

ORDER SHEET

IN THE HIGH COURT OF SINDH AT KARACHI

C.P. No. D- 6929/2016

DATE	ORDER WITH SIGNATURE(S) OF JUDGE(S)
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Priority:

1. For hearing of Misc. No.33211/16.
2. For hearing of main case.

13.11.2018.

Mr. Aqeel Ahmed Khan, Advocate for Petitioner.
Mr. Kafeel Ahmed Abbasi, Advocate for Department.
Mr. Muhammad Zahid Khan, Assistant Attorney General.

Basically, the petitioner approached this court for directions against Respondent No.2 to resolve the dispute as to whether the Cold Rolled Steel Coils was prime quality or secondary quality. They have further sought the direction that this dispute may be decided in terms of Public Notice No.01/2016 dated 12.8.2016, which notice is available at page No.23 of the court file. On 26.12.2018 the learned Division Bench of this court directed the Examination Committee to examine the subject Goods in terms of Public Notice No.01/2016 and prepare its report. The learned counsel for the petitioner submits that this order was complied with and Examination Committee had submitted the report which is attached with the para-wise comments of the Respondents and in pursuance thereof the order-in-original has already been passed against the petitioner, but it has not been challenged in appeal. Learned counsel for the petitioner submits that since the challenge to the show cause notice was pending here, hence the petitioner could not file appeal against order-in-original. Let us clarify that no interim orders were in field in this case. The court had already directed to consider the case of petitioner and after due consideration the order-in-original has already been passed.

The petitioner may file appeal against the order-in-original to the appropriate forum in accordance with law and we expect whenever such appeal is

filed, the authority concerned shall sympathetically consider the question of limitation particularly with regard to the time consumed during the pendency of this petitioner.

Petition is disposed of accordingly.

Judge

Judge

AbRzk

