

ORDER SHEET  
IN THE HIGH COURT OF SINDH AT KARACHI

ITRA 123 of 2019  
ITRA 124 of 2019  
ITRA 125 of 2019  
ITRA 126 of 2019  
ITRA 127 of 2019

DATE	ORDER WITH SIGNATURE OF JUDGE(S)
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- 1. For orders on CMA No.259/2019.
- 2. For hearing of main case.

**09.12.2025**

Mr. Shahid Ali Qureshi, advocate for the applicant.

Matter is pending since 2019 without any progress and even notice has not been sought / issued till date. On 25.11.2019, following order was passed:

**“25.11.2019**

Mr. Shahid Ali Qureshi, advocate for applicant(s).

Learned counsel for the applicant(s) requests for time to seek instructions as to whether any Reference has been filed against the order passed by the Appellate Tribunal, upon which, reliance has been placed in the instant cases. Four weeks’ time is granted.”

The reason for the aforesaid order appears to be that the impugned judgment has been rested upon the four earlier judgments of the learned Appellate Tribunal particularized in para 36, which reads as follows:

- “36. On the other hand, the learned AR vehemently opposed the contentions made by the learned DR. He argued that the exactly identical issue of notional exchange gain (arisen due to conversion of PK liabilities to USD and reconversion in PKR) has been decided by the Tribunal in favour of various E & P Companies which are as follows:
- i. ITA No.432/KB/2014 dated 18-12-2017.
  - ii. ” ITA No.1032/KB/2013 dated 30-11-2016.
  - iii. ITA No.299/KB/2013 dated 26-10-2016.
  - iv. ITA No.389/KB/2014 dated 2-5-2016.”

Despite passage of six years since the aforesaid order was passed, counsel has not complied with the same without articulating reason in such regard. In view hereof, it appears that the applicant department is not interested in present proceedings. Accordingly, in view of judgment of *CIR vs. Rafeh Limited* reported as *PLD 2020 SC 518*, the reference applications are dismissed for non-prosecution.

A copy of this decision may be sent under the seal of this Court and the signature of the Registrar to the learned Appellate Tribunal, as required per section 133(8) of the Income Tax Ordinance, 2001. Office is instructed to place copy hereof in the connected files.

Judge

Judge

Khuhro/PS