

ORDER SHEET
IN THE HIGH COURT OF SINDH AT KARACHI
C.P. No.D-988 of 2015

DATE	ORDER WITH SIGNATURE OF JUDGE(S).
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Priority

1. For hearing of Misc No.4418/2015.
2. For hearing of Main Case.

24.08.2021

None present for the petitioner.
Mr. Muhammad Khalil Dogar Advocate for respondents No.1&2
Mr. Kafeel Ahmed Abbasi, DAG.

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The petitioner has filed this petition with the following prayers:-

- I. *Declare that Geriatric Pharmaton Capsules, registered as drug vide Drug Registration No.018514, is a 'Medicament', and declare that Geriatric Pharmaton Capsules is correctly classifiable under PCT Heading 30.04.*
- II. *Declare that Geriatric Pharmaton Capsules not classifiable under PCT 21.06.*
- III. *Declare that as a result of being registered as a drug by the competent authority under section 7 of the Drugs Act, 1976, Geriatric Pharmaton Capsules is correctly classifiable under PCT Heading 30.04.*
- IV. *Declare the Assessment Order dated 02.02.2015 of the subordinate officer of the Respondent No.2 to be unlawful, illegal, and without legal authority.*
- V. *Set aside and/or vacate the unlawful Assessment Order dated 02.02.2015 passed by Respondent No.2.*
- VI. *Restrain Respondent No.2 from taking any adverse and/or coercive action against the Petitioner with respect to the classification of Geriatric Pharmaton Capsules.*
- VII. *Direct the Respondents to forthwith release Petitioner's consignment imported vide Goods No.KAPE-HC-89927, dated 28.01.2015.*
- VIII. *Direct Respondent No.2 to furnish a Delay and Detention Certificate, waiving delay and detention charges, as per section 14A of the Customs Act, 1969.*
- IX. *Direct the clearance of all future consignments of Geriatric Pharmaton Capsules, having Drug Registration No.018514, under the PCT Heading 30.04.*
- X. *Grant costs of the petition to the petitioner.*
- XI. *Grant any other relief deemed just and appropriate.*

Perhaps most of the prayers, as framed by the petitioner, are beyond the jurisdictional limits prescribed under Article 199 of the Constitution of Islamic Republic of Pakistan and moreover the dispute of classification can well be addressed before Classification Committee. Today, however, no one is in attendance despite this matter is pending since 2015.

In view of the above, this petition is dismissed for non-prosecution alongwith pending application(s).

JUDGE

JUDGE

Ayaz Gul