

IN THE HIGH COURT OF SINDH KARACHI  
Constitutional Petition No. D-6570 of 2021

Date	Order with Signature of Judge
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1. For order on office objection
2. For hearing of CMA No.28057/2021 (Stay)
3. For hearing of main case

10.11.2021

Mr. Irfan Ali Shaikh, advocate for the petitioner  
Mr. Kafeel Ahmed Abbasi, DAG  
Mr. Mr. Hussain Bohra, Assistant Attorney General  
Mr. Muhabbat Hussain Awan, advocate for respondent No.3

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 Colectorate/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.

M  
11-11-2021

Zahid

JUDGE

JUDGE