

**ORDER SHEET
IN THE HIGH COURT OF SINDH AT KARACHI**

C.P. No.D-3583 of 2022

Date	Order with signature of Judge
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1. For hearing of CMA No.15773/2022.
2. For hearing of main case.

09.6.2022

Mr.Imran Iqbal, Advocate for Petitioner.
Mr.Muhammad Khalil Dogar, Advocate for Respondent
No.2 a/w Ms.Quratulain Ramay, Deputy Collector.
Mr.Ajazuddin Qureshi, Advocate for Respondent No.3.
Mr.Khursheed Ahmed, DAG.

Mr.Ajazuddin Qureshi files Vakalatnama on behalf of
Respondent No.3, which is taken on record.

Mr.Muhammad Khalil Dogar has affected appearance on
behalf of Respondent No.2 and has filed his parawise
comments and, under instructions, submits that the
Collectorate in question is already implementing the judgment
reported as *Danish Jehangir v. Federation of Pakistan &
others (2016 PTD 702)*, however, we are not satisfied with this
verbal response from Mr.Muhammad Khalil Dogar and direct
the Chief Collector, Customs South as well as the Collector of
Customs West in this case to file such response in writing with
categorical undertaking that after lapse of the Ordinance,
whereby section 81 of the Customs Act was amended, they are
and will implement the aforesaid judgment.

In so far as the present case is concerned, the
Petitioner's assignment is stuck at Port and he has challenged
Valuation Ruling No.1628 of 2022 dated 08.4.2022 under
Section 25(D) of the Act before DG (Valuation) and seeks



release of the consignment provisionally. His request under Section 81 ibid has not been attended to by Customs.

In view of such position, let the disputed amount of duty and taxes be deposited and secured with the Nazir of this Court by way of Bank Guarantee or Pay Order and once the exercise is done, Nazir to issue appropriate certificate which shall be presented to the concerned Collectorate for release of the consignment. The Collectorate shall release the consignment immediately on presentation of the Certificate.

To come up on 23.6.2022 at 11.30 a.m.



Shakeel, PS.

Sgt. Muhammad Khaid Ali Khan

Judge

Sgt. Anjad Ali Salim

Judge

THE HIGH COURT OF SINDH, KARACHI
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(MUHAMMAD SARFARAZ)
I/C: ASSISTANT REGISTRAR (COPYING)

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