

ORDER SHEET
IN THE HIGH COURT OF SINDH, KARACHI
C.P. No.D-1019 of 2020

DATE ORDER WITH SIGNATURE(S) OF JUDGE(S)

1. For hearing of Misc No.4758/2020
2. For hearing of main case

28.02.2020

Mr. Imran Iqbal Khan, advocate for petitioner
Mr. Muhammad Aminullah Siddiqui, Assistant Attorney General
Mr. Mohabat Hussain, advocate for respondent No.3

Pursuant to Court's notice, Mr. Mohabat Hussain Awan, advocate, has shown appearance, undertake to file vakalatnama on behalf of respondent No.3 and requests for time to file comments.

Learned counsel for petitioner, however, submits that purpose of filing the instant has been served out as the provisional release of the subject consignment(s) has been allowed by the Department, subject to securing the disputed amount of duty and taxes before the concerned Collectorate in the shape of pay order/bank guarantee, therefore, requests that instant petition may be disposed of with direction to the respondents not to encash the pay order/bank guarantee deposited by the petitioner before the concerned Collectorate till final decision by the Director (Valuations) on the application filed by the petitioner under section 25A of the Customs Act, 1969. In support of his contention, learned counsel for petitioner has placed on record copy of order dated 14.02.2020 passed by this Court in C.P. No.D-465/2020 in the case of M/s. Bashir Sons Fed. of Pakistan and others.

Learned counsel for respondent No.3 as well as learned Assistant Attorney General in view of earlier orders already passed by this Court in similar petitions do not oppose the disposal of instant petition.

Accordingly, by consent, instant petition is disposed of with direction to the respondents not to encash the pay order/bank guarantee furnished by the petitioner in respect of Valuation Ruling No.1350/2019 dated 08.01.2019, while seeking provisional release of the consignment(s) in the instant case, till final decision by Director (Valuations) on the application filed by the

petitioner under section 25A of the Customs Act, 1969, whereas, it is expected that Director (Valuations) may decide the subject matter in accordance with law by associating all the stakeholders, preferably within a period of two months from the date of this order.

Petition stands disposed of in the above terms along with listed application.

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Gulsher/PS