

HIGH COURT OF SINDH, KARACHI

C.P. NO. D- 5511 of 2024

M/S. DAWN TO DUSK ENTERPRISES.....PETITIONER

V E R S U S

FED: OF PAKISTAN & OTHERS.....RESPONDENTS

ORDER

- 1.For hearing of CMA No.24284/2024
- 2.For hearing of main case

20.11.2024

Mr. Shahan Ali, Advocate for the petitioner.
Mr. Kashif Nazir, Assistant Attorney General.

Mr. Sardar Zafar Hussain, Advocate has filed Vakalatnama on behalf of respondent No.2 which is taken on record.

On the other hand, in so far as the consignment in question is concerned, learned counsel for the petitioner requests for passing of an ad-interim order as according to him, show cause notice has been issued by the respondent and the petitioner is willing to secure the disputed amount of duties and taxes with the department and for fine will furnish post-dated cheques and indemnity bond before the Nazir of this Court. According to him, demurrage and detention charges are accruing, whereas, the finalization of proceedings would take time, hence some interim orders be passed.


In view of the above submissions, the petitioner may deposit the disputed amount of duties and taxes as mentioned in the show cause notice in respect of Goods Declaration directly with the department, whereas, in respect of fine which may be imposed by the concerned Adjudicating Authority, the petitioner shall furnish pay order or bank guarantee in lieu of redemption fine which may be imposed in terms of SRO No.499(I)/2009 dated 13.06.2009 to the satisfaction of the Nazir of this Court and once bank guarantee or pay order is furnished, Nazir shall issue appropriate certificate(s) for such consignment(s) separately. Nazir's fee is fixed at Rs.10,000/- for each certificate to be issued by his office.

In view of the above, petition has served its purpose and stands disposed of. The petitioner shall approach the concerned Adjudicating Authority with its reply who shall proceed in accordance with law,

whereas, the fate of the amount deposited with department/Nazir shall be subject to outcome of the adjudicating proceedings.

SD/- JUDGE
SD/- JUDGE

CERTIFIED TO BE TRUE COPY


ASSISTANT REGISTRAR (WRIT)

Endt. C.P. No. D-5511 OF 2024

Karachi dated: 21-11-2024

Copy forwarded for information and compliance to the Collector of Customs, MCC-Appraisement SAPT Customs House Karachi.


ASSISTANT REGISTRAR (WRIT)