

ORDER SHEET

IN THE HIGH COURT OF SINDH AT KARACHI

C.P. No. D- 1088 of 2013

<u>DATE</u>	<u>ORDER WITH SIGNATURE(S) OF JUDGE(S)</u>
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Present
Mr. Justice Muhammad Ali Mazhar
Mr. Justice Agha Faisal

M/s. Banbhore Ceramic Industries V/s..... Federation of Pakistan & others.

Priority:

1. For hearing of CMA No. 4992/13.
2. For hearing of main case.

06.11.2018.

Mr. Muhammad Haseeb Jamali, Advocate for petitioner.

Mr. Agha Zafar, Advocate for Respondent Nos. 2 to 5.

Mr. Muhammad Zahid Khan, Assistant Attorney General.

Muhammad Ali Mazhar, J: Learned counsel for Respondents Nos. 2 to 5

pointed out that the statement filed on 25.10.2018, which is reproduced as under:

“The Respondent Nos. 2 to 5 most respectfully submits and stated as under:

1. The Petitioner has challenged the procurement in this Petition viz. Tender No.15047/CP-5 and Tender No.25028/CP-5 for purchase of engineering goods Chrome Magnesite Bricks type XMKK-15 & XM-8 bid on 14.01.2013 which tenders were awarded to Respondent No.6.
2. The Respondent No.6 has also filed a statement in this Court withdrawing his offers/bids stating that *“I have no objection if this Hon’ble Court cancel the Tender No.15047/CP-5, Tender No. 25028/CP-5, for purchasing of engineering goods Chrome Magnesite Bricks type XMKK-15 & XM-8 and I may be allowed to withdraw my offers”*.
3. The mill of the PSM is closed since June 2016 and no production activities are taking place. PSM is running in losses of billions of rupees and is not even in a position to pay salaries to its employees.
4. The above numbered Petition has thus become infructuous as the Respondent Nos. 2 to 5 has no intention to process further any aforesaid tenders/Procurement Documents. The Tenders have been scrapped.

Since the learned counsel for Respondents Nos. 2 to 5 categorically stated that tenders which are subject matter of this petition have already been scrapped. The learned counsel for the petitioner does not want to proceed further hence in view of the statement given by the Respondents Nos. 2 to 5, petition is disposed of accordingly.

Judge

Judge

AbRzk

