

ORDER SHEET
IN THE HIGH COURT OF SINDH AT KARACHI
C.P. No.D-7614 OF 2019

DATE	ORDER WITH SIGNATURE(S) OF JUDGE(S)
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1. For hearing of Misc. No.33576/2019
 2. For hearing of main case
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15.01.2020

Mr. Zia ul Hassan, advocate for petitioner
Mr. Usman Hadi, Assistant Attorney General
Mr. Khalid Rajper, advocate for respondent

Pursuant to Court's notice, Mr. Khalid Rajper, advocate, has shown appearance, undertakes to file vakalatnama, claims copy of petition along with annexures and requests for time to file comments on behalf of respondents. Learned counsel for petitioner undertakes to supply copy before the next date. Let comments, if any, shall be filed before the next date, with advance copy to the learned counsel for petitioner.

Adjourned to be fixed after two weeks.

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Gulsher/PS

ORDER SHEET
IN THE HIGH COURT OF SINDH AT KARACHI
C.P. No.D-7518 OF 2019

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

1. For hearing of Misc. No.33174/2019
 2. For hearing of main case
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15.01.2020

Mr. Ghulam Hyder Shaikh, advocate for petitioner
Mr. Usman Hadi, Assistant Attorney General

Pursuant to Court's notice, Ms. Masooda Siraj, advocate, has shown appearance, undertakes to file vakalatnama, claims copy of petition along with annexures and requests for time to file comments on behalf of respondents. Learned counsel for petitioner undertakes to supply the copy before the next date. Let comments, if any, shall be filed before the next date, with advance copy to the learned counsel for petitioner.

Adjourned to be fixed after four weeks. Interim order passed earlier to continue till the next date.

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Gulsher/PS

ORDER SHEET
IN THE HIGH COURT OF SINDH AT KARACHI
C.P. No.D-7509 OF 2019

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

1. For hearing of Misc. No.33117/2019
 2. For hearing of main case
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15.01.2020

Mr. Imran Ali Abro, advocate for petitioner
Mr. Usman Hadi, Assistant Attorney General
Mr. Khalid Rajper, advocate for respondent

Pursuant to Court's notice, Mr. Khalid Rajper, advocate, has shown appearance, undertakes to file vakalatnama, claims copy of petition along with annexures and requests for time to file comments on behalf of respondents. Learned counsel for petitioner undertakes to supply copy before the next date. Let comments, if any, shall be filed before the next date, with advance copy to the learned counsel for petitioner.

Adjourned to be fixed after four weeks, to be taken up along with other connected petitions as referred in order dated 21.11.2019.

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ORDER SHEET
IN THE HIGH COURT OF SINDH AT KARACHI
C.P. No.D-6940 OF 2019

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

1. For hearing of Misc. No.30829/2019
 2. For hearing of main case
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15.01.2020

Mr. Taimoor Ahmed Qureshi, advocate for petitioner
Mr. Usman Hadi, Assistant Attorney General

Syed Riazuddin, advocate, holding brief on behalf of Syed Mohsin Imam Wasti, counsel for respondent, who is reportedly busy before another Bench, requests for time to file comments. Let comments, if any, shall be filed before the next date, with advance copy to the learned counsel for petitioner.

Adjourned to be fixed after four weeks. Interim order passed earlier to continue till the next date.

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ORDER SHEET
IN THE HIGH COURT OF SINDH AT KARACHI
C.P. No.D-6694 of 2019

DATE	ORDER WITH SIGNATURE(S) OF JUDGE(S)
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1. For hearing of Misc. No.29683/2019
 2. For hearing of main case
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15.01.2020

Mr. Usman Hadi, Assistant Attorney General
Mr. Shamshad Ahmed, advocate for SRB.

Mr. Sami-ur-Rehman, advocate, holding brief on behalf of Mr. Hyder Ali Khan, learned counsel for petitioner, who is reportedly unwell today, submits that amended title has been filed wherein notice has been issued to the newly added parties.

Pursuant to Court's notice, Mr. Mr. Muhammad Bilal Bhatti, advocate, has shown appearance, undertakes to file vakalatnama, claims copy of petition along with annexures and requests for time to file comments on behalf of respondents. Counsel, who holds brief, undertakes to supply copy before the next date. Let comments, if any, shall be filed before the next date, with advance copy to the learned counsel for petitioner.

