

IN THE HIGH COURT OF SINDH, KARACHI

Present

Mr. Justice Aqeel Ahmed Abbasi

Mr. Justice Zulfiqar Ahmed Khan

1. Const. Petition No.D-296/2019
M/s. Steel Vision (Pvt) Ltd.Petitioner
 2. Const. Petition No.D-231/2019
Royal Impex (Pvt) Ltd.Petitioner
 3. Const. Petition No.D-610/2019
Royal Impex (Pvt) Ltd.Petitioner
 4. Const. Petition No.D-611/2019
Muhammaad RizwanPetitioner
 5. Const. Petition No.D-1145/2019
M/s Steel Vision (Pvt) Ltd and othersPetitioners
 6. Const. Petition No.D-3203/2019
Balochistan Engineering Works Ltd.Petitioner
- Versus
- Federation of Pakistan and othersRespondents

Date of hearing : 01.10.2019

Date of order : 01.10.2019

Mr. Ahmed Ali Hussain, advocate for the petitioner in C.P.No.D-296/2019.

Mr. Zain A. Jatoi, advocate for the petitioners in C.P.Nos.D-231, 611, 1145 & 3203 of 2019.

Syed Mehmood Alam Rizvi, advocate for the respondent.

Ms. Masooda Siraj, advocate for the respondent.

Mr. Khalid Rajpar, advocate for the respondent.

Mr. Aamir Raza, advocate for respondent.

Ms. Lubna Pervez, DAG.

Syed Muhammad Kazmi, Manager Legal.
EPZA/respondent No.6.

ORDER

For the reasons to be recorded later on, instant petitions are disposed of in the following terms:-



- (1) The detention of subject consignment(s) of the petitioner(s) at Port by the Customs Authorities, which were admittedly meant for Export Processing Zone and without allowing such consignments to reach the Export Processing Zone, was without lawful authority and in violation of directives issued by the Federal Board of Revenue (FBR) in this regard. Accordingly, the letters issued or action taken in respect of consignments meant for Export Processing Zone by the Directorate of Intelligence and Investigation are also illegal and without lawful authority.
- (2) Since the consignment(s) of the petitioner(s) have now been duly examined through joint inspection, whereafter a joint report dated 14.07.2019 has been furnished, concerned Adjudication Collectorate may proceed in respect of such consignments in accordance with law and may conclude the adjudication proceedings after providing opportunity of being heard to the petitioner, preferably, within a period of one month from the date of receipt of this order.
- (3) The Directorate of Intelligence and Investigation, however, will be at liberty to initiate lawful proceedings against the petitioner(s), irrespective of the aforesaid adjudication proceedings by the concerned Collectorate (Export Processing Zone) provided, there is concrete material available with them, which may require their intervention and preparation of contravention, if any, however, strictly in accordance with law, whereas, the relevant SROs as well as directives issued by the FBR in this regard and the case law on the subject shall also be taken into consideration.



Petition(s) stands disposed of in the above terms along with listed applications.

Sd/- Aqeel Ahmed Abbasi
Judge
Sd/- Zulfiqar Ahmed Khan
Judge