

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

- (1) C.P. No.D-4669/2013  
Altaf Hussain v. Federation of Pakistan & others  
(2) C.P. No.D-4634/2013  
Muhammad Younus v. Federation of Pakistan & others  
(3) C.P. No.D-4657/2013  
Amir Altaf v. Federation of Pakistan & others  
(4) C.P. No.D-4668/2013  
Khalid Saleem v. Federation of Pakistan & others  
(5) C.P. No.D-4691/2013  
Abdul Rehman v. Federation of Pakistan & others  
(6) C.P. No.D-4783/2013  
Muhammad Aslam Naviwala v. Federation of Pakistan & others  
(7) C.P. No.D-4821/2013  
M/s Kundi Services Pvt. Ltd. v. Federation of Pakistan & others  
(8) C.P. No.D-4881/2013  
Ali Khan v. Federation of Pakistan & others  
(9) C.P. No.D-5011/2013  
Syed Adnan Rasheed v. Federation of Pakistan & others  
(10) C.P. No.D-5256/2013  
Mushtaq Ahmed v. Federation of Pakistan & others  
(11) C.P. No.D-5257/2013  
Saif ur Rehman v. Federation of Pakistan & others  
(12) C.P. No.D-547/2014  
M/s Rawandi & Brothers v. Federation of Pakistan & others  
(13) C.P. No.D-548/2014  
M/s Jala Khan & Co. v. Federation of Pakistan & others  
(14) C.P. No.D-144/2016  
Qazi Habib ur Rehman v. Federation of Pakistan & others  
(15) C.P. No.D-1751/2016  
Dilnawaz Ahmed v. Federation of Pakistan & others  
(16) C.P. No.D-7172/2019  
Nasir Saleem v. Federation of Pakistan & others  
(17) C.P. No.D-7332/2019  
Amir Altaf v. Federation of Pakistan & others

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DATE	ORDER WITH SIGNATURE OF JUDGE(S)
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1. For hearing on Misc. No.29446/2013
2. For hearing of main case.

**06.09.2021**

Mr. Aqeel Ahmed Advocate for the Petitioners.

Mr. Atta Muhammad Qureshi Advocate holds brief for Mr. Abdul Jabbar Mallah, Advocate for petitioners.

Mr. Kunwar Raj Ali Wahid Advocate holds brief for Mr. Shabeh Ishrat Hussain, Advocate for the Petitioners.

Mr. Kafeel Ahmed Abbasi, Deputy Attorney General along with Mr. Hussain Bohra, Assistant Attorney General.

Ms. Masooda Siraj, Advocate for respondent.

This bunch of petitions involve issuance of show-cause notices for consignments categorized as Afghan Destined Transit Cargo. Apart from this bunch, earlier a number of petitions came before different benches of this Court and were disposed of accordingly. Learned counsel for petitioners however submits that now adjudicating forum has already been carved out/established and the matter ought to have been referred to such forum for adjudication and this itself cease the jurisdiction of the officers who issued impugned notices.

We have heard the learned counsel and perused material available on record.

In substance petitioners have challenged show-cause notices under Article 199 of Constitution of Islamic Republic of Pakistan, 1973. Apart from issue in hand, in general show-cause notice issue was dealt with earlier by a Bench in the case of Dr. Seema Irfan v. reported as PLD 2019 Sindh 516 and the applicability of the referred case would score of jurisdiction of this Court insofar as show-cause notice is concerned as it does not fall within the exceptions carved out in the judgment.

Apart from it, identical show-cause notices, as referred above, were dealt with by a Bench of this Court in CP No.D-5258 of 2013 and the same was disposed of with directions that the petitioner may approach the authority concerned and he (petitioner) may be given fair opportunity of hearing. Similarly, learned Single Judge in Suits No.254 and others has also, while relying a judgment of Hon'ble Supreme Court passed in Civil Appeal No.36 of 2006 dealing with the identical show-cause notices, left them (plaintiffs) to the jurisdiction of the authority issuing notices, however, they were given opportunity to raise question of jurisdiction and limitation, apart from the merits of the case.

Similarly, petitioners herein are also sailing the same boat however with reference to additional question of availability of

adjudicating forum, they are also at liberty to take such defence while responding the respective show-cause notices and the authority may decide the queries raised in the show-cause notice in accordance with law after hearing the petitioners.

With these observations, petitions are disposed of accordingly along with pending applications.

Office is directed to place copy of this order in all connected petitions.

**Judge**

**Judge**