

IN THE HIGH COURT OF SINDH AT KARACHI
(CONSTITUTIONAL JURISDICTION)

6336
C.P. No. D- of 2019

Presented on 04-10-19
Additional Registrar (Writ)

M/s. Memon Motor (Pvt.) Ltd,
Through its authorized representative,
Mr. Zuhair Kazim s/o Kazim Hussain Khan,
CNIC No.42301-6966370-3,
Having its address at
G-4, Hashmi Colony, Opp. Zeal Pak SITE,
Hyderabad

M/s. M.A.K. Automotive (Pvt.) Ltd,
Through its authorized representative,
Mr. Zuhair Kazim s/o Kazim Hussain Khan,
CNIC No.42301-6966370-3,
Having its address at
Plot No.B-5, SITE,
Hyderabad.....Petitioners

Versus

1. Federation of Pakistan
Through its Secretary,
Revenue and Statistics/Chairman, FBR,
Government of Pakistan,
Constitutional Avenue,
Islamabad



The Collector of Customs,
Model Customs Collectorate (East),
Mezzanine Floor, Customs House,
Karachi

The Collector of Customs,
Model Customs Collectorate (West),
Mezzanine Floor, Customs House,
Karachi

4. The Deputy Collector (SAPT),
MCC Appraisement (East),
SAPT,
Karachi.

5. The Assistant Collector,
Auction-KICT,
MCC Appraisement (West),
Customs House,
Karachi.....Respondents

ORDER SHEET
IN THE HIGH COURT OF SINDH, KARACHI
C.P. No. D – 6336 of 2019

Date	Order with signature of Judge
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Fresh Case

1. For orders on Misc. No.28113/2019
2. For orders on Misc. No.28114/2019
3. For orders on Misc. No.28115/2019
4. For hearing of main case.

04.10.2019:

Mr. Imran Iqbal Khan, advocate for the petitioners.

1. Granted.
2. Granted subject to all just exceptions.
- 3-4. Learned counsel for the petitioners submits that petitioners are engaged in manufacturing of two or three wheeler vehicles i.e. Rickshaw and Motor Cycle, have imported different types of raw materials, components, sub-components and assemblies, who have been issued a certificate in terms of SRO 655(I)/2006 & SRO 656(I)/2006 both dated 22.06.2006 in respect of the annual quota/requirement of the parts from Engineering Development Board (EDB) upto 30.09.2019, whereafter, petitioners have applied for renewal of such quota to the EDB, however, before a certificate to this effect could be issued, the petitioners have imported consignments of components, sub-components and assemblies etc., which could not be lifted nor the G.Ds could be filed as the certificate from EDB has not been issued so far; whereas, the Customs Authorities have put such consignments of the petitioners to auction vide Notice under Section 82 of the Customs Act, 1969, dated 02.08.2019, and has referred to details of consignment of the petitioners at Sr. Nos.73, 96, 130 and 186. It has been prayed that respondents may be restrained from putting such consignment of the petitioners for auction till next date of hearing.



Let pre-admission notice be issued to the respondents as well as DAG, to be served through first three modes, for 24.10.2019, when comments shall be filed with advance copy to the learned counsel for the petitioners. However, till next date, respondents shall not put the consignments of the petitioners for auction as detailed at Sr. Nos.73, 96, 130 and 186 of the Auction Sheet.



Nadeem PA

Sr. Aqeel Ahmed Abbasi
 Sr. Zubair Ahmad Khan

NOTIFIED TO THE COURT



APPLIED FOR ON 05/10/19
 FEES ESTIMATED ON
 ESTIMATED FEES DEPOSITED ON
 COPY MADE READY ON
 STATEMENTS SUPPLIED ON
 COPY CERTIFIED ON
 COPY DELIVERED ON 08/10/19

COPYING FEES	:	RS.	
URGENT FEES	:	RS.	
OUTRARIING FEES	:	PAGE	301 RS 800

08/10/19
 Assistant Registrar

08/10/19
 Assistant Registrar