

ORDER SHEET
IN THE HIGH COURT OF SINDH AT KARACHI

CP D 1478 of 2025

| DATE | ORDER WITH SIGNATURE OF JUDGE(S) |
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- 1. For orders on CMA No.7435/2025.
- 2. For orders on office objections No.14 to 19.
- 3. For orders on CMA No.7436/2025.
- 4. For orders on CMA No.7437/2025.
- 5. For hearing of main case.

17.04.2025

Mr. Farrukh Zia Shaikh, advocate and Mr. S.K. Lodhi, advocate for the petitioner.

1. Granted. 3. Granted subject to all just exceptions. 2, 4 & 5. The petitioner claims to have imported a consignment of betel nuts, however, despite repeated request the learned counsel did not demonstrate the underlying GD/s and / or assessment documentation. The prayer clause makes reference to certain GDs dated January and February 2025, however, neither were the same demonstrated nor the fate thereof appraised.

Be that as it may, it was articulated that the consignments were found to have excessive levels of aflatoxins, hence, injurious to public health. The petitioner seeks to dispute the findings as aforesaid and requires this court to conduct a *de novo* determination in such regard aided by other agencies / service providers etc.

The fate of the GDs, assessment etc. has not been shared with us and even otherwise such matters merit adjudication in the statutory hierarchy. No Constitutional / vested right has been demonstrated before us to merit invocation of the discretionary¹ writ jurisdiction of this Court and even otherwise this matter is fraught with factual controversy, having a profound impact on public health, not amenable for adjudication in writ jurisdiction². In view hereof, this petition is found to be misconceived, hence, hereby dismissed in *limine*.

Judge

Judge

¹ Per *Ijaz Ul Ahsan J. in Syed Iqbal Hussain Shah Gillani vs. PBC & Others* reported as 2021 SCMR 425; *Muhammad Fiaz Khan vs. Ajmer Khan & Another* reported as 2010 SCMR 105.

² 2016 CLC 1; 2015 PLC 45; 2015 CLD 257; 2011 SCMR 1990; 2001 SCMR 574; PLD 2001 Supreme Court 415.