

ORDER SHEET
IN THE HIGH COURT OF SINDH AT KARACHI

SCRA No. 870 of 2023

DATE	ORDER WITH SIGNATURE OF JUDGE(S)
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1. For orders on office objection.
2. For hearing of main case.
3. For hearing of CMA No. 1004/23.

08.09.2026

Mr. Khalid Mehmood Rajpar, advocate for the applicant.
Mr. Hamza Ahmed, advocate holding brief for Mr. Ghulam Nabi Shar, Advocate for the respondent.

Per learned counsel, the controversy is in respect of import of engines under the garb of scrap. He refers to paragraph-6 of the impugned judgment to demonstrate that, while recognizing the act as unlawful yet condoned under the garb of departmental practice, such observation, prima facie, is inconsistent with the law. He further states that the actual issue before the Court has been dealt with in a perfunctory manner and impugned judgment is devoid of due discussion or deliberation.

On two subsequent dates, learned counsel appearing on behalf of the respondent merely seeks a date. Even today, brief is being held and adjournment is being sought for no cogent reason whatsoever, therefore, no case is made out to perpetuate this matter any further, which is clogging the docket for three years.

The controversy has been recorded supra and pursuant thereto the impugned judgment cannot be considered to be a speaking order befitting the last fact-forum in the statutory hierarchy. It is considered opinion of this Court that the impugned judgment has failed to consider the law in its proper perspective, therefore, the same is hereby set-aside and matter is remanded back to the learned Tribunal for adjudication afresh in accordance with law. Order accordingly.

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(10) of the Customs Act, 1969.

Judge

Judge