

ORDER SHEET

IN THE HIGH COURT OF SINDH AT KARACHI

Suit No.1240 of 2016

DATE

ORDER WITH SIGNATURE OF JUDGE

For hearing of CMA No.8398/16 (U/O 39 Rule 1 & 2 CPC)

02.06.2016

Mr. Muhammad Umer Akhund, Advocate for the plaintiff.
Mr. Sarfaraz Ali Metlo, Advocate for the defndat.
Mr. Ghulam Qadir Leghari, Standing Counsel.

Counsel for the plaintiff submits that in this matter an Order dated 31.12.2015 was passed against which an appeal was filed by the plaintiff which has also been dismissed by the Commissioner (Appeals), against which a further appeal is pending before the Appellate Tribunal Inland Revenue, whereas, during pendency of the appeal, coercive measures are being initiated by the defendants, hence instant Suit. All present before the Court submit that instant Suit can be finally disposed of by consent of the parties by directing the Appellate Tribunal Inland Revenue to decide the pending appeal of the plaintiff filed against Order in Appeal dated 28.3.2016 within a period of 60 days from today and till then the defendants would not press for recovery of the impugned demand. Counsel for the plaintiff has placed on record copy of Order dated 04.02.2016 passed in Suit No.1949/2015.

Accordingly, by consent instant Suit is disposed of by directing the Appellate Tribunal Inland Revenue to decide the appeal filed by the plaintiff arising out of Order in Appeal dated 28.03.2016 preferably within a period of 60 days from today and till then the defendants/department shall not take any coercive measures against the plaintiff for recovery of the impugned demand.

Suit stands disposed of in the above terms alongwith all pending applications.

J U D G E

Ayaz