

ORDER SHEET
IN THE HIGH COURT OF SINDH, KARACHI
Income Tax Reference Application Nos. 111 to 120 of 2017

Date

Order with signature of Judge

HEARING OF CASE.

- 1) For order on CMA No. 136/2017.
- 2) For hearing of main case.

23.04.2025.

Mr. Faheem Ali Memon, Advocate for Applicant.
Mr. Anwar Kashif Mumtaz, Advocate for Respondent.

All these Reference Applications have been filed by the Commissioner against National Bank of Pakistan (NBP) against order dated 24.11.2016 passed in ITA No.394/KB of 2006 and other connected matters by the Appellate Tribunal Inland Revenue (Pakistan) at Karachi. NBP is a State Owned Enterprise in terms of State Owned Enterprises (Governance and Operation) Act, 2023 and pursuant to Section 134A of the Income Tax Ordinance, 2001 a mechanism has been provided for State Owned Enterprises ("SOE") to approach FBR in respect of adverse orders passed by the Inland Revenue Department.

Today, Respondent's Counsel submits that the Hon'ble Supreme Court of Pakistan has referred the matters filed by the Commissioner Inland Revenue against SOE's to the Dispute Resolution Committee (DRC). He has placed on record copies of such orders passed in **Civil Petition No. 2106 of 2024** (***Commissioner Inland Revenue, Corporate Zone, Regional Tax Officer, Islamabad v. M/s Islamabad Electric Supply***

Company Limited, (IESCO), Islamabad), Civil Appeals No. 649, 650, 651, 652 of 2022 (M/s. State Life Insurance Corporation of Pakistan v. The Assistant Commissioner of Income Tax, Karachi & others) and Civil Petition Nos. 886-K, 887-K and 888-K of 2023 (M/s. Trading Corporation of Pakistan v. The Commissioner of Income Tax, Karachi).

In view of such position, all these Reference Applications are disposed of, whereas, in terms of Section 134A of the Income Tax Ordinance, 2001, matters stand referred to FBR to form a Committee as required under the new amended provision. Once a decision has been given by the Committee, the aggrieved party may seek further remedy in accordance with law.

With these observations, these Reference Applications are hereby disposed of. Office to place copy of this order in the connected cases.

ACTING CHIEF JUSTICE

J U D G E