Adjourned to be fixed after two weeks. Interim order passed earlier to continue till the next date.

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ORDER SHEET
IN THE HIGH COURT OF SINDH AT KARACHI
C.Ps. Nos.D-6604 and 6547 of 2019

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

15.01.2020

Ms. Dil Khurram Shaheen, advocate for petitioner in CP D-6604/2019
Mr. Usman Hadi, Assistant Attorney General
Mr. Mansoor Ahmed Shaikh, advocate for respondent No.9
Mr. Ghulam Murtaza, advocate for respondent Nos.2 & 3
Mr. Ahmed Shafiq Mughal, advocate for respondent No.7.
Mr. Mirza Nadeem Taqi, advocate for respondent No.4
Mr. Ameeruddin, advocate for respondent No.10

Learned counsel for petitioner has placed the copy of judgment dated 06.01.2020, passed by Division Bench of this Court in C.P. No.D-4867 of 2013 in the case of Qasim International Container Terminal Pakistan Ltd. vs. Federation of Pakistan and others, wherein it has been held that insertion of Section 14-A of the Customs Act, 1969, through Finance Act, 2013, is intra vires to the Constitution, therefore, requests that the respondents may be directed to honour the delay detention certification issued by the Customs authorities in the instant case and release the consignment of the petitioner accordingly. Learned counsel for respondents do not deny such factual and legal position as stated by learned counsel for petitioner, however, submits that respondents intend to file CPLA against the aforesaid judgment.

Be that as it may, since the Division Bench of this Court has held that provisions of Section 14A of the Customs Act, 1969 as inserted through Finance Act, 2013, are intra vires to the Constitution, therefore, all the respondents are under legal obligation to ensure compliance of the judgment of this Court unless the said judgment is reversed by the Honourable Court or its operation is suspended and some restraining order is passed to this effect. We are adjourning this matter to **04.02.2020**, in the meanwhile, all the respondents are directed to submit details of outstanding charges, if any, against the petitioners after deducting the amounts as mentioned in Section 14A of the Customs Act, 1969, pursuant to judgment of the Division Bench of this Court as referred to herein above.

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ORDER SHEET
IN THE HIGH COURT OF SINDH AT KARACHI
C.Ps. Nos.D-6515 and 6516 of 2019

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

15.01.2020

Mr. Ovais Ali Shah, advocate for petitioner
Mr. Usman Hadi, Assistant Attorney General
Ms. Masooda Siraj, advocate for respondents

Learned counsel for respondents requests for time to file comments. Learned counsel for petitioner submits that instant petition may be directed to be taken up along with C.Ps. Nos.D-6681 and 6682 of 2019 on the next date. Order accordingly.

Adjourned to be fixed after four weeks. Interim order passed earlier to continue till the next date.

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Gulsher/PS

ORDER SHEET
IN THE HIGH COURT OF SINDH AT KARACHI

C.Ps. Nos.D-4087, 4088 of 2019 &
S.C.R.As. Nos.88, 90, 410 and 411 of 2019

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

1. For orders on CMA No.260/2020 (U/ A)
2. For hearing of CMA No.18053/2019 (Stay)
3. For hearing of main case

15.01.2020

Ms. Dil Khurram Shaheen, advocate for petitioner

1. Learned counsel for petitioner seeks urgency. Urgency granted.
- 2&4. To come up on **06.02.2020**.

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Gulsher/PS

ORDER SHEET
IN THE HIGH COURT OF SINDH AT KARACHI
C.Ps. Nos.D-4087, 4088 of 2019 &
S.C.R.As. Nos.410 and 411 of 2019

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

1. For orders on CMA No.259/2020 (U/ A)
2. For hearing of CMA No.18056/2019 (Stay)
3. For hearing of main case

15.01.2020

Ms. Dil Khurram Shaheen, advocate for petitioner

1. Learned counsel for petitioner seeks urgency. Urgency granted.
- 2&4. To come up on **06.02.2020**.

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Gulsher/PS

ORDER SHEET
IN THE HIGH COURT OF SINDH AT KARACHI
C.P. NoD-3424 of 2019

DATE	ORDER WITH SIGNATURE(S) OF JUDGE(S)
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1. For hearing of CMA No.15411/2019 (Stay)
2. For hearing of main case

15.01.2020

Mr. Saifullah, A.A.G.

