

ORDER SHEET
IN THE HIGH COURT OF SINDH, KARACHI
C. P. NO. D-5265 / 2023

Date

Order with signature of Judge

PRIORITY.

- 1) For hearing of CMA No. 24193/2023.
- 2) For hearing of main case.

13.11.2023.

Mr. Imran Iqbal Khan, Advocate for Petitioner.
Mr. Qazi Ayazuddin Qureshi, Assistant Attorney General.
Mr. Khalid Rajpar, Advocate for Respondent.
Mr. Fahim Raza Khoro, Advocate for Respondent.

Mr. Khalid Rajpar has filed para wise comments along with contravention report and submits that a seizure has been made and matter has been forwarded to the Adjudicating Authority for issuance of Show Cause Notice.

On the other hand, Counsel for the Petitioner pleads urgency and requests for passing of an ad-interim order and submits that the Petitioner is willing to secure the disputed amount of duties and taxes with the Department and for fine will furnish Pay Order / Bank Guarantee 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 Contravention Report / Seizure Report directly with the Department, 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. Nazir's fee is fixed at Rs. 10,000/- which shall be paid by the Petitioner.

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 Department / Nazir shall be subject to outcome of the adjudication proceedings.

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Arshad/