

ORDER SHEET
IN THE HIGH COURT OF SINDH, KARACHI.
C.P No. D-6736 of 2022

Dated Order with signature of Judge.

Fresh case

1. For order on Misc. No. 28407/2022
2. For order on office objection No.18.
3. For order on Misc. No.28408/2022
4. For order on Misc. No.28409/2022
5. For hearing of Main Case

02.11.2022

Mr. Ahmed Ali Ghumro, Advocate for the Petitioner.

YOUSUF ALI SAYEED, J- The Petitioner professes to have invoked the jurisdiction of this Court under Article 199 of the Constitution in the public interest, so as to assail the alleged award of Contracts by Karachi Metropolitan Corporation (“KMC”) and its functionaries (i.e. Respondents Nos. 3 to 5) in respect of repairing and development works to private contractors. It is sought that the award of such contracts be declared illegal as the Sindh Public Procurement Rules, 2010 were not followed and the Respondents No.3 to 5 be restrained from releasing funds to the contractors under those contracts or awarding further contracts without observing the aforesaid rules. Additionally, on a disparate note, it has been alleged that the Respondent No. 5 has been appointed within the KMC illegally, with a declaration also being elicited in that regard.

Be that as it may, a perusal of the Petition reflects that the pleading are bereft of particulars of any contract or contractors, nor has any document been filed to indicate what contract(s) has/have been awarded and if so, to whom. When confronted on that score, learned counsel could only point to a letter dated 07.09.2022 addressed by the Metropolitan Commissioner to the Secretary, Finance Department, Government of Sindh, reflecting that two tranches had been released to the KMC as a special grant for undertaking repair and maintenance, which had been fully utilized.

Even so, in the absence of any further material, no case for a roving enquiry stands made out. It also falls to be considered that whilst the Petitioner has alleged the violation of SPPRA Rules, the authority has not been impleaded in the matter.

Under the circumstances, the Petition is found to be misconceived and while granting the application for urgency we hereby dismiss the Petition in *limine* along with the other miscellaneous applications.

JUDGE

CHIEF JUSTICE