Mr. Abdul Ahad Nadeem, advocate, holding brief on behalf of Mr. Umar Memon, counsel for petitioner, who is reportedly busy before another Bench, requests for adjournment.

Adjourned to be fixed after four weeks. Interim order passed earlier to continue till the next date.

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Gulsher/PS

ORDER SHEET
IN THE HIGH COURT OF SINDH AT KARACHI
C.Ps. Nos.D-2185 and 1700 of 2019

DATE	ORDER WITH SIGNATURE(S) OF JUDGE(S)
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15.01.2020

Mr. Jam Zeeshan, advocate for petitioner in CP D-1700/2019
Mr. Muhammad Ajmad, advocate, holds brief for Mr. Atif Aqeel Ansari,
advocate for petitioner in C.P.D-2185/2019
Mr. Usman Hadi, Assistant Attorney General
Mr. Saifullah, A.A.G.

Mr. Ghulam Murtaza Korai, advocate, files vakalatnama as well as comments on behalf of respondents 1 and 2 in C.P. D-2185 of 2019, which are taken on record. Copy of comments has been supplied to the counsel, who holds brief. Counsel for respondent is called absent in C.P. D-1700/2019 wherein comments have also not been filed. Let comments, if any, shall be filed in C.P. D-1700/2019 before the next date, with advance copy to the learned counsel for petitioner.

Adjourned to be fixed after four weeks. Interim order passed earlier to continue till the next date.

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ORDER SHEET
IN THE HIGH COURT OF SINDH AT KARACHI
C.P. No.D-1129 of 2019

DATE	ORDER WITH SIGNATURE(S) OF JUDGE(S)
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1. For hearing of CMA No.12263/2019
 2. For hearing of CMA No.11608/2019
 3. For hearing of CMA No.35902/2019
 4. For hearing of CMA No.13520/2019
 5. For hearing of CMA No.12264/2019
 6. For hearing of CMA No.7288/2019
 7. For hearing of CMA No.5206/2019
 8. For hearing of main case
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15.01.2020

Mr. Aziz-ur-Rehman Akhund, advocate for petitioner
Mr. Abdul Sattar Pirzada, advocate for respondent
Mr. Saifullah, A.A.G.

It appears that this matter has been wrongly fixed before this Bench as it pertains to dispute relating to school fee structure and alleged violation by respondent school, whereas, this Bench deals with tax matters as per roster. Since the learned counsel for petitioner seeks urgency, office is directed to fix the instant petition before the concerned Bench on **23.01.2020**, as per roster.

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Gulsher/PS

ORDER SHEET
IN THE HIGH COURT OF SINDH AT KARACHI
H.C.A. No.256 of 2019

DATE	ORDER WITH SIGNATURE(S) OF JUDGE(S)
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1. For orders on office objection/reply at "A"
 2. For hearing of main case
 3. For hearing of CMA No.2447/2019 (Stay)
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15.01.2020

Mr. Talha Javed, advocate for appellant
Mr. Mirza Sarfraz Ahmed, advocate for respondent No.1
Ms. Samia Faiz Durrani, for respondent No.2

Objections to appeal under section 3(1) of the Law Reforms Ordinance, 1972 along with annexures as well as counter affidavit to application under Order XLI Rule 5 read with Order XXXIX Rule 1 and 2 and Section 151, CPC, have been filed on behalf of respondent No.2, which are taken on record, copy has been supplied to the learned counsel for appellant. Learned counsel for respondent No.1 requests for time to file objections. Let objections, if any, shall be filed before the next date, with advance copy to the learned counsel for petitioner.

Adjourned to be fixed after four weeks. Interim order passed earlier to continue till the next date.

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Gulsher/PS

ORDER SHEET
IN THE HIGH COURT OF SINDH AT KARACHI
C.P. No.D-8034 of 2018

DATE	ORDER WITH SIGNATURE(S) OF JUDGE(S)
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1. For orders on Nazir report dated 04.12.2019
 2. For orders on Nazir report dated 23.11.2019
 3. For orders on office objection
 4. For hearing of CMA No.28212/2019
 5. For hearing of CMA No.35190/2018
 6. For hearing of main case
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15.01.2020

Petitioner in person
Mr. Usman Hadi, Assistant Attorney General
Mr. Parvez Memon, advocate for respondent a/w Malik Safdar Ali, SPO
Mr. Muhammad Bilal Bhatti, advocate for respondent

Petitioner present in person submits that appeal has been filed against the exparte Order-in-Original before the Customs Appellate Tribunal, therefore, he does not want to press the instant petition, and will pursue the remedy before the Customs Appellate Tribunal, however, requests that respondents may be directed not to take any adverse action or create third party interest in respect of the subject vehicle, which is presently deposited with the Nazir of this Court as per Court's directions, till the final decision by the Customs Appellate Tribunal. Learned counsel for respondents do not oppose disposal of instant petition in the above terms.

