

**ORDER SHEET
IN THE HIGH COURT OF SINDH AT KARACHI**

C.P. No.D-4560 of 2021
M/s Agility & Co. & others
Versus
Federation of Pakistan & others

Date	Order with signature of Judge
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1. For orders on Misc. No.19918/21
2. For hearing of Misc. No.18776/21
3. For hearing of main case

Dated: 11.08.2021

Mr. Imran Iqbal for petitioners.
Mr. Khalid Rajpar for respondents.

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1) Granted.

2&3) The consignment/goods of the petitioners have been detained/ held by the respondents on the count that in respect of previous consignments due to some misrepresentation/misdeclaration the FIRs have been lodged. The goods however were released already when FIRS were lodged and subsequently some ONOs were passed and fine/penalties were imposed. Hence the consignments, which are subject matter of this petition, cannot be released in terms of Section 186(2) of Customs Act, 1969 as there is a lien on the present consignments in view of claim under ONOs passed. Learned counsel for petitioners has agreed to such position and submits that petitioners are willing to secure entire amount of fine/penalties as calculated and imposed in terms of ONOs passed against the petitioners whereafter the subject goods/ consignments may be released. Order accordingly. Entire amount of fine/penalties adjudged against petitioners be secured with the Nazir of this Court who shall issue certificate for the release of the subject consignments to the satisfaction of the concerned collectorate to the extent of amount of fine/penalties. Before preparing certificate, the Nazir may call concerned officer of the customs to ascertain as to whether entire fine/penalty has been secured. The fate of the secured amount shall be subject to the orders passed by the appellate forum i.e. Customs Appellate Tribunal.

Petition along with listed application stands disposed of in the above terms.

Judge

Judge