

THE HIGH COURT OF SINDH KARACHI

Before:

Mr. Justice Yousuf Ali Sayeed

Mr. Justice Adnan Iqbal Chaudhry

C.P. No. D – 312 of 2026

[Jade E-Services Pakistan (Private) Limited v. The Pakistan & others]

Petitioner : Jade E-Services Pakistan (Private) Limited through Mr. Fahad Khan, Advocate.

Respondent No.1 : The Pakistan through Ms. Mehreen Ibrahim, Deputy Attorney General for Pakistan.

Respondent No.2 : Nemo.

Respondents 3 & 4 : Commissioner Inland Revenue and another through Mukesh Kumar Khatri, Advocate.

Date of hearing : 30-09-2026

Date of decision : 30-09-2026

ORDER

Adnan Iqbal Chaudhry J.- Aggrieved of an order dated 30.12.2025 passed under section 45B of the Sales Tax Act, 1990 (**the Act**), the Petitioner has preferred an appeal to the Appellate Tribunal Inland Revenue (**Tribunal**) along with an application to stay recovery pending appeal. The grievance of the Petitioner is that while the Tribunal has yet to provide a hearing on the stay application, the Petitioner is exposed to coercive process for recovery of tax. Learned counsel for the Inland Revenue does not dispute these facts. Learned counsel for the Petitioner submits that till such time, the Tribunal provides a hearing on the stay application, coercive action should not be taken against the Petitioner for recovery.

Under sub-section (2) of section 46 of the Act, the Tribunal is vested with discretionary powers to stay recovery of tax should it deem fit. Apparently, the Tribunal has yet to consider the stay application for the appeal filed by the Petitioner. Therefore, we are

inclined to allow this petition in the following terms. Until the Tribunal passes an order on the stay application or appeal of the Petitioner, whichever is earlier, officers of Inland Revenue are restrained from effecting recovery on the basis of impugned order dated 30.12.2025 for tax periods from April, 2019 to March, 2020.

JUDGE

JUDGE

**PS/SADAM*