

ORDER SHEET  
IN THE HIGH COURT OF SINDH, KARACHI

C. P. NOS. D-5173, 5175, 5192, 5222, 5223, 5298, 5392 TO 5395, 5440, 5471 TO 5473, 5494, 5581, 5142, 5592 TO 5595 OF 2013, 1106, 1250, 1285, 1587, 1634, 173, 1788, 1825, 1903, 1930, 1947, 1993, 204, 205, 2132, 2161, 23, 24, 240, 2412, 2654, 286, 287, 321, 3286, 3939, 399, 76, 3313, 1071, 2066, 3712, 72, 4064, 4130, 4064 and 4333 of 2014

Date \_\_\_\_\_ Order with signature of Judge \_\_\_\_\_

- 1) For katcha peshi.
- 2) For hearing on Misc. No. 31980/2013.

18.9.2014.

Mr. M. Nouman Jamali Advocate.  
Mr. Waseem Shaikh Advocate.  
Mr. Zain A. Jatoi Advocate.  
Mr. Sardar Faisal Zafar Advocate.  
Mr. Ghulamullah Advocate.  
Mr. Mukesh Kumar Advocate.  
Mr. Muhammad Aqeel Advocate.  
Mr. Shakeel Ahmed Advocate.  
Mr. M. Khalid Hayat Advocate.  
Mr. Sameer Ghazanfar Advocate.  
Mr. Dilawar Hussain Standing Counsel.  
Mrs. Masooda Siraj for respondent.  
Mr. Kashif Nazeer for respondent.  
Mr. Ghulam Haider Sheikh for respondent.  
Mr. M. Sarfaraz Ali Metlo for respondent.  
Mr. Iqbal Khurram for respondent.  
Ms. Afsheen Aman for respondent.  
Ms. Dilkhurram Shaheen for respondent.  
Dr. Iftikhar Ahmed Additional Collector MCC APP.  
Mr. Rafiullah Bangish Assistant Collector Law.  
Mr. Ghulam Yaseen Principal Appraiser.  
Mr. Arshad Ahmed A.O.  
Mr. Abdul Aziz A.O.

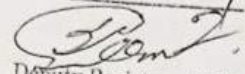
After hearing the learned Counsel for the petitioners and the respondents at some length, by consent of all concerned, these petitions wherein the value determined by the respondent department on the basis of purported valuation guideline / data were made, are being disposed of in the following terms:-

IN THE HIGH COURT OF SINDH AT KARACHI

CONSTITUTIONAL PETITION NO. 399

Presented on 29-1-2014  
/2014

Mr. Muhammad Zakir Ali son of  
Muhammad Sabir Ali, Muslim, Adult  
and proprietor of M/s. ZS Traders.,  
Suite No.G-21, Mateen Plaza, Tariq  
Road, Karachi-----

  
Deputy Registrar (Writ)

Petitioner

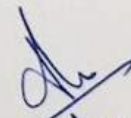
Versus

1. Federation of Pakistan,  
through its Secretary  
Revenue Division/Chairman,  
Ministry of Finance,  
Economic Affairs and  
Revenue, Federal Board of  
revenue, Islamabad.
2. The Director Valuation,  
Directorate General of  
Valuation, Custom House,  
Karachi
3. The Collector of Customs, Appraisement (West),  
Model Collectorate of Customs,  
Custom House, Karachi-----

Respondents

CONSTITUTIONAL PETITION UNDER ARTICLE 199 OF THE ISLAMIC REPUBLIC OF  
PAKISTAN, 1973



  
2/10  
PA Class 1

1) That cases of the petitioners shall be assessed in terms of Section 25 of the Customs Act, 1969 by the respondent through appealable assessment order by following sequential method and keeping in view the judgments of this Court as well as Hon'ble Supreme Court on the subject controversy, after providing an opportunity of being heard to the petitioners strictly in accordance with law preferably within a period of four weeks from the date of this order. It is further clarified that while passing the assessment order the respondent shall not be influenced by the purported valuation guidelines which have been impugned in the instant petition.

2) If the petitioners are still aggrieved from such assessment order they may avail the remedy as provided under the Customs Act, 1969 by filing an appeal before the relevant forum as provided under the law, however, the respondent shall not enforce the recovery of the disputed amount if any, for another 15 days from the date of the order of assessment to enable the petitioners to seek appropriate remedy and to obtain stay from the concerned forum.



Petitions stand disposed of in the aforesaid terms along with listed application.

Sd/- M. Jamil Chaudhary Sd/- Ayaz Ahmad Adnan

JUDGE

JUDGE

ARSHAD/