

ORDER SHEET
IN THE HIGH COURT OF SINDH KARACHI

Constitutional Petition No. D – 4285 of 2025

DATE	ORDER WITH SIGNATURE OF JUDGES
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Priority.

- 1. For hearing of CMA No.17662/2025.
- 2. For hearing of main case.

03.09.2025

Syed Abida Bokhari, Advocate for the petitioner.
Mr. Muhammad Siddique, Advocate for respondents 2 and 3.
Tariq Aziz, Assistant Collector SAPT.

Sardar Zafar Hussain Advocate files Vakalatnama for respondents 4 and 5.

The petitioner has filed the instant petition seeking relief in prayer clause (ii) i.e. for provisional release of consignment. The petitioner has imported water treatment system which is presently the subject to the Order-in-Original dated 19.08.2025 whereby the goods were held liable to confiscate for violation of Section 32 of the Customs Act, 1969, however, the petitioner was given an opportunity to pay fine in lieu of confiscation under section 181 of the Customs Act, 1969. The petitioner has appealed such order before the Customs Appellate Tribunal vide Customs Appeal No.K-1224/2025. Pending appeal the petitioner prays for the provisional release of goods. Though learned counsel for the respondents 4 and 5 opposed the prayer and submits that the prayer may be declined as there is no issue to the importability of the goods therefore, the petition may be disposed of. The petitioner shall deposit the adjudged amount of duty and taxes with the department, the fine and penalty may be deposited with the Nazir of this Court by way of pay order or bank guarantee upon certificate to that effect by the Nazir, the Customs authority shall release the goods that are imported under GD No.KAPS-HC-206755 dated 24.06.2025. If the amount is secured by way of pay order(s), the Nazir shall invest the amount in profit bearing instrument, as per the Rules, which

security shall subject to the outcome of the appeal pending before the Appellate Tribunal.

This petition, along with pending application, is disposed of in terms herein.

JUDGE

JUDGE

Nadeem Qureshi PA