

Order Sheet

IN THE HIGH COURT OF SINDH KARACHI
Constitutional Petition No. D – 6660 of 2021

Date	Order with Signature of Judge
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1. For hearing of Misc. No.28595/2021
2. For hearing of main case

16.11.2021

Rana Sakawat Ali, advocate for the petitioner
Mr. Kafeel Ahmed Abbasi, DAG

Mr. Irfan Mir Halepota advocate files Vakalatnama on behalf of respondent No.3, which is taken on record. Mirza Nadeem Taqi advocate undertakes to file Vakalatnama on behalf of respondent No.2.

It appears that the petitioner has already filed a review application under Section 25A of the Customs Act, 1969 which is pending adjudication and the petitioner seeks release of the goods in terms of order after securing the differential amount of duty and taxes with the Nazir of this Court.

In the circumstances, by way of an interim arrangement since the consignment is incurring storage charges at the port, let the undisputed quantum of duties and taxes be deposited with the Collectorate/ Department and the disputed amount of the duties and taxes be secured before the Nazir of this Court, by way of pay order(s) / bank guarantee, in respect of the consignment/s covered by this petition. Once the amount is secured as stipulated supra, the Nazir shall issue the appropriate certificate/s. If the amount is secured by way of pay order/s, the Nazir shall invest the amount in profit bearing instruments, as per the Rules.

Upon deposit of the undisputed quantum of duties and taxes with the Collectorate / Department and presentation of the certificate/s issued by the Nazir, the concerned Collectorate / Department shall release the consignment forthwith.

The fate of the amount secured supra shall be subject to the outcome of the review application. This petition, along with pending application(s), is disposed of in terms herein.

JUDGE

JUDGE