

01
IN THE HIGH COURT OF SINDH, AT KARACHI.

Constitution Petition No. D - 2227 / 2016

Presented on 19-4-16

1- M/S. Sabiha Anees Trading Enterprises
29-G, Gulberg-II,
Lahore Through its Authorized Representative
Mr. Shaikh Muhammad Amir resident
Plot No-08 Street No-V Sector 31 B, Karachi.

Additional Registrar (Writ)

Petitioner.

Versus

1. The Federation of Pakistan
Through its Secretary Revenue,
Ministry of Finance,
Islamabad.
2. Chairman Federal Board of Revenue,
Islamabad.
3. Director Intelligence & Investigation
(Customs Enforcement),
Regional Office at 81 - C,
Block 6, P.E.C.H.S, Karachi.
4. The Collector of Customs
MCCA (East). Custom House Karachi
5. The Deputy Collector (Adjudication II.
Collectorate of Customs ADJ II, 11th Floor
Customs House Karachi

Respondents.

CONSTITUTION PETITION UNDER
ARTICLE 199 OF THE CONSTITUTION OF
ISLAMIC REPUBLIC OF PAKISTAN 1973.



IN THE HIGH COURT OF SINDH AT KARACHI

C. P. No. D-2227 / 2016

ORDER WITH THE SIGNATURE OF THE JUDGE

1. For order on office objection.
2. For hearing of Misc. No. 10005/2016
3. For hearing of main case.

26.04.2016

Mr. Kafeel Ahmed Abbasi, advocate for the petitioner.
Mr. Asim Anwar Khan, D.A.G.

Mr. Kashif Nazeer, advocate files vakalatnamas on behalf of respondents No. 3 and 4, and requests for time to file comments.

Learned Counsel for the petitioner says that the petitioners are ready to secure all the Government revenue against release of his consignment. Mr. Kashif Nazeer says that in case the duties and taxes on declared value are paid and differential between the declared and assessed value is secured alongwith postdated cheques covering fine and penalty then the goods could be released to which Mr. Kafeel agrees.


In the circumstances, the respondents to release the petitioner's consignment on payment of duties and taxes on the declared value and on deposit of differential between the declared and assessed through pay order/bank-guarantee and post-dated cheques to secure fine and penalty.

Learned Counsel for the petitioner further says that a show-cause notice has been issued to the petitioner and the petitioner



would appear before the Adjudicating Officer in the hierarchy of Customs but the respondents be restrained to finalize proceedings in respect of the above show-cause notice. This aspect would be considered once the comments are filed by the respondents.

To come up 05.05.2016 for final hearing.

sd

CHIEF JUSTICE

sd

JUDGE

Zahid Baig

