

ORDER SHEET
IN THE HIGH COURT OF SINDH AT KARACHI

SCRA 591 of 2024

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

1. For orders as to non-prosecution.

24.08.2026

Mr. Kazim Raza Abbasi, advocate for the applicant.
Mr. Muhammad Khalil Dogar, advocate for the respondent.
Ms. Riffat Ibrahim, advocate holding brief for Ms. Afsheen Aman,
advocate for the respondent 4.

On 17.01.2025 following order was passed:

“17.01.2025

Mr. Kazim Raza Abbasi, Advocate for Applicant.

In response to order passed on 30.08.2024, learned Counsel for the Applicant has placed on record copy of judgment reported as The Directorate of Intellectual Property Rights and others v. Federation of Pakistan through Secretary Ministry of law and Justice (2023 CLD 1259). On perusal of the same, it reflects that the learned Division Bench has been pleased to hold that in matter of infringement, Intellectual Property Tribunal has an exclusive jurisdiction to decide as to whether a case of infringement has been made out or not, whereas, the Customs Appellate Tribunal or for that matter, this Court under Section 196 of the Customs Act, 1969 has no jurisdiction to decide the said issue. On perusal of the questions of law, it transpires that though a finding regarding jurisdiction has been given by the Tribunal, however, no question has been proposed by the Applicant's Counsel. He needs time to place on record amended questions of law. At his request time allowed.

Adjourned to 21.02.2025.”

Today once again learned counsel remains unable to articulate any question of law arising here from. In view of foregoing, reference application is dismissed.

A copy of this decision may be sent under the seal of this Court and the signature of the Registrar to the learned Customs Appellate Tribunal, as required per section 196(10) of the Customs Act, 1969.

Judge

Judge