

ORDER SHEET
IN THE HIGH COURT OF SINDH KARACHI

C.P. No. D-4931 of 2018

DATE	ORDER WITH SIGNATURE OF JUDGES
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Present
Mr. Justice Muhammad Ali Mazhar.
Mr. Justice Adnan Iqbal Chaudhry.

M/s Mehrab Electric Petitioner

Versus

Province of Sindh and others Respondents

Date of hearing 20.08.2018.

Mr. Muhammad Umar Panhwar, Advocate for the Petitioner.
Mr. Zahid Khan, Assistant Attorney General.
Mr. Tahir Durrani, State Counsel.

Muhammad Ali Mazhar, J: It is contended that Executive Engineer Education Works Division, Electrical-I, Karachi published a tender for inviting bids and the petitioner also applied for the said tender and submitted his proposal for Package No. 21 and Package No. 22 before the Auction Committee. The bids were opened on 28.02.2018 and petitioner's bid was allowed for one package, but his other tender document was missing. The petitioner has approached this court for directions against Respondents No. 1 and 3 to stop work of contract of Package No. 22 which was awarded in violation of Sindh Public Procurement Regulatory Authority (SPPRA) Rules, 2010. He has also sought directions against the Respondents No. 1 and 3 to reconsider the proposal of the petitioner. We raised a query as to whether the petitioner approached the SPPRA authority and filed any grievance to the Redressal Committee, the learned counsel clearly stated that no such representation or grievance was filed and he has directly approached this court. Under the SPPRA Rules to handle such situation not only a remedy to approach to Redressal Committee is provided but also an appeal is provided in case the

Redressal Committee fails to consider the grievance of the petitioner. Learned Division Bench on 06.07.2018 has already directed the counsel for the petitioner to satisfy this court as to how this petition is maintainable when an alternate remedy before the Grievance Redressal Committee is available. After hearing the learned counsel for the petitioner, we are of the firm view that this petition is not maintainable, however, the petitioner may avail the appropriate remedy in accordance with law. The petition is dismissed alongwith pending applications.

JUDGE

JUDGE

*SHUIBAN/PA**