

ORDER SHEET  
**IN THE HIGH COURT OF SINDH, KARACHI**  
C. P. NO. D-1148 and 1149 of 2024

Date

Order with signature of Judge

**C. P. NO. D-1148/2024**

- 1) For hearing of Misc. No. 5377/2024.
- 2) For hearing of main case.

**C. P. NO. D-1149/2024**

- 1) For order on office objection
- 2) For hearing of Misc. No. 5380/2024.
- 3) For hearing of main case.

**07.05.2024**

Mr. Muhammad Inziam Shareef, Advocate for Petitioners  
Mr. Amir Ali Shaikh, Advocate for Respondent No.2  
Mr. Kashif Nazeer, Assistant Attorney General.  
Mr. Aizaz Ahmed, Entomologist, Quality Control Center (QCC), PSQCA,  
Lahore

Petitioner's case is that pursuant to a Lab Report dated 19.02.2024 available at page-65 issued by Respondent No.3, the consignment of "Betel Nuts" imported by the Petitioner has been confiscated on the ground that value of Aflatoxin in the provided samples is not complying with Food & Drug Administration (FDA) standard. The Petitioner being aggrieved filed instant petition mainly on the ground that samples were not drawn properly by Respondent No.2 and had prayed for another test through some other independent accredited Laboratory.

On 02.04.2024, an order was passed by this Court for retesting of the goods in question through Quality Control Center (QCC), PSQCA, Lahore, which is an accredited Laboratory of Respondent No.2, whereafter samples were drawn by Customs in presence of all including Respondent No.2, and today Mr. Aizaz Ahmed, Entomologist, Quality Control Center (QCC), PSQCA, Lahore has placed two Lab Reports dated 30.04.2024 before us which reflects that the level of Aflatoxin (ppb) is 13 and 17.3 ppb in the consignment

imported by the Petitioner, as against the earlier level of 97 ppb reported by Respondent No.3. It is further stated that Aflatoxin level is within the permissible limits. Today it has been conceded before us by the Respondents that as per the requirement of law, maximum level of Aflatoxin must not be higher than 20 ppb.

In view of such position, the Lab Reports furnished pursuant to our order dated 02.04.2024, are taken on record. The order of confiscation passed by Respondent No.2 stands set-aside / recalled. The Plant Protection Department is directed to issue release order immediately and thereafter, the consignment in question be released by the Customs, if otherwise found to be in accordance with law.

In view of the above, Petition has served its purpose and stands disposed of with pending application(s).

Office to place copy of this order in the connected petition.

**J U D G E**

**J U D G E**

Ashraf