ORDER SHEET

IN THE HIGH COURT OF SINDH AT KARACHI

Special Sales Tax Reference Application No. 47 of 2026

DATE	ORDER WITH SIGNATURE OF JUDGE

1. For hearing of main case.
2. For hearing of CMA No. 924/2026.

08.09.2026.

Ms. Summiya Kalwar, advocate for the applicant.

Following questions were proposed for determination:-

i. Whether the learned Appellate Tribunal has erred in law to decide that services provided by Appellant from its branch office at Lahore to recipients in Punjab are not taxable under the Sindh Sales Tax on Services Act 2011, specifically provided from Karachi since the shares are transferred using mechanism and server of the Karachi/Pakistan stock exchange?

ii. Without prejudice to question No. 1, whether the learned Appellate Tribunal has erred in Law in failing to consider that the tax periods from July 2017 onwards are squarely covered by the ratio as laid down in the judgement by this Honourable court reported as 2025 PTD 1733 titled as M/s Summit Capital Pvt Ltd v. Sindh Revenue Board?

iii. Without prejudice to the above questions 1 & 2, whether the Learned Tribunal has erred in Law to treat the head of "other income" of Audited Financial Accounts (of the respondent, for period in question) against the International Financial & Accounting Standards and thereby discharging respondent from the liability of Tax?

iv. Whether the Learned Tribunal has erred in Law by deleting default surcharge imposed under section 44 of the Sindh Sales Tax on Services Act 2011?

v. Whether the Learned Tribunal has erred in deleting the statutory penalties of offence No.3 of section 43 of the Sindh Sales Tax on Services Act 2011?

Order dated 17.08.2026 demonstrates that service has been effected, however, the respondent has opted to remain unrepresented.

Learned counsel for the applicant states that the controversy before the Court is clinched in favour the applicant by a Division Bench judgment of this Court dated 04.09.2025 in the case of *Summit Capital* in SSTRA No. 68/2016 & others. Learned counsel states that the same has not been considered by the learned Tribunal. She further states that insofar as

Questions 4 & 5 are concerned, they have already been addressed by the judgments of this Court dated 21.08.2026 in SSTRA No. 86/2025 & others and dated 04.09.2026 in SSTRA No.67/2019 & others. Learned counsel states that the impugned judgment is *prima facie* devoid of proper appreciation of law, therefore, it would be in the interest of all the parties concerned that same may be set-aside and matter be remanded back to the learned Tribunal for adjudication afresh in accordance with law. Order accordingly.

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 63 (5) of the Sindh Sales Tax on Services Act, 2011.

Judge

Judge

Ayaz P.S.