

ORDER SHEET  
IN THE HIGH COURT OF SINDH AT KARACHI  
**C.P No.D-158 of 2018**

DATE	ORDER WITH SIGNATURE OF JUDGE(S).
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**Priority.**

1. For hearing of Misc. No.14066 of 2018.
2. For hearing of Misc. No.628 of 2018.
3. For hearing of Main Case.

**16.05.2018**

Mr. S. Mureed Ali Shah, Advocate for Petitioner.  
Ms. Rukhsana, State Counsel.  
Mr. Ghulam Shabbir Shah, AAG.  
Mr. Shaharyar Akhtar Kazi, Deputy Director Engineer/Project  
Director of Sindh Coastal Development Authority.

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The Petitioner has approached this Court for the writ of mandamus that the Respondents be directed to start bidding process afresh with further direction to issue bid documents to the Petitioner. Learned counsel for Petitioner pointed out that on 01.02.2018, the Assistant Director (Assessment), Sindh Public Procurement Regulatory Authority issued a letter to the Project Manager, Sindh Coastal Development Authority, Karachi, in which he pointed out some lapses and advised to re-initiate the procurement process afresh, following open competitive bidding.

Learned AAG submits that on this direction, the entire earlier tender proceedings were scraped and advertisement was published on 12.03.2018 in the Daily Dawn and also uploaded on SPPRA Website. Learned counsel submits that on inviting fresh bids the grievance of the Petitioner has been redressed. On the contrary the learned counsel for Petitioner submits that during pendency of this Petition the second process was initiated without informing the Court but at the same time he admits that there was no restraining order passed by this Court. The tender has already been awarded and work order has been issued on 16.04.2018. The Petitioner could have applied in the fresh tender proceedings but his counsel submits that the Petitioner was not aware about the advertisement published in the

Newspaper and Website of SPPRA for which the Respondents cannot be blamed.

On fresh invitation, the cause of action does not survive, therefore, this petition is disposed of along with all pending applications, however, if any future tender is invited, the Petitioner may join the bid proceedings, which will be considered by the respondents in accordance with relevant rules and regulations.

**JUDGE**

**JUDGE**

*Javaid.PA*

