

**ORDER SHEET**  
**IN THE HIGH COURT OF SINDH, KARACHI.**  
**C.P No. D-5519 of 2026**

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| Dated | Order with signature of Judge. |
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Fresh case

1. For order on CMA No.22411/2026
2. For order on office objection No.14.
3. For order on CMA No.22412/2026
4. For hearing of main case

**08.09.2026.**

Ms. Farkhanda Jabeen, Advocate for the Petitioner.

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1. Granted.
2. Deferred.
3. Granted subject to all just exceptions.
4. The Petitioner has invoked the jurisdiction of this Court under Article 199 of the Constitution, seeking to impugn a procurement process undertaken by the Respondent No.2 through a tender for the sale of fly ash. It is said that the Petitioner was a technically qualified bidder, possessing the relevant license/NOC from the Sindh Environmental Protection Agency ("**SEPA**"), but another party namely J Metals and Minerals was declared the successful bidder, despite the fact that it did not possess such credentials. She sought to emphasize the environmental aspect, arguing that the performance of work by a party who did not possess the relevant license/NOC from SEPA was likely to have detrimental impact.

Upon consideration of the matter, it is noteworthy that neither the successful bidder nor SEPA have not been arrayed as Respondents. Furthermore, the Respondent No.2 is described as being a private limited company, and on query posed to learned counsel as to whether there was any element of state ownership, she stated that this was not so and conceded that said Respondent operated in the private domain. As such, it is apparent that the tender in question is not a 'public procurement' and does not present a fit subject for the issuance of a writ.

The Petition is thus found to be misconceived, and stands dismissed accordingly. As for the apprehension of an adverse environmental impact, the Petitioner remains at liberty to approach SEPA on that score.

JUDGE

JUDGE