

ORDER SHEET
IN THE HIGH COURT OF SINDH AT KARACHI

CP D 5220 of 2020

Date	Order with signature of Judge(s)
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1. For hearing of CMA No.22224/2020.
2. For hearing of main case.

13.12.2024

Mr. Shehzad Mehmood, advocate holding brief for Mr. Zain A. Jatoi, advocate for the petitioners.
Mr. Muhammad Rashid Arfi, advocate for the respondent No.5.
Sardar Zafar Hussain, advocate for the respondents.
Ms. Alizeh Bashir, Assistant Attorney General.

On 22.10.2020, following order was passed:

“22.10.2020

Mr. Zain A. Jatoi Advocate for Petitioner.

- 1) Granted.
- 2) Granted subject to all exceptions.
- 3 & 4) Through this Petition, the Petitioners have impugned the encashment of security / pay order furnished pursuant to Section 81 of the Customs Act 1969 whereby, 35 consignments of the Petitioner were allowed to be released provisionally. Learned Counsel submits that the Petitioner had impugned Valuation Ruling No 1463/2020 before the Director General (Valuation) through a Revision under Section 25-D of the Customs Act, 1969; however, the said Revision has been dismissed on 06.10.2020 against which an Appeal has been preferred before the Customs Appellate Tribunal at Karachi which is non-functional and no orders could be obtained. According to him, now through a computer message in respect of 35 Goods Declarations the Respondents have initiated the process of encashment of the securities. According to him, since the Tribunal is non-functional the Petitioner has no other remedy; hence, this Petition.

Let notice be issued to the Respondents as well as DAG for 03.11.2020. Till then, the Respondents are restrained from encashment of the securities furnished pursuant to provisional release of the consignments as mentioned at Pages 233 to 243.”

The security put in place was subject to adjudication for appeal before the Customs Appellate Tribunal Karachi. It appears that this petition has served its purpose and is disposed of in view of the order dated 22.10.2020. The fate of the security would be subject to outcome of the appeal referred to above.

Judge

Judge