

ORDER SHEET
IN THE HIGH COURT OF SINDH, KARACHI.
C.P No. D-5142 of 2025

Dated Order with signature of Judge.

Direction
For orders as to maintainability of Petition.

09.09.2026.

Mr. Riaz Hussain Korai, Advocate for the Petitioner
Mr. Khalid Mehmood Siddiqui, Advocate for the
Respondents.

The Petitioner has invoked the jurisdiction of this Court under Article 199 of the Constitution, seeking to impugn a letter dated 19.09.2025 issued by the Pakistan International Airlines (Respondent No.2), advising formulation of a way forward for return of certain amounts said to constitute excess payment to the Petitioner under a Contract for Janitorial Services awarded on 15.08.2018, whilst stating therein that in case of non-compliance, the excess amount would be adjusted/deducted from existing contracts.

In response to the question of maintainability framed on a preceding date in view of the dispute essentially being one of a contractual nature, entailing disputed questions of fact, learned counsel for the Petitioner placed reliance on the judgment of the Supreme Court in the case reported as Airport Support Services vs. The Airport Manager, Quaid-e-Azam International Airport, Karachi and others 1998 SCMR 2268, where it was observed that *“It has consistently been held that while routine contractual disputes between private parties and public functionaries are not open to scrutiny under the Constitutional jurisdiction, breaches of such contracts, which do not entail inquiry into or examination of minute or controversial questions of fact, if committed by Government, semi-Government or Local Authorities or like controversies if involving dereliction of obligations, flowing from a statute, rules or instructions can adequately be addressed for relief under the jurisdiction”*.

However, on query posed, he was unable to point out any statute or rule having the force of law which had been violated/transgressed by the Respondent No.2 in the matter in hand so as to distinguish it from a routine contractual dispute.

Under the given circumstances, the Petition is found not to be maintainable and stands dismissed accordingly.

JUDGE

JUDGE