Accordingly, instant petition is dismissed as not pressed along with listed applications, however, with a clarification that the final custody of the subject vehicle will be regulated pursuant to order of the Customs Appellate Tribunal as may be passed in the instant case, whereas, petitioner will be at liberty to seek provisional release of the subject vehicle from the Customs Appellate Tribunal during pendency of petitioner's appeal, in accordance with law.

Petition stands disposed of in above terms along with listed applications.

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Gulsher/PS

ORDER SHEET
IN THE HIGH COURT OF SINDH AT KARACHI
C.P. No.D-6956, 8493 and 8494 of 2018

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

15.01.2020

Mr. Usman Hadi, Assistant Attorney General
Mr. Ghulam Murtaza, advocate for respondents

Mr. Kelash Sudhar, advocate, holding brief on behalf of Mr. Zain A. Jatoi,
learned counsel for petitioner, under instructions, does not press the instant
petitions, which are dismissed as not pressed along with listed applications.

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Gulsher/PS

ORDER SHEET
IN THE HIGH COURT OF SINDH AT KARACHI
C.P. No.D-6956, 8493 and 8494 of 2018

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

15.01.2020

Mr. Usman Hadi, Assistant Attorney General
Mr. Ghulam Murtaza, advocate for respondents

Mr. Kelash Sudhar, advocate, holding brief on behalf of Mr. Zain A. Jatoi, learned counsel for petitioner, under instructions, does not press the instant petitions, which are dismissed as not pressed along with listed applications.

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Gulsher/PS

ORDER SHEET
IN THE HIGH COURT OF SINDH AT KARACHI
C.Ps. Nos.D-6891 and 8647 of 2018, 496, 3926, 576 and 8179 of 2019

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

15.01.2020

Mr. Usman Hadi, Assistant Attorney General
Mr. Ghulam Murtaza, advocate for respondents

Mr. Akbar, advocate, holding brief on behalf of Mr. Muhammad Adeel Awan, counsel for petitioner, who is reportedly busy before another Bench, requests for adjournment, whereas, Mr. Sakhawat Hussain, advocate, holds brief on behalf of Mr. Salman Yousuf, learned counsel for petitioner in C.P. No.D-496/2019, who is reportedly busy before another Bench. Comments have been filed on behalf of respondents in C.P. No.D-496/2019, which are taken on record, copy has been supplied to the counsel who holds brief.

Adjourned to be fixed after four weeks.

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Gulsher/PS

ORDER SHEET
IN THE HIGH COURT OF SINDH AT KARACHI
C.P. No.D-4511 to 4513 of 2017

DATE	ORDER WITH SIGNATURE(S) OF JUDGE(S)
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1. For hearing of CMA No.19516/2017
 2. For hearing of main case
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15.01.2020

Mr. Usman Hadi, Assistant Attorney General
Mr. Muhammad Aqeel Qureshi, advocate for respondent

Mr. Kelash Sudhar, advocate, holding brief on behalf of Mr. Gazain Zafar Magsi, counsel for petitioner, who is reportedly busy before another Bench, requests for adjournment. As an indulgence, adjourned to be fixed after four weeks.

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Gulsher/PS

ORDER SHEET
IN THE HIGH COURT OF SINDH AT KARACHI
C.P. No.D-2465 of 2017

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

1. For hearing of Misc. No.12085/2017 (Stay)
 2. For hearing of main case
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15.01.2020

Mr. Saifullah, A.A.G.
Mr. Ghulam Murtaza Korai, advocate for respondent

Mr. Muhammad Yaser, advocate, holding brief on behalf of Mr. Jawaid Farooqi, learned counsel for petitioner, who is reportedly busy before another Bench, requests for adjournment. Copy of comments filed on behalf of respondents has been supplied by learned counsel for respondents to the counsel who holds brief.

Adjourned to be fixed after four weeks. Interim order passed earlier to continue till the next date.

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