

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

C.P. No. D- 6901 of 2019 Presented on 29.10.19

[Signature]
Additional Registrar (Writ)

M/s. Home System,
Through its sole proprietor,
Mr. Malik Muhammad Yasin s/o Tanveer Ahmed Chauhan,
bearing CNIC No. 42101-8735642-3,
Having its office at,
Shop No-103/8, 1st Floor Uni Centre,
Karachi.....Petitioner

Versus

1. Federation of Pakistan,
Through the Secretary,
Revenue Division / Chairman,
Federal Board of Revenue,
F.B.R. House,
Constitution Avenue,
Islamabad.
2. The Collector of Customs,
Model Customs Collectorate (East),
Customs House,
Karachi
3. The Collector of Customs,
Model Customs Collectorate (West),
Customs House,
Karachi
4. The Collector of Customs,
Model Customs Collectorate (Preventive),
Customs House,
Karachi.....Respondents



PETITION UNDER ARTICLE 199 OF THE CONSTITUTION OF
PAKISTAN, 1973.

Sheweth,

ORDER SHEET

IN THE HIGH COURT OF SINDH, KARACHI

C.P. No. D-6901 of 2019

Date

Order with signature of Judge

FRESH CASE

1. For orders on Misc. No. 30638/2019
2. For orders on Misc. No. 30639/2019.
3. For orders on Misc. No. 30640/2019
4. For hearing of Main Case.

29/10/2019:

Mr. Imran Iqbal Khan, advocate alongwith Mr. Rayan Zia, advocate for the petitioner.

1. Granted.
2. Granted subject to all just exceptions.
- 3&4. Learned counsel for the petitioner submits that duty and taxes paid and assessment finalized in ten out of charged consignments of the petitioner in the year 2017-18, has been reassessed by the Customs Authorities in the year 2019 on the basis of audit observations in compliance of Board's instructions vide letter No. 3(1)Valuation/2018(vol. II) dated 15.05.2019, whereas, the petitioner has neither been confronted with such Board's Letter nor the respondents have any authority to reassess such consignments of the petitioner. It has been further contended by the learned counsel for the petitioner that no adjudication proceedings have been taken place in the instant matter and respondents are threatening the petitioner for involving them in criminal cases on account of money laundering.

Let pre-admission notice be issued to the respondents as well as D.A.G. to be served through first three modes for 14.11.2019 when comments, if any, shall be filed with advance copy to leaned counsel for the petitioner. In the meanwhile, respondents shall not take any coercive action against the petitioner unless a proper adjudication in accordance with law is initiated and an opportunity of being heard is provided to them, in this case.



Zahid Raig

Sdr. Aqjeel Ahmed Abbasi
Judge
Sdr. Mahmood A. Khan
Judge