

ORDER SHEET  
**IN THE HIGH COURT OF SINDH, KARACHI**  
C. P. NO. D-751 / 2023

Date

Order with signature of Judge

**PRIORITY.**

- 1) For hearing of CMA No. 3432/2023.
- 2) For hearing of main case.

**13.02.2023.**

Mr. Muhammad Adnan Moton, Advocate for Petitioner.  
Mr. Qazi Ayazuddin Qureshi, Assistant Attorney General.  
Mr. Khalid Rajpar, Advocate for Respondnet No. 4.  
Mr. Amir Ali Shaikh, Advocate for Respondnet ,  
(Appraisement-West).

Mr. Amir Ali Shaikh and Mr. Khalid Rajper Advocates have filed Vakalatnama on behalf of Respondents No. 3 & 4 respectively which are taken on record, whereas, Mr. Khalid Rajpar has filed Seizure Report dated 10.02.2023 and submits that the matter has been referred to the Adjudicating Authority. On the other hand, Counsel for the Petitioner pleads urgency, insofar as the consignment in question is concerned, and requests for passing of an ad-interim order as according to him only a seizure report is in field, whereas, a Show Cause Notice is yet to be issued and the Petitioner is willing to secure the disputed amount of duties and taxes with the Department and for fine will furnish post-dated cheques and indemnity bond before the Nazir of this Court. According to him, demurrage and detention charges are accruing, whereas, the finalization of proceedings would take time, hence some orders be passed.

In view of the above submissions, the Petitioner may deposit the disputed amount of duties and taxes as mentioned in the Seizure Report directly with the concerned Collectorate, whereas, in respect of fine which may be imposed by the concerned Adjudicating Authority, the Petitioner shall furnish Pay Order or Bank Guarantee in lieu of redemption fine which

may be imposed in terms of SRO No.499(I)/2009 dated 13.06.2009 to the satisfaction of the Nazir of this Court and once Bank Guarantee or Pay Order is furnished, Nazir shall issue appropriate certificate for such consignment separately. Nazir's fee is fixed at Rs. 10,000/- for each certificate to be issued by his office.

In view of the above, Petition has served its purpose and stands disposed of. The Petitioner shall approach the concerned Adjudicating Authority with its Reply who shall proceed in accordance with law, whereas, the fate of the amount deposited with the Collectorate / Department / Nazir shall be subject to outcome of the adjudication proceedings.

**J U D G E**

Arshad/

**J U D G E**