

ORDER SHEET
IN THE HIGH COURT OF SINDH AT KARACHI

CP D 909 of 2023

Date	Order with signature of Judge(s)
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1. For hearing of CMA No.4236/2023.
2. For hearing of main case.

03.05.2023

Mr. Nusrat Ali Shar Baloch, advocate for the petitioner.
Mr. Kashif Ali Raza, advocate for the respondent.
Qazi Ayazuddin Qureshi, Assistant Attorney General.

Mr. Ameer-uddin, advocate files Vakalatnama on behalf of the respondent No.4, which is taken on record.

The petitioner seeks release of consignment/s of imports without payment of any accrued charges, demurrage etc., to the shipping line / container terminal, notwithstanding the admitted fact that no delay detention certificate, waiving any charges, has been issued thereto.

Petitioner's counsel was confronted as to how the relief sought could be granted and / or as to how such a waiver could be conferred by this Court in the exercise of its writ jurisdiction; more so since the relevant container terminal / shipping line were private entities. No satisfactory response could be articulated by the counsel on either count.

The jurisdiction of this Court is defined vide Article 175(2) of the Constitution and the petitioner's counsel remained unable to assist us with any law that would enable us to grant the relief sought. In view hereof, we are constrained to observe that the petition is *prima facie* misconceived, hence, hereby dismissed along with pending application.

JUDGE

JUDGE