

ORDER SHEET.
ISLAMABAD HIGH COURT, ISLAMABAD.
JUDICIAL DEPARTMENT.

W.P.No.372/2021

THE Assistant Collector Customs (Preventive Division), MCC
Vs.
Customs Appellate Tribunal and others

S. No. of order/ proceedings	Date of order/ Proceedings	Order with signature of Judge and that of parties or counsel where necessary.
	29.01.2021.	Mr. M.D. Shahzad, Advocate for the petitioner.

Through the instant writ petition, the petitioner, Assistant Collector Customs (Preventive Division), Islamabad, assails the customs order-in-original No.286/ 2020, dated 17.09.2020 passed by respondent No.3 (Collectorate of Customs (Adjudication), Islamabad).

Learned counsel for the petitioner submitted that the only reason why the instant petition has been filed before this Court is that the Customs Appellate Tribunal (“C.A.T.”) is presently non-functional since a Chairman has not been appointed as yet; that the petitioner has already preferred an appeal before the C.A.T., which has not been taken up for hearing due to the Tribunal being non-functional.

Learned counsel for the petitioner also drew the attention of the Court to the order dated 15.01.2021 passed by this Court in writ petition No.117/2021 and submitted

that the petitioner seeks the same relief as was granted in the said writ petition.

The vehicle in question is presently in the custody of the petitioner. However, payment of the leviable duty/tax as demanded by the petitioner, has not been paid as yet.

Issue notice to respondents No.1 and 3.

Relist along with W.P. No.117/2021.

C.M. No.01/2021

Notice. Until the next date of hearing, *status-quo* is directed to be maintained.

C.M. No.02/2021

Exemption sought for is allowed, subject to all just and legal exceptions.

(MIANGUL HASSAN AURANGZEB)
JUDGE

Sanaullah