

ORDER SHEET
IN THE HIGH COURT OF SINDH, KARACHI
Special Custom Reference Application No.290 to 294 of 2010

DATE: **ORDER WITH SIGNATURE(S) OF JUDGE(S).**

Hearing of Case [Priority]

1. For hearing of Main Case
2. For hearing of CMA No.785/2011

30.09.2026

Mr. Sardar Zafar Hussain, advocate for Applicant

The following question had been pressed for determination common in all references before us.

- Whether on facts and circumstances of the case the Appellate Tribunal erred in law by not considering the legal plane that in the absence of “adjustments”, as envisaged in Section 25(2)(f) of the Act no transaction / declared value can be accepted as “Customs Value” in terms of Section 25(1) of the Act?

Learned counsel places on record recent judgment dated 24.09.2026 passed by the Supreme Court in the case of *Forte Marketing Services, Lahore* (Civil Petitions Nos. 86-K to 115-K of 2023) and makes specific reference to the last line of paragraph-21 thereof, which reads as follows:

. The declared value would first fall for consideration under Section 25(1), and, if the statutory conditions for acceptance of the transaction value are not satisfied, the competent authority would proceed to the other applicable methods in accordance with the statutory scheme.

Learned counsel states that said judgment is squarely binding upon this Bench, therefore, in *mutatis mutandis* application thereof the question be answered in favor of the applicant department and against the respondent. Order accordingly.

A copy of this decision may also be sent under the seal of this Court and signature of the Registrar to the learned Customs Appellate Tribunal, as required per section 196(10) of the Customs Act, 1969. Office is instructed to place copy of this order in connected matters.

Judge

Judge