

ORDER SHEET
IN THE HIGH COURT OF SINDH AT KARACHI

CP D 2149 of 2023

Date	Order with signature of Judge(s)
------	----------------------------------

1. For hearing of Misc. No.10386/2023
2. For hearing of main case

09.05.2023

Ms. Fozia Rasheed, advocate for the petitioner
Qazi Ayazuddin Qureshi, Assistant Attorney General

Mr. Sajjad Mangi, advocate undertakes to file Vakalatnama of Ms. Anila Jamil advocate on behalf of respondent No.2, whereas, Mr. Aamir Ali Shaikh advocate also undertakes to file Vakalatnama on behalf of respondent No.3.

This petition seeks release of the consignment in terms of Section 81 of the Customs Act, 1969, subject to the outcome of the appeal pending before the Appellate Tribunal wherein the order of the Director General (Valuation) under section 25-D is challenged. Learned counsel for the petitioner submits that this petition could be disposed of by directing the respondent-authority that the goods, subject matter of this petition, be released in terms of securing the differential amount of duties and taxes before the Nazir of this Court which shall be subject to the outcome of the appeal pending before the Appellate Tribunal.

In the circumstances, by way of an interim arrangement and until further orders, let the disputed amount of duty and taxes (**as may be determined by the Respondents**) be deposited / secured before the concerned Collectorate by way of a separate Pay Order / Bank Guarantee in respect of the consignments covered by this Petition, whereas, the remaining amount of duty and taxes be paid to the Concerned Collectorate. Once the amount is deposited / secured and paid as above, the concerned Collectorate / Department, shall release the consignment forthwith.

In view of the above, Petition has served its purpose and stands disposed of. The fate of the amount deposited with Nazir / department shall be subject to outcome of the appeal pending before the Appellate Tribunal. It is expected that the Tribunal shall decide the controversy arising out of the appeal in the three months' time.


JUDGE


JUDGE