and having no effect?
- ii. To declare that the acts of officials of Respondent No.1 in violation of SPPRA Rules to accommodate their blue eyes are managed with sole motive to achieve wrongful gain and the act of Respondents to cause loss to government Exchequer is patently illegal and void.
- iii. To direct the Respondent No.2 and 3 to immediately conclude the inquiry/investigation against the responsible officials who have violated the SPPRA Rules in connivance with each other through managed tenders and proceed according to law.
- iv. To suspend the operation of tender No.EE/B&R/TMC/ Jinnah/1133/2025 and

Respondent No.1 and 5 may be direct dot to release any amount to any contractor of above mentioned construction work till the disposal of this petition.

v. Any other relief which this Honourbale Court deems fit and proper in the favour of Petitioner.”

2. The principal contention of the learned counsel for the Petitioner is that the construction works mentioned in the petition had already been carried out by some unknown contractor and, thereafter, a tender has been published to regularize or cover up the said works, which, according to him, is in clear violation of the Sindh Public Procurement Rules, 2010. It is alleged that the tender process has been managed to accommodate “blue-eyed” persons and to misappropriate public funds, thereby causing loss to the government exchequer.

3. We have heard the learned counsels for the Petitioner and Respondents as well as learned AAG at length and have carefully perused the material placed on record.

4. The record reveals that prior to filing the present petition, the Petitioner had already approached the Anti-Corruption Establishment with similar allegations. The Anti-Corruption Establishment took cognizance of the complaint and issued notices to the concerned Respondents under Section 160, Cr.P.C. The record further shows that the Chairman, Enquiries & Anti-Corruption Establishment, Sindh, passed an order on the Petitioner’s application and transferred the matter to the Deputy Director (East) Zone, Karachi, vide endorsement dated 15.09.2025. The Petitioner was also summoned by the Anti-Corruption Establishment in connection with the said enquiry.

5. Article 199 of the Constitution confers constitutional jurisdiction upon this Court to issue writs, inter alia, where a person is aggrieved and has no other adequate and efficacious remedy available to him. It is by now a settled principle of law that where the statute provides a complete and effective remedy, the extraordinary constitutional jurisdiction is not to be invoked

as a substitute for such statutory remedy, except in exceptional circumstances.

6. The Anti-Corruption Establishment is a statutory forum governed by its own statutory framework. The law provides a complete mechanism for the filing, scrutiny, processing and adjudication of complaints, and also provides an internal hierarchy for supervision and redressal of grievances arising during such proceedings. In the present case, the Petitioner has already availed the statutory remedy by approaching the Anti-Corruption Establishment, where cognizance has admittedly been taken and an enquiry is already in progress.

7. The main relief sought in the present petition is, in substance, a direction to the competent authority to conclude the inquiry and proceed against the alleged delinquent officials. Such relief is essentially administrative in nature and squarely falls within the exclusive domain of the Anti-Corruption Establishment. It is well settled that a petitioner cannot bypass the statutory hierarchy or seek to convert every alleged inaction or delay on the part of a department into a constitutional cause.

8. It is settled law that where the law provides a statutory forum and a complete mechanism for redressal of grievances, the High Court should ordinarily refrain from exercising its jurisdiction under Article 199 of the Constitution. The Petitioner has also failed to point out any mala fide, patent lack of jurisdiction, or any exceptional circumstance which may justify interference by this Court at this stage. Mere apprehension or dissatisfaction with the pace of the inquiry does not furnish a valid ground to invoke the extraordinary constitutional jurisdiction.

9. In view of the foregoing discussion, we are of the considered view that the present petition is not maintainable in presence of an adequate and efficacious alternate remedy already availed by the Petitioner. No exceptional circumstance has been shown to warrant interference by this Court under Article 199 of the

Constitution. Consequently, the petition is dismissed accordingly, being not maintainable.

JUDGE

JUDGE

Farooq PS/