

ORDER SHEET  
**IN THE HIGH COURT OF SINDH AT KARACHI**  
**C.P. No.D-1880 of 2023**

Date

Order with signature of Judge

PRIORITY CASE:

1. For hearing of CMA No.9203/2023.
2. For hearing of main case.

Dated: 24<sup>th</sup> September 2024

Mr. Ovais Ali Shah, Advocate for Petitioner.

Mr. Kashif Nazeer, Assistant Attorney General.

Mr. Khalid Rajpar, Advocate for Respondents No.2&3.

Mr. Faheem Raza Khuhro, Advocate for Respondent No.4.

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It appears that during pendency of this Petition a Seizure Report was issued on 07.04.2023 and, thereafter, a Show Cause Notice has also been issued on 30.05.2023, whereas the goods in question have been released by an ad-interim order passed on 19.04.2023. At this juncture learned Counsel for the Petitioner submits that an objection has also been raised as to the jurisdiction assumed by the Directorate of Intelligence in this matter, whereas the issue is in respect of classification of goods which can only be decided by the Classification Committee of the Appraisement Collectorate.

Be that as it may, since a show cause notice has been issued, this Petition is disposed of by directing the Petitioner to furnish reply to the Show Cause Notice as above and may raise all legal objections, whereas the concerned Adjudicating Authority shall decide the matter strictly in accordance with law, including the objection of the Petitioner as to the jurisdiction of Directorate of Intelligence and referral of the matter to the Classification Committee pursuant to judgment passed by the Hon'ble Supreme Court of Pakistan in *K. S. Sulemanji Esmailji*<sup>1</sup>.

Petition stands disposed of in these terms, whereas the fate of the amount lying with the Nazir of this Court shall be subject to outcome of the above proceedings.

**JUDGE**

**JUDGE**

\*Farhan/PS\*

<sup>1</sup> vide judgment dated 1.1.2024 in Civil Appeal Nos. 799 to 824 of 2015