

BEFORE THE SINDH HIGH COURT AT KARACHI

(Constitutional Jurisdiction)

Presented on 19-06-14

  
Deputy Registrar (Writ)

Constitutional Petition No. 3275 /2014

Shirazi Trading Company (Pvt.) Limited  
Through its authorised attorney, Mohsin Rafique  
8<sup>th</sup> Floor, Adamjee House, I.I Chundrigar Road,  
Karachi

...Petitioner

VERSUS

Province of Sindh  
Through Secretary /Health Department,  
Karachi.

Ghulam Muhammad Mahar Medical College Hospital, Sukkur  
Through Medical Superintendent

...Respondents

WRIT PETITION UNDER ARTICLE 199 OF THE CONSTITUTION OF ISLAMIC  
REPUBLIC OF PAKISTAN, 1973





**ORDER SHEET**  
**IN THE HIGH COURT OF SINDH, KARACHI**  
CP No.D-3275 of 2014

Date \_\_\_\_\_ Order with signature of Judge \_\_\_\_\_

1. For Katcha Peshi
2. For hearing of CMA No.20517/14
3. For hearing of CMA No.16254/14

04.09.2014:

Mr. Muhammad Bin Mohsin, Advocate for Petitioner  
Mr. Khalid Javed Khan, Advocate for Intervener  
Mr. Abdul Jabbar Qureshi, AAG a/w  
Dr. Saeed Qureshi, Focal Person of Health Department




-0-0-0-

Learned counsel for Petitioner contends that vide office order passed by Respondents on 21.05.2014 the Petitioner company was black-listed without giving them opportunity of being heard which is clear violation of Article 10-A of Islamic Republic of Pakistan, 1973 besides contrary and in violation of the principles of natural justice.

We hereby set aside the impugned order dated 21.05.2014 passed by Respondents [available at page 121 of MoP and marked as Annex 'AA'] with direction to the Respondents to decide the case of the Petitioner company afresh after affording them full opportunity of hearing and pass a speaking order within a period of 15 days' time from today.

Copy of this order be communicated to the Respondents for information and compliance. Copy of this order may also be supplied to Focal Person of Respondent No.1.

Petition alongwith listed applications stands disposed off

  
  
 JUDGE  
JUDGE

Mush/pa

6/7/14  
5/5/14





GOVERNMENT OF SINDH  
HEALTH DEPARTMENT

OFFICE ORDER

BLACK LISTING DECLARATION OF M/S MEDIEQUIP SMC ON SPPRA WEBSITE.

In compliance of orders of Sindh High Court Karachi dated 29-05-2014, black listing declaration of M/s Medequips SMC vide Health Department Government of Sindh office order No.3-4(97)2014 dated 21-05-2014 is kept in abeyance till further orders.

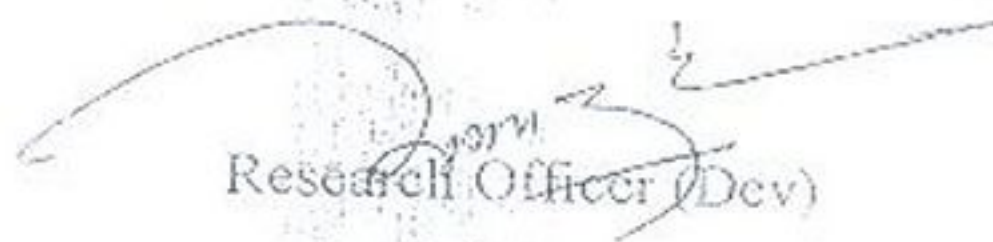
Secretary Health  
Government of Sindh

NO.HD (P&E) 3-4 (97) / 2014

Karachi, dated 03-06-2014

C.c. to:

1. The Additional Chief Secretary (Dev) Planning & Development Department Government of Sindh, Karachi.
2. The Secretary Finance Department Government of Sindh, Karachi.
3. The Managing Director Sindh Public Procurement Regulatory Authority, Government of Sindh, with a request to kindly hoist this office order on the SPPRA website.
4. The Deputy Secretary (Staff) to Chief Secretary Sindh, Karachi.
5. Assistant Registrar OS-II, High Court of Sindh, Karachi.
6. Khalid Jawed Khan, F-27/2, Block 9, K.D.A. Scheme No-5, Clifton Road, Karachi
7. Medical Superintendents (All) / District Health Officers (All)
8. PS to the Minister Health, Sindh, Karachi.
9. PS to the Secretary Health, Government of Sindh, Karachi.
10. PA to the Additional Secretary (Dev) Health Department Government of Sindh, Karachi.
11. PA to the Additional Secretary (Procurement) Health Department Government of Sindh, Karachi.
12. M/s Medequips SMC, 19, Maqboolabad # 2, Block # 7/8, Opposite Modern Club, Tipu Sultan Road, Karachi.

  
Research Officer (Dev)





GOVERNMENT OF SINDH  
HEALTH DEPARTMENT

OFFICE ORDER

**BLACK LISTING DECLARATION OF M/S RADITECH INTERNATIONAL, M/S  
MEDIEQUIP SMC AND M/S SHEERAZI TRADING ON SPPRA WEBSITE.**

Subsequent upon the willful failure of following companies along with reasons shown against each as per contract signed with the Health Department, M/s Raditech International, M/s Medequips SMC and M/s Sheerazi Trading are declared black listed and no any business deal of companies shall be made with the Health Department till further orders:

- In accordance with contract agreement made on 24<sup>th</sup> day of June, 2009, M/s Raditech International is bound to make the complete installation / commissioning with provision of liquid Helium of MRI system at four teaching hospitals by 20<sup>th</sup> January, 2010. Despite of repeated approaches/warnings, M/s Raditech International has totally failed to fulfill its task as per contract agreement.
- In response to contract agreement made on 24<sup>th</sup> day of June, 2009, M/s Medequips SMC Karachi was held responsible to ensure the complete installation/commissioning of CT Scan at four teaching hospitals by 20<sup>th</sup> January, 2010, since inordinate delay was carried out to fulfill its assignment according to contract agreement.
- M/s Sheerazi Trading has failed to make the supply of CT Scan and MRI at GMMMC Hospital Sukkur in prescribed time as per work order and contract agreement.

Secretary Health  
Government of Sindh

NO.HD (P&E) 3-4 (97) / 2014

Karachi, dated 21-05-2014

C.c. to:

1. The Additional Chief Secretary (Dev) Planning & Development Department Government of Sindh, Karachi.
2. The Secretary Finance Department Government of Sindh, Karachi.
3. The Managing Director Sindh Public Procurement Regulatory Authority, Government of Sindh, with a request to kindly hoist this office order on the SPPRA website.
4. The Deputy Secretary (Staff) to Chief Secretary Sindh, Karachi.
5. PS to the Minister Health, Sindh, Karachi.
6. PS to the Secretary Health, Government of Sindh, Karachi.
7. PA to the Additional Secretary (Dev) Health Department Government of Sindh, Karachi.
8. PA to the Additional Secretary (Procurement) Health Department Government of Sindh, Karachi.
9. M/s Raditech International, 13-D, Tipu Sultan Road, Mohammad Ali Society, Karachi.
- ✓ 10. M/s Medequips SMC, 19, Maqboolabad # 2, Block # 7/8, Opposite Modern Club, Tipu Sultan Road, Karachi.
11. M/s Sheerazi Trading, Karachi.

Deputy Director (Dev)