

IN THE LAHORE HIGH COURT, LAHORE

JIS WMIT

No. 45801

Dated _____

03 NOV

From,

The Additional Registrar (Judicial),
Lahore High Court, Lahore

To,

1. Federation of Pakistan, through Ministry of National Health Services, Regulations and Coordination, Kohsar Block, Pakistan Secretariat, Islamabad.
2. Ministry of National Health Services, Regulations and Coordination through its Secretary, Kohsar Block, Pakistan Secretariat, Islamabad.
3. SOAR Education Private Limited, through its Chief Executive Officer, 136, H Block, EME-Defence Housing Authority, Multan Road, Lahore.
9. SOAR Testing and Evaluation Platform(SMC-Private) Limited, through its Chief Executive Officer, Plot No. 134, Street No.9, Sector I-10/3, Islamabad.
10. Transparency International Pakistan through Vice Chairman of Board of Trustees namely Justice (Rtd) Nasira Iqbal, Plot 72 F/2, Floor 1, 9th Street, Jami Commercial, DHA Phase 7, Karachi.
- Exchange Commission of Pakistan, through its _____, 63 Jinnah Avenue, Blue Area, Islamabad.




40073235958

Subject: WRIT PETITION/ICA/CRL.ORG.NO. 66789-21

VS

Memo,

In continuation of this Court's Letter No. _____
Dated _____ I am directed to forward for information and immediate compliance of this Court's order dated 27-10-21 together with a copy of petition on which the said order has been passed.


Assistant Registrar (Writ-I)
for Additional Registrar (Judicial)

Form No.HCJD/C-121
ORDER SHEET
IN THE LAHORE HIGH COURT, LAHORE.
JUDICIAL DEPARTMENT

WP No. 66789 of 2021

M/s. Superior Connections (Pvt) Limited

vs.

FOP etc

| S.No. of Order/ Proceeding | Date of order/ proceeding | Order with signature of Judge and that of parties or counsel where necessary |
|----------------------------|---------------------------|--|
|----------------------------|---------------------------|--|

27.10.2021

Mr. Saad Rasool, Advocate for Petitioner.
M/s. Barrister Ch. Muhammad Umer, Mufti Ahtasham Uddin Haider and Rana Muhammad Ansar, Advocates for Respondent PMC. On watching brief.

Learned counsel for the petitioner relies upon the order dated 17.08.2021 passed in WP No. 46179 of 2021, whereby the matter was referred to Public Procurement Regulatory Authority (“PPRA”) to determine whether the Respondent PMC for the purpose of holding examination was receiving funds that could be treated as public funds; secondly whether the Respondent PMC was bound to grant contract through procedure provided under PPRA Rules, 2004 for the purpose of outsourcing/ holding said examination. Adds that vide order dated 18.10.2021, PPRA has ruled that as the funds were in the nature of public fund, therefore, procurement through proper prescribed procedure was necessary. The Petitioner challenges the contract awarded to Respondent Nos. 8 and 9 by Respondent PMC and states that as the Petitioner was one of the applicants in the said process, therefore, he had *locus standi* to challenge the contract awarded to respondents without following the procedure which was not justified.

2. Let notice be issued to the Respondents with a direction to respondent Nos. 3 to 7 to file report and parawise comments for 29.11.2021. Learned counsel

appearing on behalf of Respondent No. 3/PMC accepts notice and seeks time to file comments.

CM No. 01 of 2021

3. Notice for the aforesaid date. Subject to notice, the record of further disbursement of money, if any carried out, shall be kept which shall be subject to further orders passed by this Court and the parties who receive the same shall also be bound by order of this Court.

GM No. 02 of 2021

4. Dispensation sought for is allowed subject to all just and legal exceptions. CM stands disposed of.

(MUZAMMIL AKHTAR SHABIR)

JUDGE

Naveed *



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BEFORE THE HONORABLE LAHORE HIGH COURT, LAHORE

WP No. 66789 /2021

M/s Superior Connections Private Limited, situated at 30-L, Gulberg III,
Lahore, through its Director namely, Mr. Amer Hussain.

Petitioner...

Versus

1. **Federation of Pakistan**, through Ministry of National Health Services, Regulations and Coordination, Kohsar Block, Pakistan Secretariat, Islamabad.
2. **Ministry of National Health Services, Regulations and Coordination** through its Secretary, Kohsar Block, Pakistan Secretariat, Islamabad.
3. **Pakistan Medical Commission**, through its President, 4 Service Road South, Mauve Area, G-10/4, Islamabad.
4. **Medical and Dental Council**, through its President, 4 Service Road South, Mauve Area, G-10/4, Islamabad.
5. **National Medical and Dental Academic Board**, through its Chairman, 4 Service Road South, Mauve Area, G-10/4, Islamabad.
6. **National Medical Authority**, through its Executive Member, 4 Service Road South, Mauve Area, G-10/4, Islamabad.
7. **Public Procurement Regulatory Authority (Pakistan)**, through its Managing Director, First Floor FBC Building, Sector G-5/2, Islamabad.

8. **SOAR Education Private Limited**, through its Chief Executive Officer, 136, H Block, FEME-Defence Housing Authority, Multan Road, Lahore.
9. **SOAR Testing and Evaluation Platform(SMC-Private) Limited**, through its Chief Executive Officer, Plot No. 134, Street No.9, Sector I-10/3, Islamabad.
10. **Transparency International Pakistan** through Vice Chairman of Board of Trustees namely Justice (Rtd) Nasira Iqbal, Plot 72 F/2, Floor 1, 9th Street, Jami Commercial, DHA Phase 7, Karachi.
11. **Securities and Exchange Commission of Pakistan**, through its Chairman, NIC Building, 63 Jinnah Avenue, Blue Area, Islamabad.

Respondents...

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

Respectfully Sheweth:

1. That the addresses of the parties have been correctly supplied in the heading of the Petition, and the same are sufficient for the purpose of process, and all communications which may be issued by this honorable Court.
2. That the instant Petition is being filed through the Director of Petitioner Company/Superior Connections Private Limited, namely Mr. Amer Hussain, who has been duly authorized to file the instant Petition. Copy of Board Resolution is attached herewith as Annexure A.

ISSUES

3. That the instant Petition has been filed to safeguard the constitutional and statutory rights of the Public at large as well as the