

IN THE HIGH COURT OF SINDH AT KARACHI

Present:
Ahmed Ali M. Shaikh, CJ
Yousuf Ali Sayeed, J

CP No.D-2672 of 2018

Hearing:

1. For orders on office objection
2. For orders on Misc. No.27418/2019
3. For hearing of main case

10.11.2021

Petitioner present in person
Mr. Abdul Jalil Zubedi, AAG alongwith Hafiz Abdul Hadi Bullo, Secretary (Minorities Affairs), Ali Anwar Babar, Deputy Director (Minorities Affairs) and Abdul Wahid Memon, Assistant Engineer, Karachi HQ.

ORDER

AHMED ALI M. SHAIKH, CJ. Through these proceedings petitioner, a Government Contractor, seeks cancellation of tender process initiated in March, 2018 and earlier for renovation/repair of Temples/Mandirs across the Sindh and conducting an inquiry regarding malpractice on the part of the respondents No.3, who in connivance with the Respondents No.1 and 2, is extending undue favour to various contractors by issuing work orders.

2. Briefly facts as stated in the memo of petition are that the Respondent No.3 uploaded a tender notice regarding renovation and repair of various Temples (Mandirs) across the province of Sindh and last date of opening the bids was 20.03.2018. The Petitioner approached the Respondent No.3 for obtaining bid documents but for one reason or the other they refused. After notice the official Respondents filed comments denying the aforesaid allegations.

3. Petitioner appearing in person submitted that the Respondents are accommodating a particular group of contractors/blue eyed boys by awarding them a number of contracts without observing the codal/legal formalities. Per Petitioner the tender process pertaining to the year 2018 was initiated in a mysterious and suspicious rather non-transparent manner and under the garb of aforesaid nepotism and favouritism huge

public money is being siphoned off by the said group with collusion of official respondents but the Respondent No.1 being Secretary of the concerned Department instead of looking into the aforesaid illegalities, plunder and looting remained mum and even sometime tried to cover their misdeeds.

4. To a query posed, the Petitioner stated that in the said tender process work orders and certain payments have been made to the contractors. He, however, emphasized that in June, 2021 fresh tenders for certain works have been invited/published in various newspapers and the official Respondents be directed to allow him as well as other eligible desirous contractors to participate in the bidding process and complete the same in a fair and transparent manner without fear or favour so that professional contractors could participate with competitive rates. The Secretary, Minorities Affairs and Assistant Engineer present in Court undertakes and assures that in the said tender process, presently at initial stage, the Petitioner and other eligible contractors may come forward and participate and that the entire course will be carried out in a fair and transparent manner as per law.

5. In wake of above statement, Petition stands disposed of. So far as the previous illegalities, acts of corruption and corrupt practices in awarding contracts/work orders to a certain class, siphoning of funds, etc, is concerned the Petitioner may approach the relevant anti-graft agency with related material/evidence for redressal of his grievance, if so desire.

Chief Justice

Judge