

DATE _____ ORDER WITH SIGNATURE OF JUDGE(S) _____

- 28.10.2025**

1. Granted.
2. Deferred.
3. Granted subject to all just exceptions.
- 4-5. Per learned counsel, consignment arrived at port on 18.07.2025, despite more than three months having been passed, even the GD has not been filed. The reason articulated is financial constraint of the petitioner. Present petition has been filed impugning a notice under Section 82 of the Customs Act, 1969, which states as follows:-

KICT, Gate No. 24, Custom Building, Dockyard Road, West Wharf, Karachi, PIH: 021-32310756.

No. K-88 AUG 2025 Dated: 02.10.2025

Subject: NOTICE UNDER SECTION 82 OF THE CUSTOMS ACT,
1969 IN RESPECT OF LOT NO.K-88 AUG 2025

Arrival Date	7/18/2025
IGM No.	0182-25
Index No.	1427
Description of Goods	REFRIGERANT GAS R134A
Quantity	1
Container No. /Nos.	YMLU3628123
BL Number	S232196051
Location	Karachi International Container Terminal (KICT)

2. Whereas, above noted consignment has not been cleared for house consumption or warehousing or removed from the port despite expiry of 20 days after unloading of the goods as required vide Section 82 of the Customs Act, 1969.

3. Please note that in case of non-clearance of the aforesaid consignment within seven (07) days after issuance of this notice, the same shall be disposed off through public auction or through destruction being perishable goods under Customs Auction Rules, 2001 (in vogue).

4. If any judicial order has been passed regarding the consignment or any valid stay order against the auction of the subject consignment has been passed the same may be furnished to this office within seven (07) days, after issuance of this receipt. Failure to submit documentation, sabove, or file the GD for clearance immediately will result in proceedings as per law.

Sd/-
(Deputy Collector)"

Learned counsel remains unable to articulate any law that would warrant interference in the notice under scrutiny in the present facts and circumstances. Even otherwise recourse to writ in such circumstances could not be justified since *prima facie* writ is being sought seeking unwarranted interference in public statutory duty. The petition is found to be frivolous and misconceived, hence dismissed.

Judge

Judge

Ayaz p.s.