

ORDER SHEET
IN THE HIGH COURT OF SINDH AT KARACHI

SCRA 179 of 2025

DATE	ORDER WITH SIGNATURE OF JUDGE
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- 1. For hearing of main case
- 2. For hearing of CMA No.2137/2025

10.12.2025

Mr. Khalilullah Jakhro, advocate for the applicant

Per learned counsel, the matter is that of smuggling took place in a vehicle. He states that the respondent did not attend to the adjudication proceedings and despite the same his appeal was allowed by the learned Tribunal. He states that even if the Tribunal considered that there was *prima facie* argument in favour of the respondent the proper course ought to have been to remand the matter to the adjudicating officer. He relies upon order dated 07.08.2025 passed by this Court in SCRA 752 of 2024 to state that the conclusion of the learned Tribunal is dissonant with settled law.

Learned counsel states that service has been effected through publication and relevant newspaper is placed on record.

The contention of the learned counsel as cited supra appears reasonable and even otherwise the authority cited is binding upon this court on the multiline principles. Therefore, the impugned judgment is hereby set aside and the matter is remanded to the adjudication officer for adjudication afresh in accordance with law. The reference application stands disposed of.

A copy of this decision may also be sent under the seal of this Court and signature of the Registrar to the learned Customs Appellate Tribunal, as required per section 196(5) of the Customs Act, 1969.

Judge

Judge