

**ORDER SHEET
THE HIGH COURT OF SINDH AT KARACHI**

CP No.5522 of 2021

Date	Order with signature of Judge(s)
	1. For hearing of CMA No.23135/2021. 2. For hearing of main case.

21.09.2021

Sardar Muhammad Ishaque, advocate for the petitioner.
Rana Sakhawat Ali, advocate holding brief for Mrs. Masooda Siraj, advocate for the respondent No2.
Mr. Kafeel Ahmed Abbasi, Deputy Attorney General and Barrister Hussain Bohra, Assistant Attorney General.

Mr. Mohabbat Hussain Awan, advocate undertakes to file Vakalatnama on behalf of the respondent No.3.

Petitioner's appeal is pending before the Appellate Tribunal and the petitioner seeks provisional release of the consignments in terms of section 81 of the Customs Act, 1969.

In the circumstances, by way of an interim arrangement since the consignment is incurring storage charges at the port, let the undisputed quantum of duties and taxes be deposited with the Collectorate/Department and the disputed amount of the duties and taxes along with the adjudged fine and penalty be secured before the Nazir of this Court, by way of pay order(s)/bank guarantee, in respect of the consignment/s covered by this petition. Once the amount is secured as stipulated supra, the Nazir shall issue the appropriate certificate/s. If the amount is secured by way of pay order/s, the Nazir shall invest the amount in profit bearing instruments, as per the Rules.

Upon deposit of the undisputed quantum of duties and taxes with the Collectorate/Department and presentation of the certificate/s issued by the Nazir, the concerned Collectorate/Department shall release the consignment/s forthwith.

The fate of the amount secured supra shall be subject to the outcome of the appeal pending before the Appellate Tribunal. This petition, along with pending application/s, is disposed of in terms herein.

JUDGE

JUDGE