

ORDER SHEET
IN THE HIGH COURT OF SINDH, KARACHI
C. P. NO. D-195 / 2023

Date

Order with signature of Judge

PRIORITY.

- 1) For orders on Misc. No. 1896/2023.
- 2) For hearing of CMA No. 759/2023.
- 3) For hearing of main case.

20.01.2023.

Mr. Rana Sakhawat Ali, Advocates for Petitioner.
Mr. Sardar Amir Arif, Advocate for Respondent No. 2.
Mr. Muhammad Rashid Arif, Advocate for Respondent No. 3.

Mr. Muhammad Rashid Arif has affected appearance and filed Vakalatnama on behalf of Respondent No. 3 which is taken on record, whereas, Mr. Sardar Amir Arif, undertakes to file Vakalatnama on behalf of Respondent No. 2.

- 1) Granted.
- 2) Granted subject to all just exceptions.
- 3 & 4) Through this Petition, the Petitioner seeks provisional release of the consignment as disclosed in Para 2 of the Memo of Petition. Learned Counsel submits that Petitioner is aggrieved of a Valuation Ruling bearing No. 1708/2022 dated 14.12.2022 and has accordingly challenged the same by way of a Review Application under Section 25-D of the Customs Act, 1969. He further submits that pursuant to proviso under Section 81 of the Customs Act, 1969 the Department is now restrained from allowing any provisional release in such cases. He submits that in C. P. No. D-7830/2022 ad-interim orders have already been passed by this Court.

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.

To come up on **26.01.2023** at **11.00 AM**. Let notice be issued to the Respondents as well as DAG when some responsible officer of the concerned Collectorate shall be in attendance.

J U D G E

J U D G E

Arshad/