

ORDER SHEET
IN THE HIGH COURT OF SINDH, KARACHI
CP No.D-6354 of 2021

Date

Order with signature of Judge

Priority

1. For hearing of CMA No.27045 of 2021
2. For hearing of main case

05.11.2021.

Ms. Saima Syed, Advocate for the petitioner
Mr. Muhammad Rashid Arifi, Advocate for respondent
Mr. Kafeel Ahmed Abbasi, DAG

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Learned counsel submits that there is dispute of valuation though it has been agitated on the basis of the invoice retrieved by the department from the container which is disputed by the petitioner counsel. Per learned counsel adjudicating proceeding is pending and during pendency of adjudicating proceedings, she is willing to secure the differential amount of duties and taxes if the goods are released.

In the circumstances, by way of an interim arrangement since the consignment is incurring storage charges at the port, let the undisputed quantum of duties and taxes be deposited with the Collectorate/ Department and the disputed amount of the duties and taxes be secured before the Nazir of this Court, by way of pay order(s)/ bank guarantee, in respect of the consignment/s covered by this petition. Once the amount is secured as stipulated supra, the Nazir shall issue the appropriate certificate/s. If the amount is secured by way of pay order/s, the Nazir shall invest the amount in profit bearing instruments, as per the Rules.

Upon deposit of the undisputed quantum of duties and taxes with the Collectorate/Department and presentation of the certificate/s issued by the Nazir, the concerned Collectorate/Department shall release the consignment forthwith.

The fate of the amount secured supra shall be subject to the outcome of the adjudicating proceeding. This petition, along with pending application(s), is disposed of in terms herein.

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