

ORDER SHEET
THE HIGH COURT OF SINDH KARACHI

C.P. No. D – 1339 of 2026

DATE	ORDER WITH SIGNATURE OF JUDGE(S)
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Disposed of matter:

For hearing of CMA No. 10457 of 2026.

13-08-2026

M/s. Ahmed Ali Hussain and Kuldeep Kumar, Advocates for the Petitioner.

M/s. Sardar Zafar Hussain, Agha Shahid Majeed Khan, Asif Ali Sial, Aamir Ali Shaikh, Advocates for Customs.

M/s. Mohsin Kadir Shahwani, Additional Attorney General for Pakistan, Ms. Mehreen Ibrahim, Deputy Attorney General and Mr. Yasin Murtaza, Director General, Plant Protection Department (Respondent No.2/Alleged Contemnor) and Mr. Muhammad Hassan, Focal Person (Litigation), Department of Plant Protection.

Mr. Yasin Murtaza, Director General, Department of Plant Protection (**DPP**), is present along with a written reply to show-cause notice issued under the Contempt of Court Ordinance, 2003 to explain the reason for withholding the Petitioner’s consignments of imported betel nuts at the port despite the Court’s order dated 15.04.2026. That order had noted that said consignments would be processed as per the ‘transitional provision’ in DPP’s notification dated 16.03.2026, which provision in turn applied the previous standard instead of the new regulatory framework, for dealing with betel nuts shipped prior to 23.12.2025 which were still held-up at port.

Mr. Yasin informs that out of 14 consignments imported by the Petitioner, 6 were released fully and 2 partially, however, in the meantime, on 24.04.2026, the Prime Minister issued directions for drafting SOPs for sampling and testing imported betel nuts at port, and to apply those SOPs while re-testing the consignments still at the port; thereafter, the Committee constituted for the purpose drafted the SOPs, which were notified by the DPP on 04.06.2026;

thereafter, the question whether the new standard of aflatoxin level of 15 ppb should also be applied to betel nuts still at the port, was eventually settled on 04.08.2026 when the Prime Minister approved the summary for applying the previous standard of 30 ppb to consignments shipped prior 23.12.2025 but still held-up at port. Mr. Yasin states that since then the DPP is processing each consignment accordingly, but given the large number of such consignments, the process is taking time.

In view of the aforesaid developments which took place after the Court's order dated 15.04.2026, it appears that the delay in processing the Petitioner's consignments, is not contumacious. Therefore, we are inclined to withdraw the show-cause notice issued to Mr. Yasin Murtaza, the DG DPP.

As regards the SOP for re-sampling and re-testing the consignments of betel nuts held-up at the port after DPP's release orders, that is clearly made in the interest of public health, inasmuch as the level of aflatoxin in those consignments may have naturally increased in the meanwhile beyond the acceptable limit. Public health outweighs any financial loss suffered by the Petitioner in the delay albeit without prejudice to its right to seek redress for such loss.

In view of the foregoing, the listed application is disposed of with the following order:

- (i) consignments of betel nuts subject matter of this petition, shipped prior to 23.12.2025 but still at the port after DPP's release orders, shall be processed by the DPP as per the Court's order dated 15.04.2026, however, after re-sampling and re-testing as per the SOPs dated 04.06.2026 and Prime Minister's directive dated 04.08.2026 to apply the aflatoxin standard of 30 ppb to those consignments;
- (ii) the re-sampling shall be done in the presence of the Petitioner's representative at the earliest, and the samples shall be sent for testing at the Petitioner's cost and without delay to both labs on the panel of the DPP i.e. HEJ Research

Institute of Chemistry, Karachi and the Punjab Agriculture,
Food & Drug Authority Laboratory (PAFDA), Lahore;

- (iii) the show-cause notice issued to Mr. Yasin Murtaza, the DG
DPP, is withdrawn and the listed application is disposed of in
above terms.

JUDGE

JUDGE

**PS/SADAM*