

ORDER SHEET

HIGH COURT OF SINDH, CIRCUIT COURT, MIRPURKHAS

C.P No.D-306 of 2025

DATE	ORDER WITH SIGNATURE OF JUDGE
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1. For orders on urgent application
2. For orders on office objections
3. For orders on exemption application
4. For orders on stay application
5. For hearing of main case

07.5.2025

Mr.Rao Faisal Ali, Advocate for the Petitioner

1. Urgency application is disposed of.
- 2to5. Learned counsel for the petitioner submits that the petitioner is a Government contractor, holding a license from the Pakistan Engineering Council under the name and style of M/s Sheryar Khan and Brothers. He further submits that the petitioner applied for the works at Sr. No. 6, as mentioned in NIT No. TC/G/55/3835 dated 31.10.2024, which was published in the daily newspapers *Express* and *Dawn* on 03.11.2024. The petitioner duly paid the requisite tender fee of Rs.3,000/- along with the required bidding documents, participated in the bid, and submitted an offer at the lowest amount. In compliance with the tender requirements, the petitioner also deposited 5% of the total amount. Learned counsel further contends that Respondents No. 5 and 6 are misusing their powers by acting beyond their jurisdiction and awarding the tender to persons from whom they have allegedly received illegal gratification.

Upon a Court query regarding whether the petitioner has availed the departmental remedy prescribed under Rule 31 of the Sindh Public Procurement Rules, 2010, learned counsel submits that the petitioner has lodged a complaint with the Managing Director, Sindh Public Procurement Regulatory Authority (SPPRA), Karachi, as evidenced at page No. 79 of the court file. The complaint was dispatched via TCS, as per the receipt dated 21.04.2025. Under sub-rule (5) of Rule 31, the

Complaint Redressal Committee is mandated to render its decision within seven days and communicate the same to both the bidder and the Authority within three working days. In the event the committee fails to reach a decision within the prescribed timeframe, the complaint shall stand transferred to the Review Committee, which shall adjudicate upon the matter in accordance with the procedure outlined in Rule 32. As per learned counsel, despite this statutory framework, no action has been undertaken by the Managing Director (Respondent No. 4). Learned counsel, accordingly, seeks the disposal of the instant petition with appropriate directions to Respondent No. 4 to adjudicate upon the petitioner's complaint expeditiously, after affording an opportunity of hearing. Learned Additional Advocate General, who is present in Court in connection with other matters, waives formal notice and submits that Respondent No. 4 shall expeditiously decide the petitioner's complaint.

In view of the foregoing, the instant petition, along with the listed applications, stands **disposed of** with directions to Respondent No. 4 to decide the petitioner's complaint strictly in accordance with law, after affording an opportunity of hearing, within the stipulated period. If, thereafter, the petitioner remains aggrieved by the decision of the Complaint Redressal Committee, he may avail such further remedy as available to him under the law, considering the facts and circumstances of the case.

The office is directed to communicate a copy of this order to the learned A.A.G. for compliance.

JUDGE

JUDGE

AHSAN K. ABRO