

ORDER SHEET
IN THE HIGH COURT OF SINDH AT KARACHI
Suit No.1842 of 2018

DATE

ORDER WITH SIGNATURE OF JUDGE

1. For orders on CMA No.13907/18 (if granted)
2. For Order on CMA No.13908/18 (U/O 39 Rule 1 & 2 CPC)

04.10.2018.

Mr. Khawaja Shamsul Islam, Advocate for Plaintiff.

1. Granted.
2. This is a Suit for Declaration, Injunction and Damages. Learned Counsel for the Plaintiff submits that the Plaintiff is operating a Container Terminal at Port Muhammad Bin Qasim, whereas, Defendants No.1 & 2 imported certain consignments, which were detained by Customs, and thereafter a qualified Delay and Detention Certificate was issued to them; hence demurrage / storage charges accrued in favor of the plaintiff were not fully waived, whereas, in the Delay & Detention Certificate, it has been mentioned that there is no Delay & Detention on the part Customs and such Certificate is being issued at the request of Importer. He submits that the said Defendants who also own a publication / Website Newspaper namely "Customs Today", have started a vilification and defamation campaign against Plaintiff including foreign sponsoring directors. He has referred to Pages-73 onwards, and submits not only fake, false and fabricated news is being aired / reported, but even pictures / photographs are also being shown and published. While confronted as to relationship between Defendants No.1 to 4, he has referred to page-163 which is online verification of Tax particulars of Defendant No.4, and submits that this certificate also has mention of Defendants No.2 & 3 as proprietorship concerns of Defendant No.4. He submits that they have

even published in the Newspapers / website as well as electronic media that Directors, owners and employees of the Plaintiff have been arrested, which is incorrect and defamatory. He submits that such Reports/News is also being aired on Channel of Defendant No.5, whereas, it has also been published in daily Newspaper 92 available at Page-103. Per learned Counsel such act of defendants No.1 to 6 is damaging the reputation of the plaintiff and is also tarnishing its image locally as well as internationally.

Let notice be issued to the Defendants for **25.10.2018**. Till the next date of hearing, the Defendants No.1 to 6 and 6(a) to 6(c) are restrained from airing, publishing or posting on website(s), or on Electronic and Social Media any material against the plaintiff which is false / incorrect and is defamatory in nature.

J U D G E

Ayaz P.S.