

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

C.P. No. D- 5696 of 2024

Filed on 08-11-2024

[Signature]
Additional Registrar (Writ)

Mr. Muhammad Sajjad S/o Chd. Ghulam Rasool
Holding CNIC # 35201-1274932-5
Sole proprietor of the M/s. Alpha Scientific Store
Through its authorized attorney

Mr. Muhammad Rafiq S/o Khushi Muhammad
Holding CNIC No. 33100-2403564-5
Having office at, Office No. 8/8A ground floor
Saint Centre Moj darya road LahorePetitioner

VERSUS

1. **Federation of Pakistan,**
Through Secretary, Revenue and Statistics
Chairman, FBR, Government of Pakistan,
Constitutional Avenue,
Islamabad
2. **The Collector of Customs,**
MCC Appraisement (SAPT),
Custom House,
Karachi
3. **Collector of Customs Appeal**
81-C Block-6 P.E.C.H.S Karachi..... Respondents

CONSTITUTIONAL BENCH MATTER UNDER ARTICLE 199 1(a)(i).

OF THE CONSTITUTION OF PAKISTAN, 1973.



ORDER SHEET
IN THE HIGH COURT OF SINDH, KARACHI

C. P. NO. D-5696 / 2024

Date _____
Order with signature of Judge _____

PRIORITY.

- 1) For hearing of Misc. No. 25293/2024.
- 2) For hearing of main case.

19.11.2024.

M/s. Aneel Zia & Saima Syed, Advocates for Petitioner.
Mr. Kashif Nazeer, Assistant Attorney General.
Mr. Muhammad Rasheed holding brief for
Mr. Sardar Zafar Hussain, Advocate for Respondent No. 2.

Counsel has affected appearance and undertakes to file Vakalatnama of Mr. Sardar Zafar Hussain on behalf of Respondent No.2.

Learned Counsel for the Petitioner submits that the Appeal against assessment order (Page-37-39); whereby, highest data applied has been preferred before the Collector of Customs, which is pending; whereas, the consignment is lying at the port and the Petitioner is incurring the storage charges and therefore he requests that ad-interim orders may be passed for release of the goods as the Petitioner is willing to secure the differential amount of duty and taxes with the Nazir of this Court.

In the circumstances, by way of an interim arrangement and until further orders, let the disputed amount of duty and taxes be secured before the concerned Collectorate by way of a separate Pay Order / Bank Guarantee in respect of the consignment(s) covered by this Petition, whereas, the remaining amount of duty and taxes be paid to the Concerned Collectorate. Once the amount is secured and paid as above, the concerned Collectorate / Department, shall release the consignment forthwith.

In view of the above, this Petition is disposed of by directing that Appeal of the Petitioner, if any, filed or pending before the Collectorate (Appeals), Karachi shall be decided and dealt with in accordance with law. Till such time, final order(s) are passed as above, the security as furnished shall not be encashed.

Muhammad Faisal Ghaffar
Judge

Muhammad Abbas Rahn
Judge

