

years. The date of issuing bidding documents was triggered from 25.02.2019 and last date of submission was 25.02.2019. The petitioner has approached this court on 06.03.2019. The learned counsel argued that the petitioner is new contractor and he was not assigned any work of similar nature, therefore, it was impossible for him to meet the eligibility criteria for submitting the list of similar assignments with equivalent cost or above or minimum three works completed over the past three years duly supported with completion certificate. The petitioner himself admitted that he could not fulfill the eligibility criteria in accordance with the tender documents. The learned counsel did not argue that the terms and conditions mentioned in the tender documents are in violation of SPPRA Rules, 2010.

2. To fix certain criteria for awarding the tender or contract by the tenderer does not infringe or contravene the fundamental rights of any person guaranteed under Article 18 of the Constitution of Islamic Republic of Pakistan. It is quite usual in various tender proceedings that for the satisfaction, a condition is imposed in the tender documents for the participant to disclose previous experiences to evaluate that he is capable to meet the requirements in case work order is issued which cannot be construed illegal or in violation of any fundamental right.

3. We dismissed this petition in limine through our short order dated 07.03.2019. Above are the reasons.

Judge

Judge

Karachi.
Dated 11.03.2019.

Asif