

ORDER SHEET
IN THE HIGH COURT OF SINDH AT KARACHI

Suit No.2118 of 2015

DATE

ORDER WITH SIGNATURE OF JUDGE

1. For hearing of CMA No.16054/15 (U/O 39 Rule 1 & 2 CPC)
2. For ex-parte order against Defendant No.1 & 2.

14.09.2018.

Mr. Muhammad Khalid Hayat, Advocate for Plaintiff.

Mr. Shamshad Ahmed and Mr. Ayaz Sarwar Jamali, Advocates
alongwith Syed Zain-ul-Abidin, Deputy Commissioner, SRB.

Mr. Umar Zad Gul Kakar, DAG.

1. In continuation of the Order dated 07.09.2018, Counsel for the Plaintiff submits that no demand has been raised by the Department, whereas, through instant Suit they have challenged the constitution of Sindh Revenue Board as being ultra vires to the Constitution, therefore, impugned Notice is illegal. On perusal, it appears that impugned Notice is only in respect of calling some documents under Section 48(1) of the Sindh Sales Tax Act on Services 2011, whereas, no prejudice has been caused to the Plaintiff to seek any permanent restraining order.

Accordingly, listed application bearing CMA No.16054/2015 stands disposed of by directing the Plaintiff to respond to the notices/summons issued by the Department i.e. Sindh Revenue Board within 15 days from today and upon furnishing of such requisite documents/information, the Department shall proceed strictly in accordance with law and shall provide opportunity of personal hearing to the Plaintiff. If any adverse order is passed, the Plaintiff shall be at liberty to seek appropriate remedy in accordance with law. Application stands disposed of.

2. Adjourned.

J U D G E

Ayaz P.S.