

ORDER SHEET

IN THE HIGH COURT OF SINDH AT KARACHI

Constitution Petition No. D – 5046 of 2023

Date	Order with signature of Judge
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FRESH CASE

1. For orders on Misc. No. 23077/2023.
2. For orders on Misc. No. 23078/2023.
3. For hearing of Main Case.
4. For orders on Misc. No. 23079/2023.

19.10.2023:

Mr. Zia ul Hassan, advocate for the petitioner

1. Granted.
2. Granted subject to all just exceptions.
- 3-4. Through instant petition, the petitioner has expressed his grievance against inaction on the part of the Customs Authorities, who according to learned counsel for the petitioner, without assigning any reason or any lawful justification, are not processing the GD of the petitioner and not releasing the consignment, which according to learned counsel, has been imported in accordance with law, whereas, neither any notice has been issued to the petitioner pointing out any discrepancy in the process nor the reason for withholding such consignment has been disclosed. Per learned counsel, the respondents have verbally intimated to the petitioner that since the petitioner has not paid the correct duty and taxes in respect of some previous consignments of the petitioner, therefore, present consignment is not liable to be released.

Prima facie, there is no adverse order passed by the respondents against the petitioner, which could be assailed by filing instant constitutional petition, whereas, it appears that the petitioner has expressed his grievance against inaction on the part of the Customs Authorities, who without assigning any reason, are not processing the consignment of the petitioner.

In view of hereinabove facts and circumstances of the case, we would direct the petitioner to approach the concerned Collector, while intimating such inaction on the part of the relevant Customs Officer, who is not processing the GD of the petitioner, who shall pass appropriate order thereon and in case of any observation, if alleged, petitioner may be provided opportunity of being heard. It is expected that such exercise will be done within seven days' from the date of receipt of this order.

Instant petition stands disposed of in the above terms alongwith listed application.

JUDGE

JUDGE

A.S.