

ORDER SHEET
IN THE HIGH COURT OF SINDH, KARACHI
C. P. NO. D- 958 / 2023

Date

Order with signature of Judge

PRIORITY.

- 1) For hearing of Misc. No. 4422/23 (stay)
- 2) For hearing of main case.

21.02.2023.

Mr. Ghulam Nabi Shar, Advocates for Petitioner.
Mr. G.M Bhutto, Assistant Attorney General

Mr. Agha Shahid Majeed Khan, Advocate has filed Vakalatnama on behalf of Respondent No.2; whereas, Mr. Muhammad Khalil Dogar, Advocate has filed Vakalatnama on behalf of Respondent No. 3, which are taken on record.

Learned Counsel submits that since the Show Cause Notice has been issued, the Petitioner wants to respond it before the Adjudicating authority. However, insofar as the consignment in question is concerned, learned counsel for the petitioner requests for passing of an ad-interim order as according to him the petitioner is willing to secure the disputed amount of duties and taxes with the department and for fine will furnish post-dated cheques and indemnity bond before the Nazir of this Court. According to him, demurrage and detention charges are accruing, whereas, the finalization of proceedings would take time, hence some orders be passed.

In view of the above submissions, the petitioner may deposit the disputed amount of duties and taxes as mentioned in the show cause notice directly with the department, whereas, in respect of fine which may be imposed by the concerned Adjudicating Authority, the petitioner shall furnish pay order or bank guarantee in lieu of redemption fine which may be imposed in terms of SRO No.499(I)/2009 dated 13.06.2009 to the satisfaction of the Nazir of this Court and once bank guarantee or pay

order is furnished, Nazir shall issue appropriate certificate for such consignment separately. Nazir's fee is fixed at Rs. 10,000/- for each certificate to be issued by his office.

In view of the above, Petition has served its purpose and stands disposed of. The Petitioner shall approach the concerned Adjudicating authority with its Reply who shall proceed in accordance with law, whereas, the fate of the amount deposited with department / Nazir shall be subject to outcome of the adjudication proceedings.

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