

ORDER SHEET
IN THE HIGH COURT OF SINDH AT KARACHI

SCRA 39 of 2015

DATE	ORDER WITH SIGNATURE OF JUDGE(S)
------	----------------------------------

1. For hearing of main case
2. For orders on CMA No.2791/2016

06.03.2026

Mr. Faheem Raza Khuhro, advocate files vakalatnama on behalf of applicant which is taken on record.

This matter is pending since 2015 without any progress; even notice has not been sought till date. Diary demonstrates that on 17.8.2016, following order was passed :

“17.08.2016

Mr. Kashif Nazir, advocate for the applicant

1. *Granted subject to all just exceptions.*
2. *From perusal of the questions proposed in the instant reference application, it appears that no legal question has been formulated., which may resolve any legal controversy in the instant case.
Learned counsel for the applicant requests for short adjournment to formulate a legal question, which may arise from the impugned order passed by the Customs Appellate Tribunal in the instant case
Two week's time is granted, however, subject to all just exceptions and objection, if any, by the respondent on the point of limitation”*

Despite passage of 10 years order has not been complied with. Even today new learned counsel has entered an appearance and merely sought time. It appears that the applicant department is not interested in proceeding with the matter. Accordingly, in view of judgment of the Supreme Court in the case of C.I.R. vs. Rafeh Limited reported as PLD 2020 SC 518, this reference application is dismissed for non-prosecution.

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

Judge

Judge