

ORDER SHEET  
**IN THE HIGH COURT OF SINDH, KARACHI**  
**C. P. NO. D-4842 / 2025**

(Abdul Manan & Another V. The Federation of Pakistan & Another)

Date	Order with signature of Judge
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**Present:-**  
**Mr. Justice Adnan Iqbal Chaudhry.**  
**Mr. Justice Muhammad Jaffer Raza.**

**PRIORITY**

- 1) For hearing of Misc. No. 20275/2025.
- 2) For hearing of main case.

Date of hearing : 23.10.2025

Date of announcement : 23.10.2025

Mr. Sardar Muhammad Ishaque, Advocate for Petitioner.  
Ms. Mehreen Ibrahim, Deputy Attorney General.  
Mr. Ghulam Mujtaba, Advocate for Respondent No. 2.

**Muhammad Jaffer Raza, J.** Succinctly stated, the Petitioners through the instant petition, are seeking release of their vehicle<sup>1</sup> and the seized goods<sup>2</sup>. It is the case of the Petitioners that the noted vehicle and the goods were seized<sup>3</sup> on 29.05.2025 by officers of Respondent No. 2. Thereafter, show-cause notice dated 30.07.2025 was issued to the Petitioners, which according to learned counsel, was received no earlier than 05.08.2025. The record reflects that the show-cause notice was responded to by the Petitioners. Subsequently, Order-in-Original was passed on 20.08.2025<sup>4</sup> disposing of the show-cause notice and directing Respondent No.2 to release the seized vehicle and goods. Relevant excerpt of the order is reproduced below: -

*“8. In the light of above documentary evidence and release orders dated 20-02-2025 thereof, it is held that all the seized goods are bona-fidely procured*

<sup>1</sup> Suzuki Pickup bearing Registration No. KS-9757.  
<sup>2</sup> 46 Rolls of Assorted Ladies Cloth weighing 939 Kg.  
<sup>3</sup> Seizure case No. ASO-279/2025-HQ.  
<sup>4</sup> 95/2025-26 dated 21.08.2025.

*through customs auctions by the Respondent / claimant of the seized goods. I, therefore, order to release the seized goods along-with old & used Suzuki Pick-up bearing registration No.KS-9757, unconditionally to their lawful owners/possession holder.”*

2. Learned counsel for the Petitioners has contended that despite the above noted Order-in-Original holding the field, Respondent No. 2 is yet to release the seized vehicle and the goods. He has therefore, vide instant petition, prayed that the Order-in-Original may be implemented in its letter and spirit and as a consequence thereof, the seized vehicle and goods may be released to the Petitioners.

3. Learned counsel for Respondent No. 2 has affected appearance and filed parawise comments, copy whereof has been supplied to the learned counsel appearing for the Petitioners. Perusal of the comments filed by learned counsel reveals that the department has preferred an appeal under section 193 of the Customs Act, 1969 (**“Act”**) against the noted Order-in-Original. It is observed by us that the noted appeal was filed on 15.09.2025, however, the learned counsel upon being confronted conceded that no stay order has been passed in the noted appeal.

4. We agree with the contention advanced by the learned counsel for the Petitioner that the Order-in-Original still holds the field, as no stay order has been passed in the noted appeal. In such circumstances we cannot allow the seizure to continue for an indefinite period. In the light of the same, we dispose of the instant petition by directing the Respondent No. 2 to release the seized vehicle and goods of the Petitioners, as described fully in paragraph number 8 of the Order-in-Original. The instant adjudication is without prejudice to the rights of Respondent No. 2 under section 202 of the Act. Order accordingly.

**J U D G E**

Arshad/

**J U D G E**