

ORDER SHEET
IN THE HIGH COURT OF SINDH AT KARACHI
CP No.D-7384 of 2022

DATE	ORDER WITH SIGNATURE OF JUDGE(S).
1.	For orders on Misc. No.31273/2022
2.	For hearing of main case
<u>21.12.2022.</u>	

Mr. Farhan-ul-Hasan Minhas, Advocate for the petitioner.
Mr. G. M. Bhutto, Assistant Attorney General.
Dr. Huma Sodhar, Advocate for the Respondents No.4&5.

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Mr. M. Khalil Dogar, Advocate has filed Vakalatnama on behalf of Respondents No.2&3, which is taken on record. Parawise comments have been filed on behalf of Respondent No.4, which are taken on record.

Counsel for the petitioner states that facts of the instant petition are akin with the facts of the case bearing CP No.D-7037 of 2022, which was disposed of with certain directions. Counsel appearing for the Respondents/Department have endorsed the said situation. The instant petition also stands disposed of in the same terms as in CP No.D-7037 of 2022, which is as under:-

“Mr. Naimatullah J. Soomro, Advocate has filed vakalatnama on behalf of Respondent No.5, which is taken on record. Comments filed on behalf of Respondent No.3 are taken on record.

Learned counsel for the petitioner states that he would be satisfied and will not press this petition if directions are issued to the Respondent No.2 before whom he has filed an application dated 19.10.2022 to consider the said application and decide the same in accordance with law after providing opportunity of hearing to the petitioner. Counsel appearing for the Respondents have no objection for disposal of this petition on the said prayer made by the learned counsel for the petitioner.

We therefore under the circumstances direct the Respondent No.2 to take up said application filed by the petitioner and decide the same strictly in accordance with law after providing opportunity of hearing to the petitioner preferably within 15 days' time from the date of receipt of this order.

Petitioner has also prayed for provisional release of his consignments, which are lying at the port. The petitioner is directed to deposit the entire undisputed amount with the concerned Collectorate in the shape of pay order(s)/bank guarantee. The moment concerned Collectorate receives the pay order(s)/bank guarantee of the entire undisputed amount, he would release the goods of the petitioner strictly in accordance with law.

With these directions the instant petition alongwith pending application(s) stands disposed of”.

JUDGE

JUDGE

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